

**BABEȘ BOLYAI UNIVERSITY**

**Unconventional Threats To International Security.  
Case Study On Organized Crime In Southeastern  
Europe After Dayton (USA, 1995)**

**Summery Of The PhD Thesis**

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## **Key Words**

International relations, security studies, international criminal law, unconventional threats, organized crime networks, increased cooperation, SECI, DIICOT.

## **Chapter I**

### **Introduction**

The fall of communism in Central and Eastern Europe, then in the Euro-Asiatic, in terms of strategic marks a new stage in European security, characterized by the fact that the west were a permanent threat hanging military. However, the security environment in this area is one that can hardly be described as not pose a risk or threat. But what makes this new security environment refers to the nature of the risks and threats arising from the fall of the communist bloc and the nature of the response that I give state actors in these holes.

Progressive democracy in Eastern Europe, combined with the new security context of globalization, we will discuss later in detail, produce much threat of a diffuse nature, regional or global effects whose causes can be local, and especially regional borders. Under these conditions, the response of a single state in the face of these threats is not enough and may be even laughable. It takes the combined efforts of state actors, regional and international organizations, local actors and the response to these threats tend to transgression of the established hierarchical lines of security governance - not only -and require the combined effort of several types of actors, organized networking rather than hierarchy.

Also be pointed at the outset that the diffuse nature of new threats and consequences flowing from globalization and the dissolution order conjugate

bipolar responses occurs not only new non-state actors and international, but also to new institutional and organizational forms of cooperation.

These new threats also have another effect: changing the way the international community sees security. With the dissolution of the bipolar order and with the emergence of globalization, and witnessing a new way of thinking about international security and, more, more radical voices even require a reinterpretation of the concept of international security in several ways.

South-Eastern Europe is a geographical term proposed to replace the older term of the Balkans, because of the symbolic associations with certain cultural characteristics implied by the concept of "balkanism" can acquire pejorative meanings. The deadline for South-East Europe is an alternative and this was taken in the international political-diplomatic language as such.

The assumption that the genealogy of organized crime in Southeastern Europe finds its roots in the context of dissolution of the communist bloc, the fall of the Iron Curtain and the end of the Cold War was highlighted by most analysts in the field.

However, if the countries of Central and Eastern Europe, marks the beginning of the period 1989-1991, more or less effectively in the process of democratization, or in a school of thought, entering a transitional period for the Balkans, the year 1989 brings not only continue the old order, but rather an ideological shift arrangements in this area, meaning the adoption of ethnic hate speeches. The consequences of these ideological shifts are detectable until today, since they are the ones that feed the ethnic conflicts in the region and leading to failed states. In essence, this terminology draws attention to the impossibility of state authorities to exercise its monopoly of violence in the territory and therefore the development of sub-monopolies of violence led by local chiefs, whose legitimacy is more or less accepted by local communities and which often, because the context of the area, are engaged in illegal activities.

What we proposed in this paper is not, however, an exhaustive or taxonomic approach to these threats. This is because, both unconventional threats and their effects are widely monitored by international organizations or agencies to the business sector, focusing on issues of human security, environmental security, nuclear safety etc.

### **Dayton - a new approach to unconventional threats in South-East Europe**

Dayton Peace Agreement to end a series of military clashes between Serbs, Croats and Bosnians, also offering a new constitutional order of Bosnia and Herzegovina, through the fourth to the Appendix. Also under this agreement are the foundations of post-war reconstruction of Bosnia and Herzegovina, which includes a wide range of operations, to maintain order and institutional reconstruction.

We present a brief overview of the history of the former Yugoslavia in the 1990 to punctuate an important element in the economy of this work: the concept of failed states. This concept is widely used to denominated countries where, for one reason or another, authorities have lost control of the exercise of violence jure territory. The concept has been taken as such by the security strategies of the dominant actors on the international scene such as the U.S. or the EU.

A failed state is conceptualized as a site where not only proliferate unconventional threats to security within the state, but also to international security, in that such territory is favorable for the development of organized crime.

## **Organised crime in the Balkans. Possible causes and prospects for international policy**

Type of explanation which says most studies of organized crime in the former Yugoslavia and the Balkans is that the phenomenon manifests itself in the area amid the failed states. Also, this explanation is also the basis of the international community's vision and strategy for the Balkans. Most international actors in the area said that successful implementation of the Dayton agreements and democratization of Bosnia would be possible without local power monopolies, which are not only perpetuating the past, but also the expansion of organized crime in the area. This type of explanation does not explain why but can document the existence of transnational networks of organized crime originating in South East or to participate in these networks both citizens of these failed states and citizens of EU member states like Romania or Bulgaria.

## **The stake to stabilize Southeast Europe in the context of non-conventional threats to European security.**

Democratization efforts in Bosnia as opposed to collective actors on the one hand, the international community and its many books and on the other hand, local communities, it has often dominated by local leaders with nationalist agendas. This tension can be reduced essentially to the tension between the international community and Bosnian electorate.

With the enlargements of 2004 and 2007, the Balkans get near the borders of the European Union, which generates threat on the one hand and, on the other hand requires a comprehensive approach from the European Union security. Organized crime networks in the area and the fact that the Balkans are a major point of transit of illicit goods among the EU's main arguments in favor of stabilizing the area. Also, the perpetuation of conflict and poor economic situation results in increased illegal immigration into EU countries.



Another argument to the threat from the Balkans to the European Union states that the area of Balkan nationalism can produce renationalisation European policy, so that stabilization in the Balkans may mean by nature of its consequences, a decisive contribution to stabilizing Europe. Here are just a few series of arguments showing the necessity of European intervention in the Balkans.

### **Goals and objectives**

This paper aims to document the nature of the response actors legitimate their efforts in the area south-east Europe, after 1995, which highlights the chronological reference point, as shown above, signing the Dayton Agreement, which will end the war in former Yugoslavia and opens the way for non-military responses to threats hanging over this area.

In terms of international security, this paper has focused on both the threats and the transformations that occur at the level of these threats are legitimate actors active in the field of regional security. In the context of globalization, however, the effects are not seen only at regional security, but are expanding, especially in the specific case of terrorism financing, on a planetary scale.

Assuming that South-East is a political context, social and cultural particular, we propose to delineate specifically uses the concept of unconventional threats that context. For this purpose, we use several types of instruments.

First, we use a tool for critical review of the literature, which allows delineation of the causes and effects of the emergence of unconventional threats. The same conceptual tool allows delineation of the term non-conventional threats. (Chapter 2)

Secondly we use the theoretical tool of security governance and human security at the complex security regionale to delineate changes in the international system with the dissolution of the bipolar order and the effects these changes have produced, creating gaps for the proliferation of unconventional threats. (Chapter 3)

Thirdly, we turn to the analysis of European security strategy to see how this conceptualise their fight unconventional threats, contained in various policy frameworks of cooperation and operational collaboration.

A fourth instrument used in this study is a comparative analysis of cooperative mechanisms to combat unconventional threats in South-eastern Europe, in the context of dynamic architecture transfer of powers within the European Union in terms of cooperation in Justice and Home Affairs, from Pillar III to Pillar II. (Chapter 5)

A fifth level of analysis aims at setting up a case study, which is based on developments within the European Union and focuses on the role of institutions in Romania involved in the dynamics of Cooperation in Justice and Home Affairs, having regard not only the EU's strategic interests in the area, but especially the fact that South-east is the main EU laboratory testing apacity as civil power.

Instruments used gives an overview of the study purpose:

- thematic and conceptual demarcation of unconventional threats and
- risk factors in regional security,
- delineation of the regional system of security breaches this system,
- conceptualization of threats to European security in the European
- security strategy and policies that constitute the framework for these threats,
- comparative analysis of security mechanisms to counter
- unconventional threats in Southeast Europe.

## **Research Hypotheses**

Research questions that we intend to answer in this paper refers primarily to the premises which contribute, on the one hand, the spread of organized crime in South-east, and the great structural complexity of this phenomenon, on the other side. In other news, we wonder if the explosive emergence of organized crime in the area is a consequence of the Yugoslav wars of the early 1990s, where it forms part of the broader context of the disintegration of state authority in the area, following the dissolution of the communist regime or both. We aim to answer this question by appealing to a critical analysis of literature in the field.

The second hypothesis is based on research investigating the emergence of organized crime in Southeastern Europe, in the context of regional security after the Dayton Accords. If by the Dayton-type instruments used were hard - military intervention and peacekeeping ambiguous actions after Dayton, in particular by signing agreements that will make the problem becoming more acute will be the adaptation of institutional and management challenges of the new unconventional threats.

The transition into the soft instruments, whose purpose is primarily the reconstruction of state institutions in the former conflict zone and, secondly, the management mechanisms of the reaction against organized crime, is developing slowly, which will have to learn and adapt to the specific phenomenon of transnational crime. Thus, the main threat to regional security in this area will be identified in the international community as transnational networks of organized crime activity and their close connection with terrorist activities. These networks not only affect regional security, since such activities are criminal consequences for European security and that of international finance because of their use for terrorist activities.

In this respect, the research hypothesis we propose is the fact that when

Dayton marks a turning point in the context of regional security in South-Eastern Europe, primarily due to geographic and structural emergence of organized crime, which leads, as a first step, the location on a plateau phenomenon increasingly important from the perspective of the political agenda of state actors and international organizations. The complexity of the phenomenon spread nature of transnational organized crime networks in South-east is the main difficulty of addressing the content of this phenomenon, especially in terms of tiers of analysis. Thus, our research hypothesis assumes that the nature and demonstrate the components of crime in South-east have a specific regional character, resulting from perversion, from wars in former Yugoslavia, the process of transition to democratic forms of civil society (unlike the space of Central and Eastern Europe) and field-specific theoretical and methodological tools for Security Studies fail to completely circumscribe the complexity of the issue, for the purposes of interpreting and explaining the phenomena of organized crime.

A third would link research on how to manage the level of response of states and international organizations, transnational character of organized crime. Thus, the unconventional nature of organized crime organizations is precisely that its activities do not occur only at the level of a single national territory and in that the organization of these activities are done through informal networks. Research hypothesis we propose is that the international community's response, transnational character of organized crime efforts to manage to respond to organizations that operate in networks, with organizations increasingly operate in networks.

However, in this paper I tried to capture the dynamic response of the international community against crime area of South-east, showing that most perennials are those initiatives that have adopted the network structure, as for example the SECI Centre. Other initiatives have proven unsustainable long term, came to be abandoned or integrated into other institutional mechanisms.

## **Methodology**

Management process actors legitimate reaction against international crime threats components in South-Eastern Europe, will see the differences in addressing the international community, on the one hand, and the vision of local practitioners, on the other. The issue raised above, on the causation of these problems, there is a phenomenon characteristic of academic research, but stretching and practice field, since that determines causal instruments to be used.

A complementary approach identified, likely to complete the necessary instruments, is the introduction of primary data, available only as a result of access to a set of specialized documents, which are, indeed, the researcher rather than the usual field of security studies, when there is intention to make contributions to criminal law.

Using these sources, which we detail below, provides both the innovative nature of our research and interdisciplinary character, it takes a topic like this, given that we use specific criminal jurisdiction documents (indictments, international rogatory commissions, reports, Europol, European arrest warrants), whose interpretation will help improve the analysis addressing identified later.

## **Structure**

This paper is composed of five chapters. The introductory chapter defines the theme of work -non-conventional threats to international security and highlights the purpose and objectives. The second chapter is devoted to literature review of international studies and security and combating unconventional threats dedicated to them. The third chapter provides the theoretical background behind the case study. The fourth chapter is devoted to policies and mechanisms for preservation of European security, namely security of Southeast Europe. The fifth chapter covers regional cooperation mechanisms (SECI) and national (DIICOT) and conclusive chapter highlights

the main elements discussed in this paper and gives some points of reflection for future studies on the issue of unconventional threats in South-east.

## **Chapter 2**

### **Organized crime - unconventional actor in international relations**

In this chapter we intend to discuss the main views in the literature, non-conventional actors related problems that threaten international security in South-east, which we operationalize related to the purpose and objectives of the work to be found in discussions of various authors. Thus we circumscribe the conceptual context of the phenomenon of internationalization of organized crime in South East Europe and the emergence of symptoms of post-Cold War unconventional threats, and security assessment of the mechanisms proposed by the European security policies in the light of these new unconventional threats.

This chapter has been devoted to theoretical and empirical literature review on the international context since 1989 and its significance for the emergence of organized crime as the main non-conventional threat in South-east.

We have shown that the emergence of conflicts of "new war" is dependent on the one hand, by frustrating the government-military distinction, the population characterized as symmetric war of Clausewitz, on the other hand, the influence of globalization on the actors state by reducing the capacity statehood, and particularly weak statehood, to monopolize control of their territory.

Also non-state actors who engage in conduct new types of wars are key institutions resistant against current policy, which disputes passively this order

in terms of ideology and making use of new media, another product of globalization, try to generate public support for their challenging project.

### **Chapter 3**

#### **Unconventional threats in South-east Europe between human security, regional security and governance of security**

This chapter aims to discuss regional threats in South-East in the context of international relations theory and security studies, two areas among which, moreover, may be assigned more conceptual links, if we consider not the origin of field security studies in international relations.

Specifically, the chapter proposes a discussion of the concept of unconventional threats in relation to three concepts belonging to the same number of theoretical paradigms.

The first is the concept of human security, discussed among others by Mary Kaldor, unconventional threats concept that can be seen in a societal context, with consequences that not only causes structural and political level but also in everyday life.

The second concept, that of regional security, finds its origins in the study belonging to the wider School of Security Studies in Copenhagen, famous for the work of Barry Buzan, Ole Weaver and Jaap de Wilde. Using this analytical framework is intended location of unconventional threats in South-East in a regional context.

Finally, the third concept is that we use the governance of security, we will treat you the way theorists and Elke Krahan we use in order to achieve a better analysis of relations between actors that interact sometimes chaotic or overlap to ensure regional security.

## **Chapter 4**

### **The reaction management of the legitimate actors to the phenomenon of organized crime in South-East Europe**

In this chapter, we have shown that organized crime has been identified as a threat after the Dayton Agreements and the agreements that both their tools and those developed as complementary initiatives have failed to address in an integrated manner. Reviewing these tools, this chapter focuses on the mechanisms created by the European Union to address these threats, concluding that the level of integration of tools is still insufficient for comprehensive management of these threats.

It should be noted at the outset that the European Union creates, according to the literature, two types of tools to deal with these threats.

The first type of instruments can be classified among the conventional. These will be illustrated in this chapter with a discussion of security governance in the third pillar of the European Union and the schematic drawing of the trajectory of the governance pillar by the Treaty of Lisbon.

The second type of instruments can be classified within biopolitics (nation-building for failed states, construction and implementation of sectoral strategies on areas).

## **Chapter 5**

### **Mechanisms for cooperation in combating unconventional threats in South-eastern Europe**

#### **Regional level – SECI**

In this chapter we operationalize the role of Cooperation Initiative in South-east Europe as a regional intergovernmental organization of the most complex, most flexible and visible results. It was established in the context of a



growing climate of hostility great inter-ethnic and inter-denominational, immediately after the Dayton Peace Agreement (November 1995).

The role of "catalyst" in the EU and the U.S. is drawing SECI, but reserves are under consideration and the Russian Federation, so it relies on the participation of empowerment, which can "play (the same note) catalyst in the development initiative. In addition, the launch SECI was supported "by a close partnership with the Economic Commission for Europe United Nations (United Nations Economic Commission for Europe -UN ECE) and the Organisation for Security and Cooperation in Europe (OSCE).

### **Levels of operational collaboration and cooperation in network-like structure of the SECI**

The innovation made by SECI is precisely its organisation as a network, which is, in my view, the main merit of this institution, which favors the institutional organization of the network principle that "regional cooperation include results from its own activity, in collaboration with strategic partners closest and support institutions and partners in cooperation and coordination with the regional entities, European and global. "

Essential contribution of this form of regional cooperation network is to identify specific regional asymmetric threats and non-conventional actors while affecting regional security. This is in fact the main innovation, which is based on the strategy of first establishing the European Communities, adapting this strategy to the particular realities of South-east, in an attempt to implement the principle of the spill-over without prejudice, however, affect the sovereignty of Member States by using an intensified form of cooperation -the so-called operational collaboration.

## **National level - DIICOT**

The research hypothesis, which we propose to test the case study lies time after the Dayton Agreements, which, as mentioned in one of the preceding chapters, is a turning point in the security tools used by community maintaining international security in Southeast Europe.

As stated in the enunciation of the research hypothesis, main problem is the complexity of nature spread phenomenon of transnational organized crime networks in South-east. It raises the need to resolve the difficulties of approaching the content of the phenomenon of organized crime, a situation which finds its resolution only by identifying sensible levels of analysis, the primary sources, levels of analysis are likely to become explanatory levels.

In what follows, we intend to present the functioning of security governance in the fight against organized crime from the perspective of Romania as an actor in European security system. In the case study, we use as a primary source 16 Indictments, grouped into five action groups, which we hold as a result of our work in the Directorate for Investigating Organized Crime and Terrorism (DIICOT) -as Territorial Office of Attorney depending on Arad.

## **Romania and organized crime in Southeastern Europe. Case of jurisprudence**

Romania is involved in organized crime in South-east of the double perspective: on one hand as a member of the European Union and other countries as the EU border In this respect, Romania is involved and represented in all the institutional mechanisms set up now, and we refer primarily to institutional mechanisms of judicial nature. Thus, Romania is a member of SECI and more, the office is in Bucharest SECI Center.

On the other hand, is a member of Europol and Eurojust networks (and Interpol), and as a member state, apply the European arrest warrant and all

proceedings of its subsidiary, also benefited from using the Schengen Information System. From the perspective of combating organized crime, is the institution which represents Romania DIICOT within these networks.

### **The dimension of criminal Procedure of fighting unconventional threats**

The indictment, as the type of primary document used in our work, is, in terms of procedural criminal law, the final stage in terms of investigations into serious matters, to combat organized crime. He also is the document that is based on moving the judiciary to combat the mechanism itself, by initiating criminal proceedings and prosecution by DIICOT as a legitimate actor, the defendants, as illegitimate actors.

We used the qualitative methodological manner, the primary sources -the 16 Indictments. Sample analysis of the 16 Indictments spans a period of 4 years and 8 months, which comprise approximately 3 years after Romania's EU accession.

These 16 Indictments are analyzed in terms of theoretical model of security governance, trying to see to what extent DIICOT can be seen as an actor in this context. Recall that, by this theoretical model we can identify three levels of analysis:

1. Sectoral areas of intervention DIICOT,
2. Premises networking (illegitimate and legitimate actors)
3. Changing regimes and securitization practices DIICOT.

### **Cooperation between national players for international judicial assistance. International letters rogatory and the european arrest warrant**

This level of exploration of primary sources, consisting of international letters rogatory and the european arrest warrant complements the previous

level, meaning that this document provides background information DIICOT start cooperation with other actors homonyms, other European Union member states, according The unconventional nature of the threats, how networking of organized crime, action methods and routes used by these actors illegitimate.

There are two levels: international letters rogatory active/passive international and the european arrest warrant depending on their role as an institution DIICOT requesting this form of international judicial cooperation, respectively, giving a request in another EU country.

Circumscription around the time of Romania's EU accession is not an essential detail for the purposes of differences in dynamic response for the legitimate actors in the fight against unconventional threats. Instead we keep, for reasons of methodological consistency, the classification of the sectoral areas to fit the interpretation of documents in three areas of analysis (sectoral areas of intervention of the actors, the prerequisites for creating and modifying networks securitization schemes and practices of each category legitimate actors)

### **Exploration of research hypotheses in the case of fighting unconventional threats in DIICOT's activity**

Even if the set of conclusions based on partial data, available only with a limited set of primary sources regarding the 16 Indictments may be extrapolated since all cases were handled within DIICOT Arad by one prosecutor. Thus, we examined six cases of human trafficking / migrant groups organized in four financial fraud, four cases of crime in the area transborder drug trafficking, two cases of smuggling and two organized crime cases in which defendants were foreign nationals have committed crimes in Romania.

Thus, bypassing the mechanisms for judicial cooperation from the perspective of international relations, field of study, we find important to stress

that the investigation of cases occurs in all 16 Indictments mentioned in relation to the Romanian law. This attests to a low level of integration in the European judicial matter, and from the perspective of our theoretical model shows the existence of a network, without certifying the existence of multilevel structures in the judicial cooperation in Europe.

## **Conclusions**

This paper has proposed delimitation of the concept of unconventional threats to regional security vulnerability field. We defined this concept by using several types of instruments.

Instrument literature review allowed us scoring that unconventional threats to international security are generated by actors dissatisfied with the status quo in security field and that the action of these actors is an asymmetric, which is supported by new media.

Admission theoretical tool, namely the theoretical model of security governance has enabled us scoring interactions between unconventional threats and ways that state institutions or international organizations and delineation of possible levels of analysis of these interactions. Tool for critical analysis of European policies on international security, namely the European one, in light of institutional innovations and analysis that contributed to these innovations have not only resulted in two important conclusions of this paper economy and for further analysis. It is primarily about the mechanisms to combat unconventional threats work best regional cooperation mechanisms with the object of activity only in the field of regional security. On the other hand, the analysis of chemical allowed the conclusion that the European Union still has no sectoral mechanisms that operate on all sectors of unconventional threats and that, where such mechanisms exist, they are often marked by institutional overlap as a result of private developments the deepening of the EU institutions.

The study allowed the institutional framework of SECI settling that active and effective institutions in the field of combating unconventional threats are characterized by flexibility, both in the process of institution building and in making decisions regarding the institution's activities. SECI analysis highlights two elements are extremely important for studying dynamic institutions in the field of combating unconventional threats: on the one hand, network-type organization of the institution and on the other, using the principle of its business intelligence collaboration.

The organizing principle of network type and allows efficient collaboration SECI operative field to combating unconventional threats, since this type of structure is adapted to meet the challenges of asymmetric threats that characterize unconventional.

If flexibility in the process of institution building is characterized by a network-type operation of the institution flexibility in making operational decisions are characterized by cooperation in a sectoral area of cooperation within the framework of existing policy.