



IC-SIRTII

# TRANSNATIONAL CRIME

An International Law Enforcement Collaboration

# Understanding

- *“Transnational organized crime involves the planning and execution of illicit business ventures by groups or networks of individuals working in more than one country and upset the peace and stability of nations worldwide. These criminal groups use systematic violence, terror, bribery, corruption, technology and politics to achieve their goals. These activities weaken economies, financial systems and undermine democracy also often prey on governments that are not capable to oppose them.” (compilation 2011)*



# Understanding



- *“Commonly include combination of corruption, money laundering, tax evasion, financial fraud, drugs dealing, human trafficking and slavery, gambling, cyber crime, weaponry (firearms, bomb materials), endangered species, body parts, terrorism, IPR counterfeit, hijacking, business espionage, underground economy, identity related crime, kidnapping, torturing, killing, etc.”*
- *“Increasing rapidly with well organized, cut off cells, borderless, distributed, multi stage, always on and powerful operations worldwide.”*

# Characteristic

- Seek financial gain (including legal investment)
- Member loyalty through ethnicity and family
- Pursuing corruption of government officials
- Hierarchical structure and mature organization
- Criminal diversity and multijurisdictional activities
- Mutual relationship with multinational corporation
- Manipulating the laws to protect its interests



# Corruption



- Avoid pressure and reprisals from criminal groups demanding favors (threatened)
- Use their public position or potential leverage for financial payoffs from criminal groups (bribery)
- Exploit their public authority for personal profit from illicit activities (gaining project kickback)
- Gain personal or political favors from criminal associations (political campaign support etc.)
- Mutual relationship between high level politicians and or government officers with corporation and organized crime as an abuse of power

# Traditional Groups

- Russian Mafia. 200 groups operate in 60 countries
- La Cosa Nostra. Italian-American mafia
- Yakuza. Japanese multinational criminal activities
- Fuk Ching Triads. US chinese organized criminal
- Heijin. Taiwanese, executives in corporations
- Jao Pho. Organized crime group in Thailand
- Red Wa. Drugs gangsters from Thailand



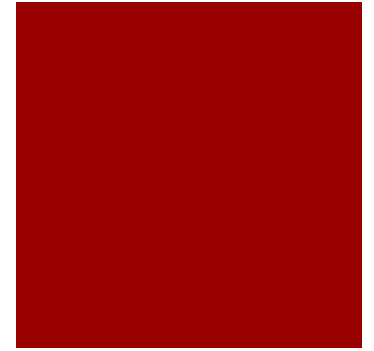
# Future Trends

- *“Individuals or small groups empowered by high-tech computer skills and telecommunications capabilities. They would not require old fashioned infrastructure or protection from large criminal syndicates to mastermind and implement wide-ranging and sophisticated schemes in financial or commercial crimes to gain substantial illicit revenues. Through electronic theft or computer manipulation of markets, individuals or small crime groups could cause substantial public and private-sector losses, potentially undermining the integrity of targeted institutions, compromising market stability and interfere national interest.”*



# Globalization

- *“The trend of greater cooperation among criminal organizations at the end of the 20th century may be replaced by one in which large international crime groups (because they have worldwide networks and employ highly skilled professionals) and able to produce or acquire, move, market, and distribute drugs and other contraband by themselves while distributing and selling criminal goods directly to the online market without any reliance on outside criminal/traditional brokers.”*



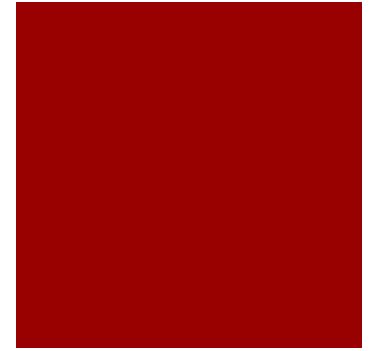
# Sophistication

- *“Populated by large number of interactive networks of smaller, independent organizations who cooperate on the basis of comparative advantage (specialize in specific activities, trading or selling expertise as befits their criminal interests or criminal joint ventures).”*
- *“Take advantage of scientific, manufacturing advances to produce new drugs (synthetic amphetamine, heroin and cocaine) or more high-quality counterfeit products--including high-tech components that may find their way into commercial transportation or military programs.”*



# Crimes That Not Exist Yet

- *“International criminal groups will keep pace with changes in technology and the world economy to enhance their traditional capability to move into new criminal business areas that are not yet regulate by any laws. Advances in computer and financial technology will increase the anonymity and speed of commercial and financial transactions, offering criminals more efficient and secure ways to smuggle illicit drugs and contraband, penetrate legitimate businesses, and launder and move money.”*



# Online Financial Crimes

- *“International criminal groups are most likely to be particularly proficient at exploiting computer networks upon which all modern government, public, private, and financial services will depend. They also may be able to cause significant disruption to financial systems. Criminal organizations may be capable of financially exploiting or disrupting government, law enforcement, banking, or private-sector computer systems they are able to penetrate, undermining public services and the credibility of government and private institutions.”*



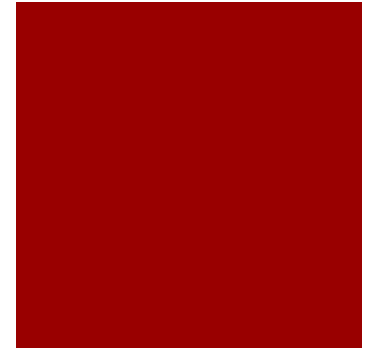
# Integrated Crimes

- *“Greater regional integration and worldwide interdependence of national economies will make it easier for criminal organizations to operate on an international scale and blend their operations into legitimate economic activity. Improvements in transportation infrastructures and modalities to facilitate international trade will increase the volume, speed, and efficiency of smuggling, money laundering and commercial transactions by international crime groups.”*



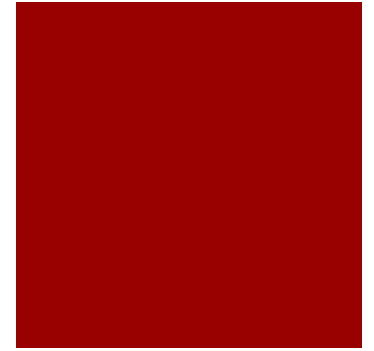
# More Politics

- *“Many countries are likely to be at risk of organized crime groups gaining significant leverage or even control over political and economic systems. Criminal organizations are likely to penetrate troubled banking and commercial sectors. Unscrupulous politicians and political parties may align themselves with criminal organizations for financial and other support. Once in office, they are likely to have difficulty constraining the activities of organized crime. Organized crime groups themselves may promote their own political agenda as the price of support.”*



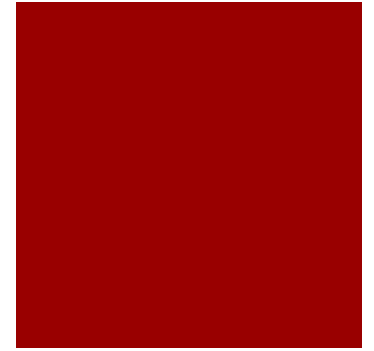
# Criminal States

- *“We may see the emergence of “criminal states” that are not merely safehavens for international criminal activities, but support them as a matter of course. The involvement of “criminal states” in the community of nations could undermine international finance and commerce and preclude effective international cooperation against organized crime. “Criminal states” may also adopt the political agendas of states of concern and terrorist groups, thereby weakening political environment within nation, economic, and security interests around the world.”*



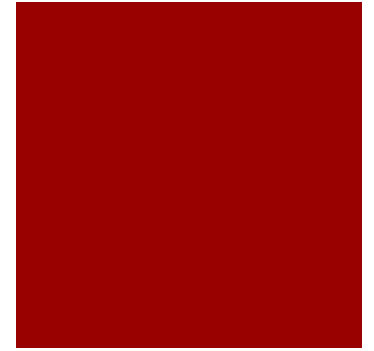
# Challenges

- Size of the problems and complexity
- Investigation issues: cross jurisdictions, different search, seizing data and evidence procedures, limited time (investigation, prosecution), human rights and privacy safeguarding
- Mutual legal assistance within counterparts
- Ensuring judicial (court) systems compliance
- Rapid exploitation on advanced technology
- Beware of the power of money and politics



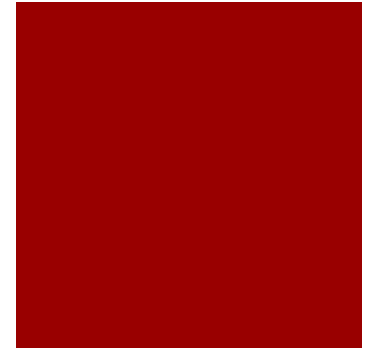
# Countermeasures

- Multijurisdictional Special Task Force
- Sophistication of skills and capability
- Improved communications and technology
- Intelligence and information sharing
- Multilateral Treaty and Convention
- International collaboration focal point
- Adequate fund and resources support



# Strategic Collaboration

- Ratification of UN convention (UNODC)
- Technical assistance by related experts
- Training of criminal justice practitioners
- Information sharing among parties involved
- Assessing organized crimes trends periodically
- Sustainable special witness protection program
- State cross border control surveillance and patrol



# Thank You

- Ravindo Tower 17th Floor
- Kebon Sirih Raya, Kav. 75
- Central Jakarta, 10340
- Phone +62 21 3192 5551 ; Fax +62 21 3193 5556
- [office@idsirtii.or.id](mailto:office@idsirtii.or.id) ; [www.idsirtii.or.id](http://www.idsirtii.or.id)

