Topic 2: Fighting International Criminal Enterprises and Mafia Groups Worldwide



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Abstract:

The objective of this paper is to offer valuable background information and emphasize issues that the commission's delegates will discuss. Consider the origins and mission of this particular UN commission. The UNODC commission playS a critical role in supporting international collaboration to combat organized crime, including the activities of criminal enterprises and Mafia organizations. This paper provides a summary of the genesis of these criminal organizations, as well as the factors that facilitate them. Additionally, we will investigate the impact of organized crime on society and evaluate the issues that law enforcement agencies have in eliminating these organizations, as well as the significance of international cooperation in addressing and combating this crime.

Introduction:

A criminal enterprise, according to the FBI, is a structured organization that engages in criminal conspiracy and/or criminal behavior. Drug-trafficking groups, street gangs, mafia and organized crime syndicates are examples of common criminal enterprises. Organized crime is a continuous criminal enterprise that works rationally to benefit from illegal acts that are frequently in high public demand. Its continued existence is supported by public official corruption and the use of intimidation, threats, or force to defend its operations. These organizations are the focus of the FBI's efforts in combating criminal enterprises. Organized crime, which includes criminal enterprises and mafia groups, is a major danger to the rule of law, human rights, and long-term development. These illegal groups cross borders and enter legitimate economies, jeopardizing good government, social stability, and economic prosperity. As a result, combating transnational organized crime is a critical issue for politicians and law enforcement organizations around the world. The United Nations Office on Drugs and Crime (UNODC) has been in the forefront of anti-organized crime activities, notably the formation of the UN Convention against Transnational Organized Crime (UNTOC) in 2000. The United Nations Office on Drugs and Crime (UNODC) commission is crucial in promoting international collaboration to detect and combat organized crime, including the activities of criminal enterprises and mafia groups.

Key Words:

Criminal Enterprise: A group of people who participate in serious criminal activities and have a clear hierarchy or analogous structure.

Mafia: A secret organization with a hierarchical structure that is claimed of smuggling, racketeering, narcotics trafficking, and other illegal operations in the United States, Italy, and worldwide.

Bootlegging: It is the illegal manufacture, distribution, or sale of goods, especially alcohol or recordings.

Money Laundering: It is the concealment of the source of illegally obtained funds, usually through transfers through foreign banks or genuine enterprises.

Fraud: Fraud is defined as a purposefully false activity intended to provide the offender with an illicit gain or to deprive a victim's right.

Human Trafficking: The unlawful act of transporting or coercing people in order to benefit from their work or service, typically in the form of forced labor or sexual exploitation.

Cybercrime: Criminal activities carried out by means of computers or the internet.

Background Information:

Transnational Organized Crime

Transnational organized crime (TOC) groups are associations of individuals who operate, entirely or in part, using illegal means. TOC groups operate in a variety of forms, ranging from hierarchies to clans, networks, and cells, and may evolve into other structures. These organizations are often insular, and they defend their activities through corruption, violence, international commerce, complicated communication channels, and a multinational organizational structure. TOC groups, with rare exceptions, are aiming to generate money. TOC gangs are notorious for committing crimes such as narcotics trafficking, money laundering, human and migrant smuggling, illegal gaming, and so on. The large sums of money involved can jeopardize legal economies and have a direct impact on governments through public official corruption. TOC groups are increasingly adopting cyber technology into their unlawful activities, either committing cybercrime themselves or facilitating other crimes. TOC organizations can also participate in traditional criminal activity, such as illegal gambling, but with a broader reach thanks to technological advancements. It is a huge and growing threat to national and worldwide security, with disastrous consequences for public safety, public health, democratic institutions, and global economic stability. It jeopardizes our border security, endangers our health through human trafficking and counterfeit drugs, and aims to corrupt domestic and international officials.

Criminal Enterprises

Similar to TOC groups, criminal enterprises are large-scale, profit-driven criminal organizations that engage in a variety of unlawful activities such as drug trafficking, human trafficking, smuggling, money laundering, extortion, and racketeering. These organizations are often hierarchical and run on a command and control basis, with a centralized leadership structure and divisions in charge of specific illicit activities. Crime enterprises are frequently multinational, with operations spanning numerous countries and areas. They employ advanced methods and techniques to prevent discovery and circumvent law enforcement, including as encrypted communication channels and money laundering schemes. These organizations constitute a substantial danger to the rule of law, human rights, and sustainable development. They undermine good government, social stability, and

economic growth, and they fuel violence, corruption, and other forms of criminal activity. As a result, dealing with criminal businesses is a critical issue for governments and law enforcement authorities around the world.

Types of Enterprises Crimes

Bootlegging

Bootlegging activity during the Prohibition Era is an excellent example of how, given the correct social conditions, enterprise crime may develop and flourish. Temperance regulations, such as the Eighteenth Amendment, were enacted in the early 1900s, but they were difficult to execute. There was still a sizable market for alcohol, which frequently included the wealthy and influential, as well as people involved in politics, business, and the law. Hidden factories and "speakeasies," or covert drinking clubs, abound, and the state frequently turns a blind eye when various types of imported and homemade booze are smuggled into the country. The Mafia, a vast organized crime syndicate that originated in southern Italy, expanded in the United States when crime bosses such as Al Capone and Lucky Luciano became wealthy.

Human Trafficking

Human trafficking, which is forbidden by the 13th Amendment to the Constitution, is one of the more frightening types of enterprise crime. Despite this, it is far too common and frequently goes unnoticed. Human trafficking victims are typically vulnerable citizens, such as runaway children or immigrants. They are sometimes children or young people from stable homes. They are forced into various sorts of labor, prostitution, or similar scenarios once they become involved. The Victims of Trafficking and Violence Protection Act of 2000 is a federal statute that provides some victims of this crime with protection.

Money Laundering

Money obtained through illicit conduct is commonly referred to as "dirty money." Under the Bank Secrecy Act of 1970, a person who sells illegal narcotics and suddenly deposits a considerable sum of the cash profits into his bank account must notify this to the government. As a result, the drug dealer requires a means to conceal his illegal earnings. He accomplishes this by "laundering" the funds or putting them in a foreign bank or banks where he can do it anonymously due to foreign banking restrictions. The funds are then wired to numerous sham firms, where they appear to be legitimate income or "clean" money. It becomes impossible for law enforcement to trace its "dirty" origins.

Fraud

Fraud is the intentional withholding of crucial information or the provision of false assertions to another party with the purpose of obtaining something that would not have been granted without the deceit. The perpetrator of fraud is frequently aware of facts that the intended victim is not, allowing the perpetrator to deceive the victim. At its core, a fraudster exploits information asymmetry; specifically, the resource cost of analyzing and validating such information can be high enough to create a disincentive to fully invest in fraud prevention.

Securities fraud is a crime committed when regulations designed to safeguard investors and securities traders are broken. Stockbrokers, analysts, brokerage firms, corporations, investment banks, and private investors can all be perpetrators of securities fraud. For example, a brokerage firm analyst may give a stock a favorable rating in order to secure the firm's investment banking business, although knowing that the stock is not a good buy for investors. A private investor, for example, may conduct securities fraud by acting on inside knowledge. Securities fraud is a serious crime that can result in both civil and criminal penalties.

Embezzlement is a type of financial fraud where someone takes money or assets that were entrusted to them and uses them for a different purpose than for what they were intended. The person or party stealing the assets is aware that what they are doing is illegal, yet they continue to do so with the purpose of acquiring more assets without the knowledge of the company. This can have numerous detrimental impacts on a firm to include overall loss in assets, a disruption in operations, off-balance in accounting and an erosion of confidence. In the end, it is the firm that suffers from this financial crime, with the loss of trust probably having the longest lasting effect of all.

Cybercrime

Cyber organized crime can include organized criminal groups that participate in cybercrime as well as cybercriminals or other groups that do not satisfy the requirements outlined by the Organized Crime Convention but engage in activities linked with organized crime.

The Role of Media in Organized Crime

Fear tactic control is used by organized crime organizations. The media is in charge of communication, reporting on the actions of organized groups, and launching exposes on these groups. This promotes societal fear and spreads fear. The media, like other systems, is vulnerable to corruption, intimidation, and threats from organized crime groups.

Impact of Criminal Enterprise

Organized crime has evolved into a global issue, with law enforcement agencies and nongovernmental organizations taking the initiative to put a halt to the activities of these organized crime groups. Organized crime engages in a wide range of criminal operations that are not authorized by governments and always operate beneath the radar, making it difficult to detect. The mafia, biker gangs, drug syndicates, crime families, and cartels are all examples of organized crime groups. Every culture has organized crime gangs that engage in criminal and unlawful acts. Members of these groups are motivated by the effects they have on society. Organized crime groups use tactics such as violence, instilling fear, intimidation, and extreme methods such as murder to gain control of the country or area in which they operate. The activities of organized crime groups have negative consequences in society, ranging from political, social, and legal aspects of a country.

Economic Impact

Organized criminal syndicates engage in illicit operations that have a negative influence on the economy. The running and success of the legal business is limited, and the collapse of legal businesses that contribute to the economy is endangered, as is the business's possible collapse. Illegal

business operated by organized crime groups excludes legal business from market demand and supply conditions, and hence the advent of organized crime organizations into the market has contributed to the bankruptcy of legal business. Aside from that, organized crime poses a threat to an economy's financial sectors. This is due to the fact that organized crime creates a monopoly in the economy and financial sectors. The tactics employed by organized crime groups to achieve influence, such as intimidation; gaining control in these areas leads to unfair competition and hence harmful impacts on the economic and financial sectors.

Human Impact

Organized crime organizations operate in society by generating fear among citizens. They acquire territory on which to establish and carry out their unlawful activities. They gain power via violence and intimidation. Organized crime operations impair society's order in the sense that individuals live in terror, and law enforcement action is limited owing to intimidation of law enforcement agencies and those eager to reveal their activities. Murders and attempted murders are carried out by organized criminal groups against anyone involved in efforts to stop or expose their activities.

Impacts on Political Systems

Organized criminal syndicates require autonomy as well as protection from the government and government agents. Organized crime groups infiltrate the political system and employ bribery and corruption to obtain a foothold in the political class and control. Gaining control of the political class restricts efforts to terminate organized crime activities and groups since the political system is vital in deciding the various policies in the government.

Timeline:

Late 1800s - Early 1900s: The American Mafia, also known as La Cosa Nostra, appears throughout the United States, most notably in New York and Chicago. It is made up of Italian-American criminal organizations that engage in a variety of illegal activities such as bootlegging, gambling, and extortion.

1920s - 1930s: Prohibition in the United States generates a vast market for bootlegging and illegal alcohol manufacture and distribution, which the Mafia takes advantage of. During this time period, infamous gangsters such as Al Capone came to prominence.

1940s - 1950s: The Mafia becomes further entrenched in American society, with high-profile personalities like Frank Costello and Lucky Luciano in charge of huge criminal organizations. The Mafia also becomes involved in labor racketeering, gaining control of numerous unions and indulging in corruption and extortion.

1960s - 1970s: The FBI begins to crack down on the Mafia, which results in a number of high-profile prosecutions and convictions. This era also sees the birth of new criminal groups, such as the Westies, an Irish-American gang.

1980s - 1990s: The Mafia continues to decrease in power, with numerous members and leaders being caught and imprisoned. This era also witnessed the birth of new criminal groups, mainly drug cartels such as the Medellin and Cali cartels in Colombia.

2000s - present: Organized crime is still alive and well, with many criminal enterprises functioning in various parts of the world. With the advancement of technology and the internet, new forms of criminal conduct have emerged, such as cybercrime and identity theft. Many countries, including the United States, are continuing to fight organized crime and dismantle illegal businesses.

Key Actors:

African Transnational Organized Crime Groups

Because of globalization and technological improvements, African TOC groups have grown rapidly since the 1980s. Nigerian criminal businesses are the most powerful of these organizations, operating in over 80 countries worldwide, including the United States. They are mostly involved in drug trafficking and financial fraud, as well as a variety of internet-enabled crime and frauds.

Asian Transnational Organized Crime Groups

Asian TOC organizations have been active in the United States since the early 1900s. Extortion, murder, abduction, illicit gambling, prostitution, and loansharking are among the conventional racketeering acts connected with Asian criminal enterprises. They also participate in smuggling, trafficking heroin and methamphetamine, committing financial fraud, stealing cars and computer chips, forging computer and clothing products, and money laundering.

Balkan Transnational Organized Crime Groups

Balkan TOC organizations are proficient at adopting new technologies, expanding their criminal market base through cyber-enabled fraud. Passport fraud, access device fraud, identity theft, healthcare fraud, real estate fraud, insurance fraud, money laundering, drug trafficking, human smuggling, prostitution, and extortion are all activities of these groups.

Eurasian Transnational Organized Crime Groups

Eurasian TOC organizations are politically and financially motivated organized crime groups influenced by, affiliated with, or originating from the former Soviet Union or Central Europe. Healthcare fraud, securities and financial fraud, money laundering, narcotics trafficking, extortion, auto theft, interstate transportation of stolen property, robbery, attempted murder, and murder are all common activities of Eurasian TOC gangs. Their activity also threatens to destabilize the former Soviet Union's growing political structures and economies, where nuclear weapons are still deployed. The potential national security consequences of this upheaval cannot be overstated.

Italian Organized Crime

Italian organized crime groups, colloquially known as the Italian Mafia, have invaded the social and economic fabric of Italy and have become international in character since their inception in the 1800s. There are four active groups in Italy: Cosa Nostra (the Sicilian Mafia), Camorra, 'Ndrangheta, and Sacra Corona Unita. They are also known to work with other international organized crime organizations. In the United States, various Mafia organizations go by the moniker La Cosa Nostra. These organizations' primary risks to American civilization are drug trafficking and money laundering. They are also involved in illicit gaming, political corruption, extortion, kidnapping, fraud, counterfeiting, assassinations, bombings, arms trafficking, and infiltration of legitimate businesses.

Middle Eastern Transnational Organized Crime Groups

Since at least the 1970s, criminal organizations with Middle Eastern ties have been active in the United States, particularly in places with considerable Middle Eastern or Southwest Asian populations. Automobile theft, financial fraud, money laundering, interstate transportation of stolen property, smuggling, drug trafficking, document fraud, health care fraud, identity fraud, cigarette smuggling, trademark counterfeiting and sales of counterfeit goods, and infant formula theft and redistribution are common activities of Middle Eastern transnational criminal organizations. Small stores may be used as bases for criminal operations.

Previous Attempts:

The Racketeer Influenced and Corrupt Organizations Act (RICO): This was a federal statute passed in 1970 that provides for enhanced criminal penalties as well as civil culpability for crimes committed as part of an ongoing criminal organization. The law has been used to prosecute organized crime syndicates, including the mafia.

The Witness Protection Program: The federal government established this program in 1970 to protect witnesses who testify against criminal organizations. To secure their safety, the initiative provides witnesses and their families with new identities, relocation, and other sorts of security.

Operation Toto: This was a large Italian police operation that began in the 1990s to tackle organized crime and mafia organizations. The operation included intensive wiretapping and surveillance of suspected criminals, which resulted in the arrest of hundreds of mafia members and the dismantlement of multiple criminal organizations.

Possible Solutions:

Strong law enforcement: Raising the resources available to law enforcement agencies, improving training and support for officers, and imposing harsh consequences on those who perpetrate such crimes. As well as boosting cooperation between law enforcement organizations across different jurisdictions might help to dismantle criminal networks and interrupt their activities.

Addressing underlying social and economic factors: Illicit enterprises frequently thrive in conditions of poverty, social upheaval, and political unrest. Targeting these fundamental causes can aid in the prevention of the establishment of criminal networks and the prevalence of criminal

activity. This includes investments in education, job training, and economic development programs, as well as services for disadvantaged populations.

Strengthening international cooperation: Illegal businesses frequently operate across national borders, making it difficult for individual countries to combat them alone. International collaboration can be strengthened through procedures such as mutual legal assistance treaties, extradition treaties, and joint task forces, which can aid in disrupting criminal networks and preventing the movement of illicit goods and services across borders. Furthermore, supporting international anti-money laundering and counter-terrorism funding norms and standards might help to decrease the resources accessible to criminal businesses.

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