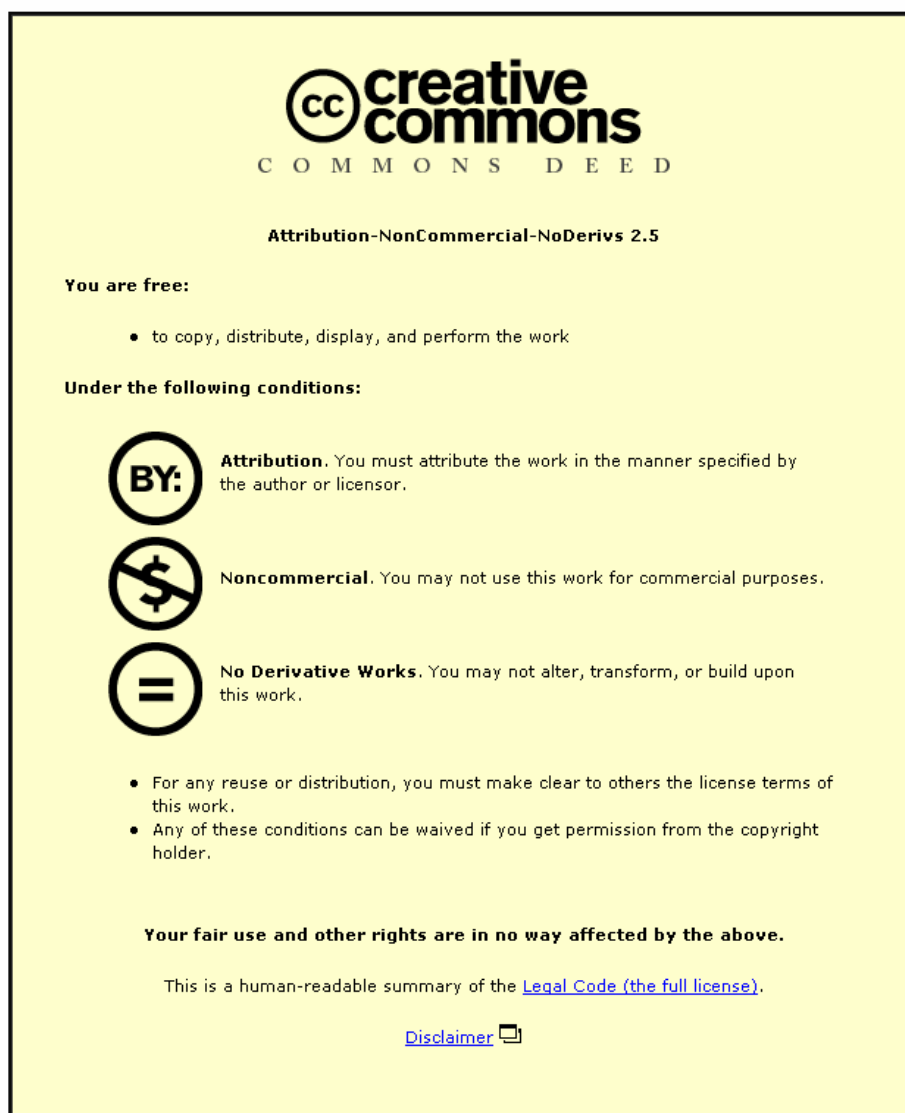




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7 Transnational Organised Crime in Europe and North America: Towards a Framework for Prevention^{1,2}

Adam Bouloukos, Graham Farrell and Gloria Laycock

7.1 Introduction

Previous volumes of the HEUNI regional reports have paid little or no attention to transnational organized crime.³ Although the literature on transnational organized crime (hereafter TOC) is expanding rapidly, there remain few standardized measures of the problem. There is even less of a formal framework for thinking about how to prevent TOC in its various forms. The present chapter begins to address these issues, with an emphasis upon practical aspects of the latter.

In the following section, TOC is defined and set in a global context, a broad overview of factors relating to recent changes is given, and international legislative responses are described. This is followed by the presentation of a framework that is frequently used in discussions of more general crime prevention efforts. It is proposed that its utilization in this context will help inform the analysis of efforts to prevent TOC.

7.2 Globalisation produces criminal opportunities

The term globalisation is simultaneously praised and criticized for many positive and negative aspects of recent world developments. This reflects the observation that the world appears to be engaged in a complicated restructuring of its understanding of classical national security. Historically, the terms defence and arms control, as well as the use of force, were primarily referred to in relation to the sovereign state. Several related factors are believed to have combined to produce

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- 1 The views expressed are those of the authors and not necessarily those of the organizations with which they are affiliated.
 - 2 Limiting a discussion of transnational organized crime to a sizable regional designation such as “Europe and North America” is a bit difficult. Therefore, while this chapter makes reference to regional concerns, it should also be understood that the scope of criminal activities that emanate or exist in Europe and North America are not limited to but often extend beyond the region.
 - 3 While the HEUNI regional reports have paid little or no attention to this subject, HEUNI published Adamoli, et al (1998) which formed part of the discussions below on matters of definitions, trends, and responses. Definitions and responses were also addressed by Bouloukos and Farrell (1997). See also Winer (1998) for a discussion of trends and responses.

situations conducive to the increase in transnational organized crime: significant political change (the end of the cold war being the most prominent) has increased international movement of people and trade, the increasing global economy and free-market movement of goods, combined with rapid technological change including improvements in communications and transportation. It is also sometimes difficult to distinguish factors in western industrialised countries from those in developing countries, since transnational organised crime can involve movements between the two in both directions. These significant and widespread changes appear, despite the lack of reliable quantifiable indicators, to have manufactured a tipping point that has triggered widespread increases in transnational organized crime. In short, one negative result of globalisation has been a significant increase in the number of criminal opportunities open to exploitation by transnational organized criminals. Box 1 shows the types of factors involved, grouped into two broad categories. The first is of technological change. The second is socio-economic and political change. The box also includes a brief description of how each aspect facilitates organized crime and transnational organized crime.

Box 1: Globalisation Factors producing Opportunities for Transnational Organised Crime

A. Technological Change

- Cheaper and faster transportation. Effect: Facilitator to trafficking of illicit products.
- Postal system distribution improvements. Effect: Facilitator to trafficking.
- Improved computer and electronic communication technologies. Effect: Facilitates large and rapid cash transactions in layering stages of money laundering. Facilitates covert communications between and within criminal groups.

B. Socio-economic and political change

- General trade liberalisation, particularly in developing countries. Effect: Increased trade provides cover and markets for trafficking illicit products.
- Increases shipping and aviation (trade and tourism).
- Trade agreements (EC, NAFTA). Effect: Increased flow of licit trade and reduced border checks both reduce risk of trafficking illicit goods.
- Political integration (Eastern Europe and CIS; South Africa). Effect: Increased trade to new markets gives increased cover and markets to traffickers.
- Increased migration. Effect: Family networks, ties and cover for trafficking and distribution networks.
- Increased global communications and financial transactions. Effect: Provides opportunity and cover for international money laundering.

Source: Adapted from Keh and Farrell, 1997, p. 91

The listing of factors that provide opportunities for TOC has one principal advantage. It implies that, since criminal opportunities can create TOC, then reducing criminal opportunities can be utilized to prevent TOC. The two sides of the opportunity coin are necessarily related, and, as suggested below, the aim of crime policy should be to minimise new opportunities and to eliminate existing opportunities. The crime prevention framework presented later in this chapter is intended to encourage the stifling and closing of criminal opportunities.

7.3 Definitions

The recent formal definitions of organized crime and transnational organized crime outlined below have been based upon a platform of related research. “The concept of ‘transnational crime’ is exactly a quarter century old. The then United Nations Crime Prevention and Criminal Justice Branch coined the term in order to identify certain criminal phenomena transcending international borders, transgressing the laws of several states or having an impact on another country” (Mueller, 2001, p. 13). In a supplemental survey to the Fourth United Nations Survey of Crime Trends and Criminal Justice Operations, transnational crime was defined in the following manner: “Offences whose inception, prevention and/or direct or indirect effects involved more than one country”. (United Nations, 1995, para 9.)

In 1976, Michael Maltz identified six means by which organized crimes are executed: violence, theft, corruption, economic coercion, deception, and victim participation. Kenney and Finckenauer (1995) provide a definition of organized crime that combines “actors” (those participating in organized criminal and crime groups) with “acts” (the means of organized crime). For them, organized crime groups: are non-ideological; have an organized hierarchy; have continuity over time; use force or threat of force; restrict membership; obtain profit through illegal enterprises; provide illegal goods and services desired by the general populace; use corruption to neutralize public officials and politicians; seek a monopoly position to obtain exclusive control over specific goods and services; have job specialization within the group; have a code of secrecy; and plan extensively to achieve long-term goals.

Crime is often considered organized if the actors are involved on a sustained basis, that is, if the activity is one of continuing criminal enterprise. In order to meet this criteria, organized crime groups often incorporate strategies similar to those employed in licit markets, including entrepreneurial skill, specialization, and coordination with the additional components of violence and corruption that allow for the propagation of illicit activities. Phil Williams draws many parallels between TOC and the operations of legitimate industry (Williams, 1992) and suggests that they form strategic alliances (Williams, 1994). It may be, however, that because transnational organised criminals so clearly pursue profits, and take explicit account of the costs and benefits of exploiting criminal opportunities, they are vulnerable. This feature of TOC makes it an attractive prospect for preventive measures that seek to reduce opportunities, impose additional costs, and reduce the rewards of crime, as discussed later in this report.

In the context of a debate about whether a set definition of transnational organized crime is either possible or desirable, the United Nations Convention against Transnational Organized Crime outlined some useful characteristics of TOC without imposing the strict constraints of a tight definition.⁴ Article 2 of The Convention deals with use of terms and defines organized criminal group, serious crime, and structured groups as shown in Box 2.

Box 2: Definitions outlined in the United Nations Convention Against Transnational Organized Crime

Article 2 states that

“Organized criminal group” shall mean 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 or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;

“Serious crime” shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty; [and,]

“Structured group” shall mean 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.

Article 3 notes that an offence is transnational in nature if

- a) It is committed in more than one State;
- b) It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State;
- c) It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State; or
- d) It is committed in one State but has substantial effects in another State.

In a similar fashion, The European Union drafted a set of Characteristics of Organized Crime, containing the eleven components shown in Box 3:⁵

4 The Convention was adopted by resolution A/RES/55/25 of 15 November 2000 at the fifty-fifth session of the General Assembly of the United Nations. In accordance with its article 36, the Convention was open for signature by all States and by regional economic integration organizations, provided at least one Member State of such organization has signed the Convention, from 12 to 15 December 2000 at the Palazzi di Giustizia in Palermo, Italy, and thereafter at the United Nations Headquarters in New York until 12 December 2002.

5 EU/12247/1/94 Rev.1, Annex.

Box 3: Eleven Components of Organized Crime as defined by the European Union

At least six of these components must be present, three of which must be those numbered 1, 5 and 11, for any crime or criminal group to be classified as organized:

1. Collaboration of more than 2 people;
2. Each with own appointed tasks;
3. For a prolonged or indefinite period of time;
4. Using some form of discipline and control;
5. Suspected of the commission of serious criminal offences;
6. Operating on an international level;
7. Using violence or other means suitable for intimidation;
8. Using commercial or businesslike structure;
9. Engaged in money laundering;
10. Exerting influence on politics, the media, public administration, judicial authorities or the economy;
11. Determined by the pursuit of profit and/or power.

The United Nations International Centre for Crime Prevention has recently emphasised the notion of dangerousness, that is, the threat that organized crime poses to persons, institutions, and licit markets, and these elements are outlined in Box 4. By defining the elements of dangerousness it was intended that governments would be able to increase the focus of their preventive efforts.

Box 4: Elements of 'Dangerousness' of Organized Crime as outlined by the United Nations International Centre for Crime Prevention

- transnational organized crime groups engage in crimes which are *mala in se*, wrong in themselves;
- in economic terms, the groups bring about material loss to victims;
- in psychological terms, the groups foster intimidation, coercion and fear;
- in a social sense, the groups generate mistrust in institutions;
- an ability to challenge political and institutional authority;
- an ability to invest illicit proceeds into the licit economy;
- the investment in proceeds abroad thus removing resources from the domestic economy. (United Nations, 2000a, p. 5-7)

This discussion suggests that there is no generally agreed definition of transnational organized crime. However, while a definition of TOC may be necessary for some legal purposes (if, for example, persons involved in TOC are to be treated differently by the legal system), a definition that suffices may be suffi-

cient from the viewpoint of crime prevention. In part this is because the key focus of crime prevention efforts is largely upon the individual types of crime that are committed, and the closing of crime-specific opportunities.

7.4 Data collection efforts

The normal practice of the United Nations crime prevention and criminal justice programme, of which HEUNI is an affiliated member, is to base analyses of global and regional crime on the periodic Surveys of Crime Trends and Criminal Justice Operations or on the International Crime Victim Survey. While some of the data gathered through these methods might be construed as proxies for organized crime they do not systematically collect information which directly measures levels of TOC. It is possible that the UNCJS survey could provide some indirect indicators of transnational organized crime via its measures related to drug offences, bribery, fraud and embezzlement. Although many such offences are not necessarily linked to organized or transnational crime, it is possible that changes in them over time may reflect underlying increases relating to organized crime. Some of these have recently been exploited: Van Horne and Farrell (1999) examined drug offenders in the global criminal justice system and found that their numbers had almost universally increased at the same time as it was known that there had been significant increases in the global drug trade. Such figures provide imperfect and indirect supporting measures of the spread of organized crime.

Future sweeps of the UNCJS survey however, may benefit from efforts to capture data on organized crime. Member states could be encouraged, as suggested by the UN Convention, to include transnational organized crime in their legislation and to record offenses that fit that category. The Survey could ask Member States to estimate the proportion of drug offences, bribery, fraud and embezzlement (and other crimes) that were committed by organized crime groups, and to provide specific counts relating to organized crime. In addition, the Centre for International Crime Prevention has considered preparing thematic supplemental surveys that would be linked to the UNCJS survey proper. Such a supplemental survey on transnational crime was conducted in 1994 as part of the Fourth Survey and could surely be modified and repeated in the future. Apart from these more traditional data collection methods of survey, the Centre has also begun to prepare, with the assistance of national experts, criminal economy profiles. The intent is to better understand the phases through which an illicit or licit product moves through the economy with the assistance of criminal actors.

Elsewhere, pioneering efforts such as those by Phil Williams (1999) have been made to gather pieces of the picture relating to various specific types of transnational organized crime. Such efforts should be similarly encouraged – the old adage that, with a little ingenuity, much knowledge can often be gained from imperfect partial data – seems to be the case (or more likely the necessity) in this instance. Williams typically builds a picture by putting together many small data items from different sources. Often the whole is greater than the sum of the parts and it is possible to derive larger-scale inferences from the resultant collage.

It is exactly this collage technique that forms the basis of this HEUNI volume and the preceding volume. As transnational organized crime is multidimensional, the authors are certain that HEUNI is pointing in the right direction with regard to the manner in which it purports to describe and explain crime in Europe and North America.

7.5 Significant developments in transnational organized crime trends

While some of the components of globalisation that have affected transnational criminal opportunities were given brief mention above (see Box 1 and related discussion), this section outlines some of the specific resultant trends. It gives an overview of some of the factors related to and broad developments in transnational organized crime in Europe and North America.

Perhaps the most significant individual socio-political event of recent decades that has created new opportunities for transnational organized crime has been the advent of Perestroika, the subsequent dissolution of the Soviet Union, and the resultant market-oriented economies. These changes created new opportunities for organized crime in the region, concurrent with new government institutions that were ill equipped to address the growing problem. The result was that

“[a]t the end of the 1990’s, official sources reported that Russian organized crime was composed of around 70,000 members and controlled an estimated 50 percent of the economy, including one third of the country’s 1,800 banks, 1,500 state-owned companies and 4,000 companies quoted on the stock exchange. There were an estimated 110 transnational criminal groups based in Russia, which operated in 40 countries.” (United Nations, 2000b, p. 27)

Organized crime groups infiltrated both public and private institutions and industries, and, as a result, legitimized themselves so that the line between licit and illicit rapidly became blurred. Organized crime groups have become major employers by replacing the formerly state run labor markets and trade unions (Voronin, 1996). High levels of corruption in public government and private industry have reduced public trust and the willingness of foreign firms and agencies to invest in the region. The instability of the financial sector has resulted in massive capital flight, estimated to be about \$1 billion per month, which is likely to include laundered funds from criminal activity (United States, 2000).

The scope of organized crime activities and groups emanating from the former Soviet Union is difficult to assess. It is broadly accepted that Russian organized crime groups are active in its neighboring countries including Estonia, Latvia, Lithuania, Belarus, Armenia, Azerbaijan, Kazakhstan, Georgia, and the Ukraine, and that its reaches extend into much of Europe as well as North America. The United States Government suggests that

“Russian criminal organizations in the United States are adept at moving funds through a global complex of front companies, offshore financial service

centers, and crime-controlled banks to facilitate extraction of criminal proceeds originating in Russia, as well as to launder funds generated from US-based criminal operations.” (op.cit., ch.3:17)

It is claimed that Russian groups are fully familiar with modern technologies and business practices, and make use of documentation fraud, health care fraud, and credit defaults all of which makes their criminal activities complex and difficult to detect. (op.cit.).

In contrast to Eastern Europe, Western Europe and North America have experienced a period of economic stability and unity unprecedented in their history.

“The single market reforms of the European Union (EU) under the Schengen Agreement that permitted unfettered movement of goods, services, labor, and capital throughout most of Western Europe; sophisticated infrastructure for facilitating international trade; and tremendous volume of people and goods passing through commercial airports and seaports are exploited by international criminals to move drugs, arms, illegal aliens, and other contraband throughout Western Europe and to use EU gateways to reach every other region in the world.” (op.cit., ch.3:2)

Flows of licit and illicit goods and services, both east to west and west to east, are exacerbated by the proximity of regions experiencing divergent economic, social and political realities. The situation is further enhanced by “middleman” States such as Hungary, Poland and the Czech Republic each possessing a sufficiently complex and near-Western infrastructure of roads, railways, and telecommunications but lacking the law enforcement and institutional mechanisms to guard against infringements of these institutions. We should note here that we are not characterizing the West as victims of crime exported from the East, but rather that the rapid socio-economic transformation of the east has sped the growth of criminal opportunities (as in the West but arguably from a more developed base) so that it has outpaced the growth of legislation and prevention efforts.

7.6 Responses

The United Nations Convention Against Transnational Organized Crime (2000) makes use of legal mechanisms intended to “promote cooperation to prevent and combat transnational crime more effectively” (Article 1). It attempts, among other things, to promote rules and practices that encourage States to define, design and enforce instruments for law-enforcement and prosecutorial agencies, and thus to encourage legislative consistency across jurisdictions. Such consistency should minimise the loopholes that organized crime can exploit. Part of the Convention (Article 31) encourages the development, evaluation and sharing of best practices; the reduction of the possibility of illicitly obtained monies from entering the licit economy; the reintegration into society of persons convicted of organized crimes; the periodic evaluation of legislation and administrative regu-

lations; the promotion of public awareness campaigns; and, the sharing of agencies and authorities that might assist other States.

The Convention encourages a number of approaches to the prevention of TOC. Specifically, it encourages ‘rule setting’ that blocks the criminal opportunities available to organised crime (Clarke and Homel, 1997). This approach is one of many in the preventive repertoire. Efforts to develop preventive approaches to TOC would benefit from greater conceptual clarification of the kind that is common in the discussion of crime prevention more generally. There are a number of options for classifying crime prevention (e.g. Lab, 1999; Lavrakas and Bennett, 1988; Van Dijk and De Waard, 1991). In what follows, Brantingham and Faust’s (1976) classification of primary, secondary or tertiary is utilised. *Primary crime prevention*, rather like preventive medicine, is intended to stop the crime before it happens. *Secondary prevention* is directed at those at heightened risk of offending. *Tertiary prevention* deals with known offenders – in effect it operates through the criminal justice system. Much of the discussion of ‘prevention’ in the existing literature relating to TOC conflates these approaches to prevention.

For the reasons given below, the discussion that follows focuses upon primary prevention. Primary prevention “identifies conditions in the physical and social environment that provide opportunities for or precipitate criminal acts”. Primary prevention can be divided into social and situational components. Social prevention addresses the inclination to offend; it might include education programs, job training, or the alleviation of poverty. Such schemes would be available to all citizens – potential offenders or not.

Although clearly social crime prevention has a role to play in the prevention of crime generally, its potential is limited and it is inefficient as a means of preventing transnational organised crime. The crime prevention ‘pay-off’ from such social interventions is longer term. It is not until the children grow that the benefits of education as a crime prevention measure, for example, come into their own. Arguably, something more immediate is required in tackling transnational organised crime. Furthermore, although there are many excellent reasons for trying to improve education levels, provide job training schemes, and reduce poverty, the prevention of transnational organised crime would not be among the key contenders. Citizens have the right of access to education and employment opportunities for their own sake, not simply as a crime prevention measure.

Not only is the potential preventive effect of social measures long term, but their relevance may be questionable in relation to transnational organised crime. There is no evidence that all members of organised crime syndicates are socially marginalised. Indeed, in the former Soviet Union some of the major members of organised gangs, rather like the Italian Mafia, are wealthy and well-educated individuals. Furthermore, there is no evidence that the members of organised crime groups come from any particular locality. They could be drawn from a very wide region, and attempting to improve education levels or provide school-based or other social programs as a means of preventing transnational organised crime, would require investment over a potentially vast area. It is difficult to see how it could be targeted on high-risk individuals and therefore difficult to see how it could be cost effective. Finally there is no shortage of transnational organised

criminals operating in advanced democracies where education levels and legitimate job opportunities are relatively common. To somehow suggest, as some commentators have, that an education program in Colombia might reduce the incidence of corruption and transnational drug trafficking, when it has had limited success in the United States, does not seem a rational or efficient use of limited resources.

Situational crime prevention, on the other hand, offers more immediate pay-off as a preventive approach and is as effective in preventing crime by rich and poor, disorganised and organised. It has been defined by Clarke (1983) as comprising measures:

- 1 that are directed at highly specific forms of crime
- 2 that involve the management, design, or manipulation of the immediate environment in as systematic and permanent a way as possible
- 3 that reduce the opportunities for crime and increase the risks as perceived by a wide range of offenders.

This approach to prevention addresses features of the environment in which crimes occur, or aspects of the target against which crimes occur. It analyses, with some precision, the context within which criminal events happen and then reduces the opportunity for their recurrence. It is closely affiliated with the problem-oriented approach to policing (see Goldstein 1990) that is too rarely discussed in the context of TOC.

The remainder of this section considers the potential of situational crime prevention when applied to transnational organised crime. It argues that, from one perspective, it already operates as an approach to the prevention of transnational organised crime, and has already demonstrated its efficacy. In addition, and most importantly, however, it proposes that it might be more effective if applied more formally and systematically, taking lessons from situational applications in other crime control contexts.

There are numerous examples of changes in the 'situation' resulting in reductions in crime. Clarke (1992) produced a useful classification of these situational techniques which illuminates the underlying principles through which they operate. This classification was later elaborated upon by Clarke and Homel (1997), resulting in a sixteen-cell framework laying out the techniques of situational crime prevention and providing examples from the research literature. The framework is set out below in Box 5, including examples that are routinely (or specially) used to prevent organised crime.

The list of preventive techniques and the examples given in Box 5 will not be explained in full. The interested reader is referred to Clarke (1998) for the most up-to-date explanation of these preventive techniques. It is, however, worth explaining the framework and some of the examples in order to demonstrate their general utility and the manner in which they should assist the international community in developing a portfolio of prevention efforts to tackle TOC.

The framework divides into four broad categories of preventive effort: increasing the effort, increasing the risks, reducing the rewards, and removing the excuses. These categories fit the analysis of organized crime as being based upon, broadly speaking, rational decision-making of criminal actors that incor-

Box 5: Prevention Techniques for Organized Crime (and ‘traditional’ crime)

Technique (and brief definition)	‘Traditional’ crime prevention	Preventing organized crime
A. Increasing the Effort		
1. <i>Target hardening</i> : making the commission of a crime more difficult.	Slug rejecter devices Steering locks Bandit screens	Tower of London (Crown Jewels) Fort Knox (Gold) Car anti-theft devices stop organized car theft
2. <i>Controlling access to targets</i> : limiting access of would-be perpetrators to the place where crime is possible.	Parking lot barriers Fenced yards Entry phones Password protection	Security at art galleries Border checkpoints Crop-dusting plane registers
3. <i>Deflecting offenders and victims</i> : inducing offenders or victims to be elsewhere than at a place where crime is possible.	Bus stop placement Tavern location Street closures	Decoy Vehicles Decoy shipments Ships travelling in convoy
4. <i>Controlling crime facilitators</i> : Controlling the means whereby crime is made possible or easier.	Credit card photo Gun controls Caller-ID	Controlling precursors chemicals used in the production of drugs
B. Increasing the risks		
5. <i>Screening entrances and exits</i> : increasing conspicuousness when rules are not being observed.	Automatic ticket gates Baggage screening Merchandise tags	Passport and Visa controls Import and Export Documents Biometric scans
6. <i>Formal surveillance (of victims and offenders)</i> : locating perpetrators, victims or crime-prone places in time and space.	Red light cameras Burglar alarms Security guards	X-ray machines Custom’s checks Satellite surveillance
7. <i>Surveillance by employees</i> : the oversight by those at work as part of their work function.	Pay phone locations Parking attendants CCTV systems	Support for whistle-blower policies in employee regulations
8. <i>Natural surveillance</i> : making crime or the identity of those committing crime more visible.	Defensible space Street lighting Cab driver ID	Journalistic reports on mafia bosses Ten Most Wanted list
C. Reducing the rewards		
9. <i>Removing targets</i> : making a crime impossible because its purpose is precluded or its object unavailable.	Removable car radio Women’s refuges Phonecard	Eliminating high value bank notes stops their forgery
10. <i>Identifying property</i> : making stolen goods more easily recognisable.	Property marking Vehicle licensing Cattle branding	Unique dot-marking of art and valuables Intellectual property registers

Box 5: (continued)

Technique (and brief definition)	'Traditional' crime prevention	Preventing organized crime
11. <i>Reducing temptation:</i> limiting occasions on which a potential target is publicly identifiable as such.	Gender-neutral phone lists Off-street parking Rapid repair	Decoy shipments (money; prisoners etc.) GPS tracking of goods
12. <i>Denying benefits:</i> design or later action make the crime less profitable after the fact.	Ink merchandise tags PIN for car radios Graffiti cleaning	Exploding dye on bank money Asset seizure legislation
D. Removing Excuses		
13. <i>Setting rules:</i> clearly defining the law and unacceptable conduct (and the consequences).	Harassment codes Customs declaration Hotel registrations	Cash deposits limits to stop money laundering No-negotiation anti-hijacking policy
14. <i>Alerting conscience:</i> publicising the rules (subtly or otherwise) to make offenders think twice.	'Walking tall' Roadside speedometers 'Shoplifting is stealing' 'Idiots drink and drive'	Goods to declare channel at customs "Drug production by-products damage the environment" message
15. <i>Controlling disinhibitors:</i> reducing the frequency of states that may induce rule breaking.	Drinking age laws Ignition interlock V-chip	Control of precursors of drugs Clear definitions of corruption Sealed cargo containers
16. <i>Assisting compliance:</i> making it easy to follow the rules or law.	Easy library checkout Public lavatories Trash bins	Regular monitoring of arms manufacturers Assistance in destroying biological weapons International decommissioning bodies (eg. Monitoring arms decommissioning) Bomb-proof trash bins

porates an assessment of the costs and benefits involved. Transnational organized crime occurs because those involved perceive the likely benefits to outweigh the likely costs. The overarching aim of the situational approach therefore, is to tip the scales of this analysis by increasing the costs and/or reducing the rewards to transnational organized crime.

Although the column of cells addressing measures to tackle organized crime focuses upon crimes that are 'traditionally' thought of as organized, it is of note that many measures directed at 'ordinary' crimes can have an effect on some forms of organised crime. Street lighting could impact upon criminal opportunities for organized car crime, as could legislation that made car immobilizers compulsory. Alarms, sensor systems and closed-circuit television on business

premises may reduce thefts of goods that would result in transnational shipments prior to sale. Sealed cargo containers can eliminate an avenue for illicit transnational shipments if illicit goods cannot be added to a container that is shipped under the auspices of a reputable licit trader. Such measures may have positive domino effects – for example, if the removal of the shipment opportunity meant that there was no point (that is, reward to) obtaining the illicit goods for shipment.

The boundary between organized crime and transnational organized crime is somewhat blurred in the final column of Box 5. It is proposed that the prevention of many types of organized crime, in addition to those of a transnational nature, will benefit from the more widespread formal development of situational crime prevention interventions. Many types of crime that were previously just labelled ‘organized’ are increasingly being labelled ‘transnational’ because the process of globalization has created the potential for interaction between new markets. Organized car theft and shipment is one example of such a crime. It is also an example of a type of crime where modifications to the potential target (design changes to cars) are likely to be a fruitful avenue for prevention since law enforcement efforts aimed simply at organizations leave the same criminal opportunities to be adopted by others. The highly dynamic illicit drug trade has demonstrated this kind of adaptation on several occasions when the collapse of one large criminal organization has left it to be replaced by one or more others.

Some efforts to prevent TOC are so common that they appear second-nature and are not recognized as crime prevention efforts. Passports are one of the most straightforward examples of everyday efforts to tackle TOC. By providing a means of controlling access to and from countries, they discourage and make it more difficult and risky to cross international borders illegally, and reduce the level of the illicit movement (trafficking) of humans. Although the smuggling of humans across borders still occurs, it is far less prevalent than it would be in the absence of passports and border checks. Passports have become such an everyday part of many people’s lives that their formal crime prevention role, and the mechanism by which they work to prevent transnational crime, can be easily overlooked. As the manufacture of passports has become more sophisticated, the costs of forging passports, and the skills required, have increased significantly. This increases the costs to organized crime and will have eliminated most illegal border crossings that would occur in the absence of passports and border checks. Those organized border crossings that remain are in vastly reduced numbers and are far more risky and costly to organized criminals than they would otherwise be. Hence, although we would be hard pressed to provide the relevant empirical evidence, it is reasonable to conclude that simple and accepted measures such as passports can have significant effects upon the prevalence of TOC. The organized crime of counterfeiting of money has likewise become more difficult as production technologies have improved, although even here an ‘arms race’ can take place between criminals and crime preventers. Many relatively simple situational measures – for example, using paper that is difficult to obtain, incorporating watermarks, using complex designs that are difficult to replicate, have served to make the counterfeiting of money extremely difficult and costly, as well as in-

creasing the likelihood of detection. Still, new criminal opportunities arise. The new European currency unit, the Euro, is alleged to have at least one coin that is virtually indistinguishable from a lower value coin from another country. This presents a new opportunity for TOC – the transnational shipments of such coins and their substitution for the higher value coins will prove a profitable continuing enterprise unless efforts are made to remove the opportunity. Possible interventions could include coin re-design, publicity to alert potential victims, re-valuing or withdrawing one of the coins, or improved techniques for the identification and marking of one of the coins.

The monitoring of the level of cash that can be deposited in financial institutions in single over-the-counter transactions is another simple situational measure used to tackle money laundering. Many criminal transactions utilise cash since it is seldom traceable, but the result can be that higher-level criminals are left with large sums of money to deposit and launder. Without receipts and invoices (a paper trail that can be traced) there is little alternative to depositing this money in banks in large amounts. However, since this is not an everyday occurrence for most people, imposing a limit on cash deposits and introducing simple monitoring procedures will primarily hinder organized crime without imposing significant costs on legal transactions. Legal depositors can complete the relevant paperwork with impunity, whereas illegal depositors are unlikely to do so. The result in some instances has been a tactical displacement to ‘smurfing’ – multiple small deposits by different individuals working for the same criminal network. However, smurfing incurs far more effort and risk for organized crime: it means that many more low-level criminals have to be both paid, and entrusted with lumps of money. These workers may, if detected, be more likely to give up any intelligence information they may have. When combined with additional situational measures such as tracing the paper-trail of suspect monies, the gradual closing of legal loopholes that exist in certain countries (such as off-shore havens with limited legal requirements for financial transactions), and other situational measures such as asset seizure (which remove the rewards to organized crime), organized criminals are constantly being squeezed, making such crime a less attractive prospect.

Despite claims that money laundering is still relatively easy, it does not seem unreasonable to expect that continued efforts to close the loopholes and to trace illegal money via various methods, will prove a long-term success in the fight against many types of organized crime. While such situational prevention efforts are specific to the crime of money laundering, they also impact upon a range of related organized crime that provides the money to be laundered. In general, such efforts also increase the skill-level that is required of organised criminals, producing an effective ‘barrier to entry’ to criminals who do not have these skills. In this way, situational prevention may in the longer term also reduce the propensity to turn to organised crime among the pool of potential offenders.

Problem-oriented policing and crime analysis techniques that allow the identification of patterns and trends in crime and its characteristics, have all proved useful in tackling many types of non-organised crime. These approaches should be encouraged in relation to the prevention of organised crime and are a comple-

ment to situational prevention efforts. While the international community has begun to foster some movement towards the dissemination of such techniques in relation to ‘traditional’ non-organized crime, there appears to be a need for such work to be promoted in relation to TOC.

7.7 Conclusions

The conclusions to this chapter take two forms. The present chapter has focused primarily upon a theoretical rather than an empirical contribution to the prevention of transnational organized crime in Europe and North America. It is proposed that the accumulation of knowledge must be incremental and that efforts in the future might benefit from drawing together the empirical data sources on specific types of transnational organized crime. This includes analysis of those aspects of the UNCJS survey that might fruitfully provide some indirect indicators relating to organized crime – measures relating to drug offences, bribery, fraud and embezzlement. Their combination with other indicators such as the Corruptions Perception Index developed by Transparency International may shed empirical light upon general trends and patterns in these crimes. It is also hoped that future sweeps of the UNCJS survey might incorporate more direct measures of organized crime. This knowledge will prove of more practical utility if it can be combined within a preventive framework and if it is supported by local and crime-specific analyses. Increased knowledge and understanding of TOC is, after all, only useful and worthwhile if it is used to inform preventive efforts in some fashion.

The emphasis of a significant part of this chapter has been upon developing a framework around which practical efforts to prevent organized crime might be developed. This seems appropriate given the stage which we have now reached in relation to the study and prevention of transnational organised crime. There have been many recent efforts to describe the nature and extent of organized crime. These are certainly important and should continue, with increasing emphasis upon the details of the crime and context-specific analysis. To date, however, there has been little effort expended upon the study and evaluation of practical preventive efforts. There is, therefore, a great need for the delineation of a formal prevention framework such as that proposed here. The transfer of a proven and existing framework for these purposes provides a significant opportunity for knowledge transfer. The approach is only new in the present context – hence there are potential benefits of cross-fertilization to the field of transnational organised crime from the established situational crime prevention experience of dealing with other offences. It is proposed that increasing the costs and reducing the benefits to organised crime should prove a more productive and cost-effective approach to tackling the problem. It is likely that the most significant inroads into organised crime will be made through the continued adoption of the techniques of situational prevention. A formal framework such as that proposed here provides a means by which such efforts can be promoted and encouraged.

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