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EL PACCTO 2.0
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ASSET-BASED APPROACH TO COUNTERING DRUG TRAFFICKING

STUDY AND COORDINATION MEETINGS IN HONOUR
OF GIOVANNI FALCONE



PROGRAMMA
FALCONE BORSELLINO



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ASSET-BASED APPROACH TO COUNTERING DRUG TRAFFICKING

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OF GIOVANNI FALCONE

**Proceedings of the conference 'Study and
coordination meetings on international drug
trafficking in honour of Giovanni Falcone'**

Palermo, 22nd-24th of May, 2024

TRANSCRIPTION OF THE INTERVENTIONS

CONCLUDING REMARKS

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GIOVANNI MELILLO

National Anti-Mafia and Counter-Terrorism Prosecutor

First of all, let me start by thanking the people who made it possible to organize this event, not only the international organizations and associations, but also the people who, through their work, have facilitated these days of study and coordination meetings, and I'm thinking in particular of the IILA staff and also of the National Anti-Mafia and Anti-Terrorism Directorate, whom I sincerely thank. I obviously thank all those who took part, not only the Italian and foreign prosecutors who spoke as speakers, but above all the prosecutors who came here to listen to the other Italian and Latin American prosecutors, because they shared a need for knowledge that must be nourished by the experiences of others, and I believe that a second positive aspect of these meetings, of these events, is not only the fact that they lasted exactly the expected time but also that perhaps this too has facilitated the conviction that they should be repeated, as Giovanni Tartaglia Polcini announced this morning. These meetings will be repeated next year in the Netherlands, another country that has unexpectedly become, considering its traditions, a symbol of the gravity of the phenomenon of drug trafficking at a global level. Perhaps this morning or even yesterday I should have explained the reasons why we wanted these meetings, which were not only public but also closed to the public in order to allow for the exchange of information and the coordination of some initiatives.

During these three days, several joint investigation teams were set up, new targets were identified and numerous mutual legal assistance procedures were discussed. Above all, many prosecutors who had only written correspondence were able to meet and talk in person.

One of these reasons is certainly due to my personal influence, given that I've always had

a particular idiosyncrasy for ceremonies and commemorations and I've always thought that the best way to remember Giovanni Falcone is to work and study. Study is the basis for a deep knowledge of criminal phenomena and the very reason why our anti-mafia model has been shaped according to a principle of specialization, which requires not only the police but also the magistrates to recognize that only through knowledge of the structure, dynamics and internal and external relationships of criminal organizations is it possible to carry out effective prevention and repression. Since it was a question of studying and working on my idea, it also had the approval of Marcelle Padovani, who had never come to Palermo for ceremonies and commemorations, but who let herself be convinced to guide this last day of work. Specialized networks are the condition for developing international cooperation, that model devised on the judicial side by Giovanni Falcone is a model that is still spreading and is marking important stages. Ignacio Castillo announced to me, not too confidentially I believe, that the Chilean parliament is preparing to set up a national prosecutor's office against organized crime, but the same step is being taken in the French parliament in recent weeks, which had already taken a step almost 20 years ago by setting up specialized interregional jurisdictions based on the model of the Italian District Anti-Mafia Directorates. Another reason why it was important that these meetings took place in Palermo is represented by the fact that there is a painful parallelism between the destiny of the Latin American magistrates and what the Italian magistrates have experienced through that trail of blood that has long developed in indifference, up to the death of Giovanni Falcone first, and Paolo Borsellino later, and this painful parallelism is visible in the assassination of Fiscal Antonio Machado Diaz that Lincoln Gakiya recalled in his beautiful speech, but it is even more visible recently, as I have already mentioned, in the murder of Marcelo Pecci, which happened exactly two years ago, and in the murder of Fiscal César Suárez who worked alongside our friend Patricia

Carranco and Diana Salazar, who a month ago was in our office to discuss joint investigative teams and cooperation between Italy and Ecuador. Diana Salazar is a prosecutor who, as I mentioned earlier, is currently the target of attacks simply because she has the courage to carry out her duties independently. From this point of view, it is striking, and it must strike us Italian magistrates in particular, that the network of Ibero-Latin American prosecutors – who wanted to hold their annual work session dedicated to the fight against drug trafficking here – considers not only the independence and autonomy of the prosecutor but also the safety and integrity of his or her functions to be central, because the danger to which our Latin American and Central American colleagues are exposed, as they work on these very difficult cases, is extremely serious and therefore requires the solidarity of the Italian judiciary as well. Having said that, you have heard extremely effective descriptions of criminal phenomena of which the valiant Italian police forces and prosecutors, who have gained authority and credibility in the fight against organized crime in the field, knew little. You may have heard for the first time about some of the major criminal organizations, such as the Primeiro Comando da Capital (PCC), the Comando Vermelho, but there are others that we haven't had time or opportunity to talk about, some that have been considered and mentioned in some reports, such as the Tren de Aragua, an organization that, like the big Brazilian organizations, was born in prison, and this too is something that should make us think, but there's no time or opportunity to do so. In my opinion, all this information points in the same direction, which basically coincides with my firm conviction about the ritualized rankings of mafia danger. These rankings are misleading on the one hand and dangerous on the other; they are dangerous because these danger rankings can also be interpreted in reverse, and then the mafias that seem less dangerous risk appearing to be the most tolerable, and they are misleading because they make us lose sight of the integration processes of criminal markets and criminal



These meetings are strategic in fostering the strengthening of judicial cooperation against drug trafficking and transnational organized crime.

structures, while we know that it is the logic of the markets that determines the conformation of criminal structures, and this is exactly what has emerged in these days of meetings: namely, the creation of integrated criminal systems that result only from the transnational expansion of the main criminal organizations dedicated to controlling the import and export routes of large volumes of narcotics, of course, but also from the need to share the management strategies of a gigantic logistics network and common strategies for speculative reinvestment and concealment of trafficking profits. The progressive integration on a transnational, global scale of the criminal markets and financial markets that are upstream and downstream of international drug trafficking, well illustrates the development of these criminal phenomena and their destabilizing effects on entire areas of the planet, and is a phenomenon that is now visible also in the Mediterranean. The Mediterranean is increasingly like a pool of hatred and despair, in the face of a European continent that has long cultivated the illusion that its people were kept far from the specter of war; we will have to return to this point elsewhere, because it is clear that conflicts, war economies, and sanctions create the ideal conditions for the expansion of the business role of large criminal organizations. Undersecretary Mantovano reminded us of this just a few minutes ago, mentioning the role that the trafficking of tobacco processed in the East has had in financing the conflicts in the former Yugoslavia, which is why prominent figures from some of the states born from the dissolution of the former Yugoslavia have also been involved

in criminal proceedings, but it is a far cry from that conflict. They were local networks, relatively rudimentary, dedicated to the violent control of almost primitive economic processes, while today they are among the big players in the market not only for drugs but also for the large recycling market: they are organizations that, like ours, are constantly evolving, they have an extraordinary ability to govern technologies and Nicola Gratteri is absolutely right to point out the serious deficit in investment policies transition to the digital age. We have practically stopped investing in new skills and technological infrastructures and this is the reason why our police force, which is unanimously recognized internationally as being among the most professional, rigorous and capable, suffers like the rest of us from this persistent gap. This gap is also evident at a regulatory level. Although important initiatives have recently been planned and implemented, I believe that the regulations already approved last October are important. These regulations allow for undercover operations in computer networks when the terrorist threat is at stake or

when national cyber security is at risk. But even more important are the regulations contained in the bill already approved, fortunately with a bipartisan spirit, by the Chamber of Deputies, which I hope can be approved soon by the Senate of the Republic with the same spirit, because there is a great urgency to be able to use the tools of substantive criminal law and procedural law that we have built around the fight against organized crime on the cyber-crime front as well. On this front, as these days have shown, the main gap we can identify, despite the comforting value of these meetings and the bonds of friendship that obviously grow in parallel with the establishment of cooperative relationships, is on the level of the effectiveness of international cooperation. This is why some of the tools of international cooperation, which we still consider experimental, are in reality tools that have been provided for by the Palermo Convention for more than twenty years now and, even taking into account the processes of ratification and internal regulatory adaptation, they should have become daily mechanisms for integrating the efforts of

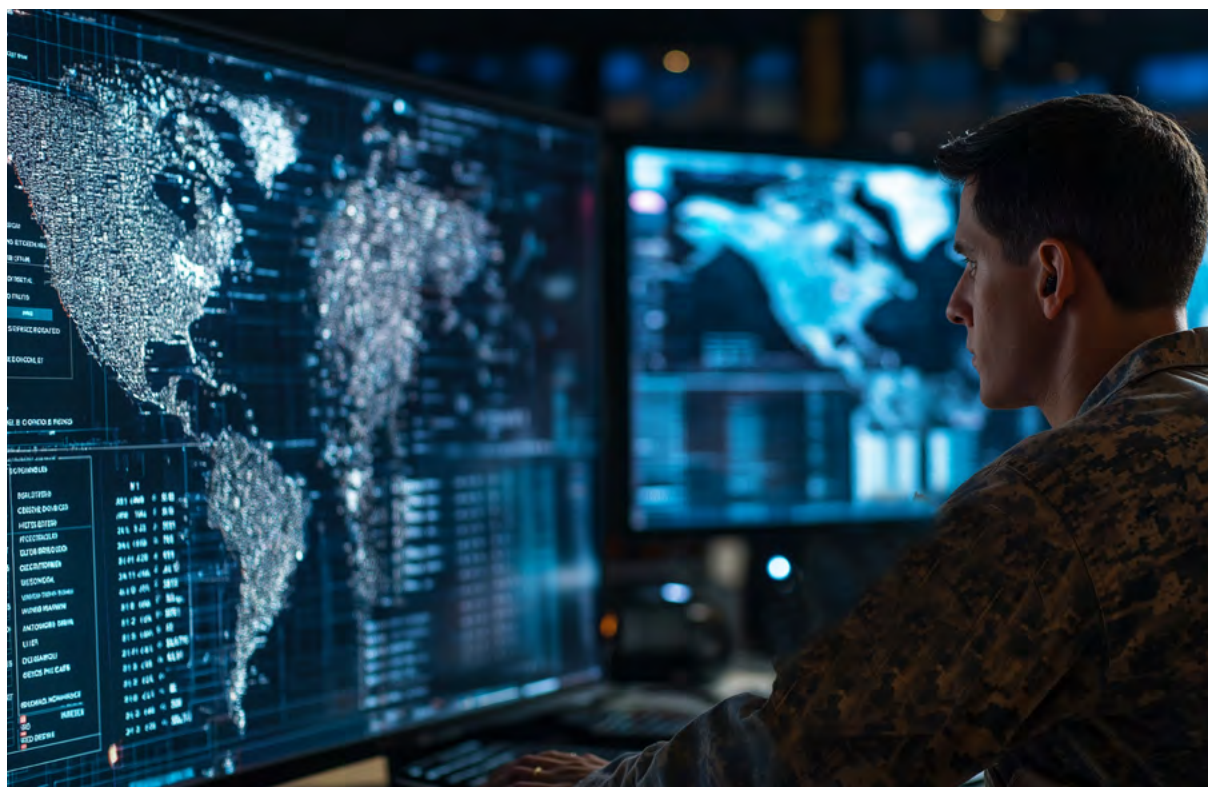


the judiciaries of different countries a long time ago. A great jurist like Mireille Delmas-Marty said it beautifully: in the face of phenomena of this kind, it is an illusion to cultivate the idea of solitary sovereignty. Instead, solitary sovereignty should be replaced by the idea of sovereignty in solidarity; this is a problem we have not only with the states closest to us, but also and above all with the countries of Latin America, with whom interlocutions are now daily and are very fruitful, not least because they are developed around the sharing of two fundamental principles: the first is respect for the rule of law, because there is no contradiction between an effective fight against organized crime and terrorism and respect human rights, and the Italian model has its own credibility because it has developed entirely within the perimeter of the rule of law without any forcing. In addition to this, I believe that there is also no possibility of cooperation outside the boundaries of the rule of law. This is a serious problem in a world dominated by a logic of polarization that almost shrunken the networks

of solidarity built after the Second World War around large international organizations, not only the United Nations, but also the Council of Europe, whose pan-European dimension is obviously considerably weakened by changing geopolitical scenarios.

The second fundamental point is that there can be no cooperation unless it is based on the rejection of any logic of political negotiation, first and foremost with the criminal cartels. Any step in this direction is equivalent to handing a license of impunity to the most refined, most sophisticated components of the criminal groups and drug cartels; the experiences to date confirm this quite objectively and incontrovertibly.

The two points described above have been shared for some time, at least in the perception that I have gained over the years of association with the magistrates of the anti-narcotics network, in particular with the magistrates of the Association of Ibero-Latin American Prosecutors chaired by the Attorney General Eduardo Ezequiel Casal, which until a few months ago was



chaired by the Attorney General of Colombia Francisco Barbosa Delgado, to whom I send my regards, I believe that this can only be done telepathically, but I imagine that some form of communication can be provided by the web. The anti-narcotics network of Latin American countries must become an integrated network with the participation of European countries, a specialized investigation network, a common network capable of reconstructing the criminal network that is at the base of drug trafficking and the recycling processes that support its further expansion into the financial markets and the business markets. It is a network that urgently needs to be equipped with telematic infrastructures for sharing information, even informally, and also from this point of view I believe that the joint investigative teams, which urgently need to be increased, can constitute many nodes of a network that is then destined to be welded together through the conjunction of the individual pieces. But above all, it is the very idea of a joint investigative team that determines the leap in quality of cooperation, because we move from a bureaucratic type of cooperation relating to individual cases, confined to the subject of the single request for cooperation, to a collaboration that revolves around shared investigative projects, and these must be ambitious projects. Giuseppe Gatti has shown you the work that my office is doing to make up for a serious delay in this type of collaboration linked to the expansion of the financial accumulation processes typical of Albanian crime. We need to put this information together, to have a shared analysis of the very nature of criminal phenomena of which we otherwise lose sight, just as until Giovanni Falcone no one had the ability to understand what the Cosa Nostra was.

The not only symbolic but also practical value of Tommaso Buscetta's collaboration has been mentioned several times. In this respect, the experience gained in the fight against the 'Ndrangheta and the Camorra also strongly confirms that without a deep knowledge

of criminal phenomena, action not only of repression, but also of prevention, is destined to focus only on the most violent manifestations, inevitably linked also to the most marginal, least important and least significant aspects of criminal phenomena. I cannot fail to remind everyone that this responsibility is certainly shared by the judiciary, by the police forces of all the States and also by the Governments and Parliaments of the individual States, due to the connected need for evolution not only of regulatory systems, but also of the technological and financial resources, as well as the human resources necessary for the integration of effective judicial intervention models. However, the Italian judiciary also has a particular responsibility: if the Italian judiciary wants to maintain, as I believe it should, an organizational model for the Public Prosecutor's Office based on the idea of a plurality of autonomous decision-making centres, and it is quite clear that when it is called upon to operate in the scenario of international cooperation which is transnational in nature, which does not have precise territorial roots, which are essentially volatile networks or even networks that exist in virtual space, it is necessary that international cooperation does not suffer from the defects of a coordination action to be carried out primarily at the national level, because all the unresolved problems on the national investigative coordination side are bound to have a negative impact on the fate of international cooperation. From this point of view, I am very confident, because the offices of the Italian public prosecutors have long since



There exists no contradiction between the effective fight against organized crime and terrorism and the respect for human rights.



learnt to work together, and I am grateful to all the District Attorneys who have understood the importance of moving from investigative coordination relating to individual contexts to investigative coordination that also embraces the processes of interpreting the rules or organizing the offices, because coordination starts there. Also for this reason I would like to entrust to the Superior Council of the Judiciary, which has announced that it is working on a new regulation of the organization of the public prosecutor's offices, the hope that elements of unbearable rigidity of the organizational schemes will not be introduced, in homage to the logic of bureaucratization of the internal relations within the public prosecutor's offices, which remove all the members of the Public Prosecutor's Office, from the Public Prosecutor to the Deputy Prosecutor, including the Substitute Prosecutors,

from a common responsibility to fulfil the duties of the Public Prosecutor - considering that the expression 'duties of the public prosecutor' is for the first time defined in the code in the regulation that dictates the statute of the National Anti-Mafia and Anti-Terrorism Directorate, that is article 371-bis of the code of criminal procedure, thus going beyond the original idea of the code of criminal procedure according to which the coordinated action of the public prosecutor was only a voluntary option.

Also, for this reason, I believe it is important that the Superior Council of the Judiciary evaluates the need to combine the autonomy and independence of the prosecutor's offices with the need for a unified direction of investigative activities, because on this road it is not the destinies of a corporation that are at stake, but the destinies and credibility of the judiciary.

MATTEO FRASCA

President of the Court of Appeal of Palermo

Señoras y señores, buenos días y bienvenidos a Palermo.

Ladies and gentlemen good morning and welcome to Palermo.

It is a great honor for me to host such an important international event in this courthouse on the 32nd anniversary of the Capaci massacre.

For this reason, in addition, I would like to thank the National Prosecutor Giovanni Melillo for having strongly supported this initiative, which I have welcomed with great enthusiasm, insisting that it take place here, in this Aula Magna dedicated to the memory of Giovanni Falcone, Paolo Borsellino and Francesca Morvillo.

I would also like to thank all those who have contributed to the organization of the event with passion and professionalism.

I would like to extend a special greeting to Leonardo Guarnotta, Giuseppe Di Lello, Gioacchino Natoli, Ignazio De Francisci, members of the historic anti-mafia law firm group conceived by Rocco Chinnici with Falcone and Borsellino.

This hall is a symbol and symbols enclose that memory

that constitutes our collective heritage and preserves the values that give meaning to life.

The Bunker Courtroom is also a symbol, recently named after Giovanni Falcone and Paolo Borsellino, where the so-called maxi trial was held. maxi-trial, thanks to their work, their brilliant intuitions, their investigative innovations, but above all their revolutionary awareness of the criminal specificity of Cosa Nostra and the consequent need for a new cultural, professional and organizational approach to fight it.

The theme of today's meeting is a special tribute to Giovanni Falcone.

In the early 80s, when the organizational structure of the Mafia was not even known, Giovanni, with his extraordinary analytical skills, realized that international cooperation at various levels was essential for effective action against the Mafia and, in particular, for the suppression of its most lucrative activity, namely drug trafficking.

In 1984 in Turin he had held a conference during which with unparalleled clarity he had described the international routes of drug trafficking, stating that they were firmly in the hands of criminal organizations, he had denounced the international links that these organizations had established by exploiting the previous experience and structures of tobacco smuggling, he had denounced the insufficient understanding of the international dimension of organized crime and had expressed his concern





Giovanni Falcone perceived the limited availability of international cooperation at various levels for an effective response to drug trafficking.

about the delay with which States, due to inconsistent and inadequate legislation, were lagging behind while mafia organizations operated with ease without borders.

In particular, he strongly criticized the obstacles to banking and corporate investigations, which Giovanni had literally invented and which he defined as 'immoral and absolutely unjustifiable', achieving sinister obstructionism in the upper echelons of the Palace of Justice and widespread impatience in the economic and financial world of the city.

These considerations, which were futuristic at the time, were also put to good use during the investigation of the Spatola trial, little known except to those in the know, which practically opened up a new international horizon, leading Giovanni Falcone to gradually consolidate stable and highly appreciated co-operations on every continent.

It is certainly not without significance that the Conference of the Parties to the Palermo Convention, held in Vienna in 2020, ended with the unanimous approval of a Resolution, presented as the 'Falcone resolution' because Giovanni had become the symbol of justice for the international community.

Just yesterday, I had direct confirmation of this when I met the former FBI Director, Louis Freeh.

However, it's true that 'no man is a prophet in his own land', if we consider that petty envy and at the very least short-sighted decisions by the Superior Council of Magistrates had inflicted bitter failures on Giovanni Falcone, which he faced with great composure and a strong sense of duty to the State.

Giovanni firmly believed in what he did, he had clear objectives to pursue, he committed himself to his work with a spirit of self-denial, he firmly believed in the rule of law without ever giving in to the temptation of authoritarian tendencies.

He had an innate aptitude for leadership but he had a deep-rooted faith in teamwork and cooperation. He was driven by an incurable optimism but he had an extraordinary ability to predict the future, which also made him realize that his end would be tragic.

Perceiving the institutional isolation in which he found himself, already within this building where annoyance and intolerance for his unrivalled stature were evident, he had said that 'one generally dies because one is alone, because one has entered a game that is too big'. In addition, if that loneliness, albeit belatedly, has been understood, the 'big game' has still not been fully deciphered today, despite the extraordinary commitment of the judiciary.

However, we do not intend to resign ourselves.

Giovanni Falcone wrote history and left us an enormous legacy not only on the judicial side, but also on the ethical and civic side.

He restored the credibility of the State in this country, he revived the sense of the value of Justice and Legality, and he gave back to the citizens the sense of belonging to a free and democratic community.

The best way to honor him is not only to remember him on the 23rd of May but above all to follow his teachings.

His strategic vision, his insights and his modernity are a global heritage that stands the test of time and only needs to be updated in the light of new techniques, new tools and new areas of interest for organized crime.

Thanks in part to Giovanni Falcone, our country has anti-mafia legislation of the highest level, at the cutting edge internationally, operating in various sectors, from substantive criminal law to procedural law, to prevention measures, to the regulation of collaborators of justice, to prison regulations, which has allowed us to achieve significant results.

It must be maintained without fail in all its consistency and in each of its components.

That is why I hope, indeed, I am certain, that these days of work will strengthen international cooperation in the spirit and with the objectives lucidly identified by Giovanni Falcone.

Only in this way will we be able to show that he is alive. That he is still alive.

LIA SAVA

Attorney General at the Court of Appel of Palermo

I bring greetings from the prosecutor's office of the Palermo district to all the civil and military authorities and to our distinguished guests. The internationalization of crime requires the rapid circulation of data and organizational forms suitable for the effective coordination of investigations. This was the premise for the signing, on 15 December 2000, of the United Nations Convention against Organized Crime. Since that date, the improvement of the cooperation system has allowed significant results on a judicial level. However, it is necessary to continue along this path. According to some statistical reconstructions, it has emerged that there are about 3,600 organized international criminal groups active in Europe alone, many of them in business with Latin American drug cartels. If numerous crimes are committed in different countries, if their perpetrators make use of links and support scattered in even very distant territorial areas, if we witness forms of money laundering carried out through investments in companies or real estate located all over the world, with proceeds well hidden in complacent tax havens, it is quite clear that highly specialized investigative structures are needed to quickly follow the evolutionary line of transnational crime. The development of new technologies, encrypted communications, transactions and the circulation of cryptocurrencies, the result of illegal trafficking, constitute the backbone of criminal interests realized through vital ganglia spread throughout the U. And, in Latin America, in the Caribbean region and they risk taking on even more disturbing proportions with the development of artificial intelligence if the latter interacts with unscrupulous criminal organizations and this makes a reasoned and common discussion on 'virtual recycling' indispensable, a challenge, on

closer inspection, that is already underway. In this context, extradition, mutual legal assistance and the transfer of convicted persons do not seem entirely adequate to meet the challenges we face. This is the sense of synergistic work, aimed at quickly filling gaps from both a legal and practical point of view. Furthermore, individual offences are often only the epiphenomenon of illicit intertwining that cannot be separated from broader issues in terms of their genesis and consequences. In this sense, it is necessary to refine the concept of 'transnational crime' and develop methods to identify the place where the crime was committed in order to apply criminal law to the specific case immediately, using, for example, already tested regulatory schemes of particular importance, such as those governing the liability of organizations. With the institution of joint investigative teams, the creation of EPPO and the legal construction of the European Investigation Order, EU legislation has provided valuable tools for combating transnational crime, which must take into account the quantitative dimension of the different types of crime that we photograph with greater frequency. Nevertheless, to achieve the desired results, we cannot ignore the need for uniform legislative and interpretative solutions to often complex legal issues. Furthermore, it cannot be denied that when we look at the incidence of transnational drug trafficking, which today, exactly as forty years ago, is of primary interest to mafia-type organizations, we realize that the impact on the most fragile segments of individual social structures is absolutely alarming. In the Mediterranean basin, as in Latin America and the Caribbean, minors from disadvantaged families are both consumers of crack, for example, and exploited to sell the substance. The perverse spiral that links the macro dimension of transnational trafficking to criminal activities that fragment into the most limited territorial areas determines potentially devastating effects not only for the economic stability of individual countries but also for the future of the younger generations, who are more fragile and defenseless. In addition, this brings us back to the concept of collective



Transnational drug trafficking continues to pose significant challenges, much as it did forty years ago.

responsibility of all States, along the lines of what was done more than thirty years ago with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, concluded in Vienna on 20 December 1988. In this direction, it is necessary to share the most advanced technical structures to flush out and contain the dark web, which has become a hellish place of unspeakable transactions. Furthermore, there is a need to refine increasingly effective tools to combat the accumulation of illicit assets, inevitably connected to drug trafficking, by remodeling, where necessary, the criminal policies of individual states. One of the main objectives of the Palermo Convention was to strike at the economic bases of organized crime. And today, more than ever, it is necessary to develop an investigative plan that is capable, on the one hand, of curbing the illicit accumulation of capital and, on the other, of recovering as much wealth as possible from the reinvestment of criminal activities. This is essential not only to counter internal and external corruption,

but can also become a tool for the protection of fundamental human rights. And so international cooperation that increases trust between states, aimed at the confiscation of assets derived from criminal activities, providing, in an international context, instruments for the social reuse of confiscated assets, reintegrates the community at the same time, also from the violation of rights intrinsically violated by the realization of illicit trafficking. The desirable elimination of regulatory differences between countries will also serve to prevent mafia organizations from identifying areas with legislation more favorable to them, where they can increase the sale of drugs and avoid law enforcement.

The most recent steps, the regulation of joint teams, the anti-money laundering package with the establishment of AMLA, the new EU anti-money laundering agency, the new directive on the confiscation and recovery of assets (directive no. 1260/2024 of the Parliament and Council of 24 April 2024 on the recovery and confiscation of assets, which establishes minimum rules on the tracing and identification, freezing, confiscation and management of assets in the framework of criminal proceedings), are a step in this direction. In the sure knowledge that it is precisely the supranational dimension that will allow us to lay the foundations for building post-modern criminal law.



DIANA SALAZAR MÉNDEZ

General Prosecutor of the State of Ecuador

(Remarks Delivered Remotely)

Good morning. It is an honor for me to address such distinguished people. First of all, I would like to thank the organizers of this event, the Programme of Assistance against Transnational Organized Crime - EL PACCTO; Giovanni Melillo, Italian National Anti-Mafia and Anti-Terrorism Prosecutor, for the consideration and deference expressed in your invitation. A warm greeting to the authorities, academics and participants. Thank you to everyone present and for allowing me to participate in such an important meeting, this time virtually, as circumstances have not allowed me to travel.

International integration and technological development, key elements of the globalization process, have brought about a radical change on many levels in the global landscape. Geopolitical dynamics have become more complex and have led to substantial changes in the economic and legal fields.

However, the possibility of easily creating or expanding markets, the increased transport infrastructure and the high mobility capacity of goods, people and services have also provided unprecedented opportunities for the formation of an intricate network of illicit markets, associated with the practice of transnational criminal activities. In recent years, therefore, organized crime has become the main threat to democratic institutions and the internal security of States.

Organized crime is a complex and multi-faceted phenomenon, and drug trafficking is the most visible expression of it due to its implications and devastating effects.

In recent decades, Latin America has positioned itself as the global epicenter of the war on drugs. The investment of huge sums of money, which translates into massive law enforcement operations conducted

by the region's states, has led to the identification and blocking of the main drug trafficking routes, the seizure of huge quantities and the incarceration of dangerous leaders.

However, the amount of money involved in drug trafficking, the increase in demand and the search for criminal consolidation have constantly pushed criminal organizations to adapt to the measures put in place to elude law enforcement. In this way, organized crime has explored new centers and routes for the production and transport of drugs. Furthermore, with a vision comparable to that of large companies, it carries out meticulous risk assessments to minimize them and, on the contrary, maximizes opportunities by exploiting the geography and socio-political situation of new places to amplify profits.

These specific geographical conditions of some countries provide facilitating elements for the internal and cross-border mobility of these criminal groups. This scenario is particularly visible in the case of Ecuador, where drug trafficking has developed in a complex and alarming way, transforming the country from a transit point to an important center for the production, processing, storage, distribution and even consumption of cocaine.

It is clear that the geographical characteristics of the country have become important incentives for transnational criminal organizations, which have established strong links with local criminal organizations fighting for control of these new routes. In addition, criminal networks have tried to intimidate the state and consolidate their power in the collective imagination through multiple and brutal actions.

In this context, corruption has acquired particular relevance, as its transversal nature has amplified the harmfulness of its effects on the social fabric and on institutions.

This nefarious link between corruption and organized crime has gradually permeated the spheres of institutional power through the generation of illegal ties with public officials associated with the administration of justice, security agencies and, above all, high-level elected officials.



In recent decades, Latin America has emerged as a global epicentre in the fight against drugs.

In fact, recent cases denounced by the Attorney General's Office – such as those known as 'Metastasi', 'Purga' or 'Plaga' – have revealed how some criminal groups, through networks of legal professionals, judicial officers and even former legislators, act as a link between crime, the administration of justice and politics. In addition, it is not limited to simple intermediation, but it is increasingly evident that these links have reached the point where corrupt officials are actively involved in the execution of illegal acts and are even part of the decision-making spheres of criminal organizations.

In the so-called cases, the participation of senior judicial officials has been ascertained in multiple illegal activities and judicial decisions aimed at favoring members of criminal organizations, such as the release of important exponents of organized crime, the restitution of assets of illicit origin and even the willingness to restore the political rights of convicted criminals, just to name a few.

Furthermore, the links that various high-ranking political authorities have maintained with transnational criminal organizations have been brought to light.

These organizations also shared socio-cultural activities,

suggesting that their relationship was not strictly economic. Discovering the degradation generated by the infiltration of organized crime into state institutions has not been enough to stop it, as it still maintains its control over groups of economic and political power, making its intention ever clearer: to achieve impunity. Organized crime does not operate in a vacuum, nor is it built on an imaginary fiction, since all its manifestations and tangible effects find structuring conditions in places with high levels of inequality and poverty and with a fragile rule of law, threatened by the systematic growth of corruption.

In conclusion, I would like to emphasize that there is a categorical imperative in society associated with the idea of generating better social, economic and democratic conditions, because these better conditions are a fundamental part of the fight against organized crime, since a system that prosecutes crimes and criminals is not enough if the State – in all its greatness – is still absent.

Therefore, the response we must give to society must make it clear that we are aware of our powers and responsibilities and, above all, that it is necessary to tackle the problem, organized crime and its great allies – drug trafficking, corruption and the corrupt – but not only with words, but with concrete actions and within the framework of the Constitution and the law, so that they become real solutions, which in turn will form a solid foundation for a society with more hope and, therefore, the possibility of a better future.

Thank you very much for your attention.



RAFFAELE GRASSI

Central Director of the Criminal Police

Criminal organisations in the Triple Frontera

I would like to greet all the authorities present, both Italian and foreign, my colleagues from the police force and all the other distinguished guests.

I would like to start by saying that it was with sincere pleasure that I accepted the invitation to take part in this prestigious event because the topic I have been asked to talk about is extremely interesting, and also part of the 'portfolio' of skills in my current role as Deputy Director General of the State Police - Central Director of the Criminal Police.

As many of you know, in this role I am responsible, among other things, for international police cooperation activities, in which our country plays a recognized, authoritative and often leading role in the international law enforcement community.

In order to give you some reference points regarding the topics I intend to cover in this brief contribution, I'd like to give you a chronology of my speech, which will be developed according to the following points:

1. a necessary introduction to the 'Triple Frontier' region
2. an overview of the main criminal organizations operating in the region, with a specific focus on the terrorist organization 'HEZBOLLAH'
3. an in-depth look at the connections with Italian criminal organizations
4. the breakdown of some regional weaknesses, with further analysis of the criminal organization called 'PCC PRIMEIRO COMANDO DA CAPITAL' - a topic that will also be the subject of a specific in-depth analysis by an expert later in the conference.
5. I will conclude by illustrating the 'ITALIAN SYSTEM' and how we are promoting it on the international scene.

Starting from the first point, the preamble to my speech can only be to provide - without any presumption of exhaustiveness - a general picture of the 'Triple Frontier' region, because I believe that in order to fully understand the criminal dynamics, it is necessary to draw an overview of the region.

The Triple Frontier is the strategic point of access to a river transport network over 3,400 km long, which allows continuous navigation between the ports of Argentina, Brazil, Bolivia, Paraguay and Uruguay, and then flows into the Atlantic Ocean.

The increase in naval activity in this natural channel has allowed for a significant reduction in the cost of transporting large volumes of goods and for the commercial integration of different areas.

The transnational criminal organizations operating in the area immediately understood the enormous potential and began to contaminate legal cargo with illegal goods.

Moreover, the morphology of the territory, which is tropical wilderness, makes it difficult for the States to effectively control the movement of people, vehicles and goods.

Around this river crossroads, a number of important urban centers have developed, with a total of over 700,000 residents and characterized by a high level of interstate mobility of the population to meet their needs.

Suffice it to say that during the pandemic, many travelled from Paraguay to Argentina to receive free hospital care.

These cities are extremely close to each other and form a single large commercial center that facilitates criminal activities, especially in relation to the special conditions for currency exchange and the rampant illegal trade in goods.

Every day, about 15,000 vehicles and 40,000 people cross the two bridges connecting Argentina and Brazil and Brazil and Paraguay, making any kind of control extremely difficult.

In the Triple Frontier region, citizens of many ethnic groups live together with the locals: Indians, Chinese, Lebanese, Syrians and Europeans.



With this in mind, the 'Triple Frontera' offers a unique combination of geographical and socio-economic characteristics, which, as mentioned, make it particularly attractive to criminal organizations.

Traffickers exploit the long, poorly patrolled land and river borders to move drugs, often hidden in legitimate shipments or along hidden routes along the rivers that cross the national borders. Furthermore, the heterogeneity of jurisdictions and security policies in the three countries allows criminal networks to exploit regulatory discrepancies and loopholes in the law to operate with relative impunity.

Moreover, the presence of diverse and in some areas marginalized communities provides fertile ground for the recruitment of new members and the corruption of local officials.

The Triple Frontier is well known as a crucial logistical hub in the international drug trade, playing a significant role in facilitating the transport of narcotics from the main producing areas in Latin America to consumer markets in North America, Europe and beyond.

Estimates suggest that significant quantities of

cocaine, marijuana and other illegal substances pass through this region every year.

Although it is difficult to quantify exactly how much drugs pass through the region each year, seizures made by law enforcement agencies suggest that they are in tons, representing a continuous and constant flow that feeds criminal networks on a global scale.

Having finished this general introduction, I would like to get to the heart of the presentation, talking about the criminal organizations that operate in the region, starting with the formation of Hezbollah and the historical reasons that have favored its taking root. After the terrorist attacks of 2001, the United States of America increased their attention on this area, obtaining the cooperation of the countries bordering the region and, more generally, attracting the interest of the main Law Enforcement and Intelligence agencies of the international community.

This is due to the fact that since the end of the 60s, the most important cities in the area have seen a large influx of people from the Middle East, fleeing from the economic and social instability and conflicts in the region.

Today, the descendants of the Arab community are the second largest community in South America, and are mostly of Lebanese origin.

The latter, in particular, have been the subject of attention, given their habit of sending money from Brazil to Lebanon, which led to suspicion on the part of foreign intelligence agencies that there was a phenomenon of financing terrorism.

Just to mention one investigation that provided evidence of this, we can refer to operation 'Cassandra' by the US Drug Enforcement Agency (DEA), which in 2008 exposed Hezbollah's complex networks in the region, further highlighting the need for increased international collaboration.

But already previously, in the 90s, with the bomb attacks in Argentina on the Israeli Embassy in 1992 and on the headquarters of an Israeli Association in 1994, attention had been intensified on the area, based on the hypothesis that these attacks had been organized by Hezbollah militants who had their logistical headquarters in that very region.

Even today, Hezbollah appears to be the organization most deeply rooted in the area, and it is thought to have turned the Tri-Border Area into a sort of South American base from which to direct and coordinate its activities, also establishing relations with other criminal organizations, not of a terrorist nature, such as the international mafias, including those from Italy and Hong Kong.

In addition to the illegal activities of money laundering and trafficking in drugs and arms, the organization is also interested in purchasing a large amount of land that can be converted into training camps for the formation of combatants. In this regard, political scientist Emanuele Ottolenghi has defined the Triple Frontera as Hezbollah's most active financial center, as it launders money from drug traffickers.

In this regard, an analysis produced by US military organizations has estimated that this

organization has generated profits of several hundred million dollars since the beginning of the 21st century.

In 2016, the DEA identified several Latin American cartels that supplied Hezbollah with drugs, which were then used to finance its activities.

In 2018 alone:

- Argentinian security forces froze the assets of a number of people belonging to the Lebanese organization Clan Barakat, which had links with Hezbollah and which the US Treasury Department had included on the list of terrorist financiers since 2004 for managing smuggling activities in the Tri-Border Area;
- - The Paraguayan authorities detained a Lebanese citizen who was later handed over to the US authorities. He was accused of laundering money from drug trafficking on behalf of the Hezbollah organisation, to the tune of some 300 million dollars a year.

Regardless of the proven presence of Hezbollah in the region, the perception that the Triple Frontier is a place of refuge for members of international terrorism has always aroused the interest of investigators and analysts, especially in the wake of the well-known attacks of 11 September 2001.

This theory is fuelled, especially in the United States, by the idea that the Tri-Border Area is a free port without law and without control by the respective governments.

In fact, since the 80s it is believed that there have been cells belonging to religious terrorist movements such as Hamas, al-Qaeda, al-Islamiyah, and others.

To get an even better idea of how important this territory is for terrorist organizations, just think that on several occasions the main US media have reported that Osama Bin Laden passed through the Triple Frontera in 1995.

In addition to the terrorist organizations I have mentioned, the presence of various criminal

groups has also been detected in the area over the years.

Just to name a few:

- the FARC, Revolutionary Armed Forces of Colombia;
- the Barakat Clan;
- the Comando Vermelho in Brazil;
- the EPP, Paraguayan People's Army;
- the ROTELLA Clan in Paraguay;
- the Paranaense mafia;
- the PCC, Primeiro Comando da Capital, originally from Brazil.

The latter is the largest Brazilian criminal organization, present above all in the areas of San Paolo and the Triple Frontier.

It is an important player in the drug market, also thanks to its connections with Hezbollah and the 'Ndrangheta.

I would like to talk about the PCC later.

Instead, I would like to emphasize that in addition to all the aforementioned criminal organizations, there are also local groups dedicated to drug smuggling and trafficking, mainly located on the border with Paraguay, as well as Chinese criminal organizations, which operate in the area by extorting the local population and controlling part of the traffic of containers arriving from Asia. One of the sectors under their control is counterfeiting: it is estimated that Paraguay receives between 35 and 40 million dollars' worth of fake goods every month; moreover, these organizations have close relations with Hezbollah, both for the transport of goods and for money laundering.

The Triple Frontier, therefore, as a whole, deserves special attention both for the proven roots of the aforementioned criminal organizations, for the presence of international fugitives, and because it is believed that a significant part of the world's drug trafficking is managed there, with agreements worth about 43 billion dollars every year, according to a US

analysis, with an increasing trend in the volume of drugs trafficked.

This is confirmed by numerous seizures.

Suffice it to say that local authorities seized about 170 tons of narcotics in 2023.

This figure is worrying, as is the increase in the arms trade, especially small arms.

These considerations cannot help but make us reflect and, above all, lead us to question the current connections between the criminal organizations of the Triple Frontier and the Italian mafias, which brings us to the third point of my talk.

Italian mafia organizations, in particular the 'Ndrangheta, have historically developed strong links with South American criminal organizations, and together they manage to obtain the supply of huge quantities of drugs.

These connections are based not only on economic interests but also on the mutual perception of reliability and organizational solidity that make these collaborations particularly profitable.

In fact, the South American organizations, which value organizations that can guarantee discretion and continuity in illegal business, see the Italian mafias, with their rigid code of honor and well-defined hierarchical structure, as ideal partners. Investigations conducted by the Italian authorities have revealed that there is a deep respect between South American criminal organizations, particularly those involved in drug trafficking, and the 'Ndrangheta.

This respect is fuelled by admiration for the effectiveness with which the 'Ndrangheta maintains its operations under strict internal discipline, and its ability to conduct criminal business with an approach that favors the long term, mutual trust and respect for agreements.

This code of behavior, considered 'correct' from a criminal point of view, makes the 'Ndrangheta a point of reference for South American organizations that seek to imitate their strategies to



improve their operational efficiency and security. The alliance between these organizations is not limited to drug trafficking, but extends to money laundering, arms and other illicit activities, with South America acting as an operational base for multiple operations that then branch out globally, consolidating the link between the two continents from the point of view of transnational organized crime.

Recent investigative convergences that have emerged from judicial inquiries also suggest that the 'Ndrangheta has criminal interests in the area between Paraguay, Argentina, Uruguay and Brazil.

By way of example, I would like to mention:

- the arrest of the boss Pantaleone MANCUSO in the Argentinean area of the 'Triple

Frontera', which took place in September 2014, while he was trying to illegally cross the territory carrying with him about 140,000 dollars;

- the arrest, in 2021, in Brazil, of the fugitive Vincenzo PASQUINO, found in possession of an original Paraguayan document but with a false identity;

Still on this point, it is possible to state without fear of contradiction that the Calabrian mafia is so well integrated into the Brazilian social fabric that it can afford to hide some of its most important members there.

Just think of Rocco Morabito, considered one of the most important international drug traffickers ever.

Morabito was arrested in September 2017 in Uruguay after about 23 years on the run.

As many of you will remember, after less than two years in detention, while he was awaiting extradition to Italy, Rocco Morabito managed to escape from Montevideo prison in June 2019, thus losing all trace of him.

Thanks to complex investigative activity and excellent international police cooperation, supported also by the Interpol I-CAN project, financed by our country (Interpol Cooperation Against 'Ndrangheta), Rocco Morabito was again located and arrested in May 2021 in Brazil, and then extradited to Italy in July 2022.

I will now move on to analyse some regional factors that could be defined as 'weaknesses', taking the case of Paraguay into consideration.

When the analysis document evaluating the presence of organized crime in the 193 member countries of the United Nations, the Global Organized Crime Index, was published in 2021, Paraguay did not even appear in the top 15 countries in the ranking.

However, it already showed solid signs of the presence of several structured criminal organizations.

In 2023, the nation jumped to 4th place among the 193 UN members included in the study, behind only Colombia, Mexico and Myanmar.

Various investigations, which over the years have also seen the involvement of politicians and public officials, have shown that things have changed in the South American nation in recent years.

Finally, it was the murder of Paraguayan Prosecutor Pecci in May 2022 that gave an international dimension to what was happening in Paraguay.

Prosecutor Pecci was investigating high-profile cases of corruption and money laundering when



The triple frontera region is widely recognized as a critical logistical hub in international drug trafficking, playing a significant role in facilitating the transport of narcotics from the main production regions of Latin America to consumer markets in North America, Europe, and beyond.

he was murdered during his honeymoon in Colombia.

We could also try to outline some factors that help explain why this South American country is considered to be one of the countries with the greatest presence of organized crime.

The first is the pressure exerted by the police forces on the ports of Argentina and Brazil.

This has led Paraguay to become, in fact, an international distribution centre for Andean cocaine thanks to its geographical proximity to two of the main producers of this drug, Peru and Bolivia.

The second factor is linked to the use of the navigable network that extends for over 3000 kilometers.

This is one of the largest navigable systems in the world, and once again, Paraguay is geographically located at its center, which plays a fundamental role in the transfer of illegal goods.

We can also highlight the low number of border controls in an area that could be defined as having porous borders, where there are numerous illegal border crossing points between Argentina and Paraguay.

Finally, arms trafficking and the smuggling of tobacco and counterfeit products represent another equally important weakness of Paraguay that should be taken into consideration.

The presence in Paraguay, as well as in the whole region, of organizations capable of projecting their criminal influence into the countries of the Triple Frontier, certainly amplifies the scope of these 'weaknesses'.

In this regard, I would like to focus on the Brazilian organization called the First Capital Command (PCC), which for years has infiltrated Paraguayan territory, supplanting the local historical clans through elimination or co-optation.

Since Brazilian criminal groups entered Paraguayan territory, murders have increased exponentially.

Over time, the Primeiro Comando da Capital has shown the ability to evolve its *modus operandi*, adjusting strategies and adapting to the security context and criminal opportunities, using sophisticated communication tools that make the organization more resilient and difficult to infiltrate.

Furthermore, the PCC has significantly increased its arsenal, making extensive use of long weapons and explosives in commando-style operations, which indicates an increase in military capacity and an intensification of the violence used in its activities.

Reinvesting illicit capital in the legal economy is also a crucial practice, allowing the association not only to launder the proceeds of its criminal activities, but also to infiltrate and stabilize itself within the 'healthy' economic fabric.

This offers the opportunity not only to 'clean' dirty money, but also to hinder the efforts of those who oppose them, since the intertwining of legal and illegal capital considerably complicates the

task of the authorities to distinguish and seize assets derived from criminal activities.

Even inside prisons, the PCC shows its influence, organizing drug and arms trafficking operations, managing financial flows and coordinating attacks against rivals or law enforcement agencies.

I won't dwell on the internal organization of the First Command of Capital, which will be the subject of a specific presentation by an authoritative Brazilian speaker, but I would just like to point out that this organization shows remarkable similarities with some of the most notorious Italian mafias, such as the 'Ndrangheta and Cosa Nostra.

According to expert analysis, the PCC may have drawn inspiration from these Italian mafia organisations to strengthen its internal structure, aiming to ensure greater cohesion and control. This offers a valuable knowledge base for a predictive analysis of the medium and long-term evolution of the Primeiro Comando da Capital.

In the Italian experience, with the rise to power and the consolidation of the mafias, the need to resort to open violence has diminished in favour of more subtle and widespread methods of territorial control.

For the CCP, a similar evolution would mean a consolidation of its power through practices of widespread corruption and the acquisition of authority in the areas under their control.

Such a scenario will require a sophisticated and multilateral approach to law enforcement, which not only aims to suppress obvious illegal activities, but also to understand and dismantle the more hidden networks of influence and control.

Therefore, Italy, thanks to its experience, could offer innovative approaches and effective strategies to address these complex dynamics, suggesting methods of intervention that combine police forces, intelligence, legal actions and social and economic policies to counter not only the most evident manifestations of organized crime, but also its deepest and least visible roots.



*Over the years, the PCC has demonstrated the ability to evolve its *modus operandi*, adjusting its strategies and adapting to emerging criminal opportunities.*

To conclude my speech, I will move on to the last point on the agenda that I outlined at the beginning, outlining, if I may, with a hint of pride, the central points of what we are presenting today in international contexts as the 'Sistema Italia' for combating transnational crime.

Today, as we have seen, the Tri-Border Area, with its unique geopolitical complexity, presents the international law enforcement community with a regional challenge that requires a coordinated and multifocal response.

Significant progress has been made thanks to cooperation between neighbouring countries. However, to be effective, we must go beyond security operations alone.

In fact, there is a need to work on prevention, also through social inclusion policies that reduce the attractiveness of criminal organizations for those communities.

Furthermore, international cooperation itself must certainly be strengthened.

Only through a joint effort and with the support of international organizations can we hope to guarantee a safe future for the Triple Frontier.

On this point it is essential that all the countries involved in the fight against drug trafficking share information in real time and collaborate closely in all phases of investigations and security operations.

On the subject of possible initiatives to make law enforcement more effective, I feel that I should promote, as a valid way forward in this sense, the 'Italian System', that is, an approach to fighting organized transnational crime that can be summarized in its essential features:

- mapping of areas of influence and knowledge of the operating methods of criminal groups, also from an economic and financial point of view;
- identification, localization and arrest of members of the associations, taking care to also trace their investments;

- Identification and confiscation of assets resulting from illegal activities.

In line with these guiding principles, a holistic approach has been devised through the International Police Cooperation Service of the Directorate I head, with the involvement and approval of the INTERPOL General Secretariat, through three distinct initiatives, both existing and in the pipeline.

The first initiative is the mapping of criminal organizations - identification, knowledge and global dissemination of criminal structures - a project that is still in its embryonic phase and will be implemented in the future. This approach, which is crucial in the fight against organized crime, is a methodology that Italy has developed and perfected with considerable success, especially in its historic battles against Cosa Nostra in the 1990s.

The second initiative is the aforementioned I CAN project, which involves activities aimed at capturing prominent members of the 'Ndrangheta organized crime group and raising international awareness of the danger of the 'Ndrangheta throughout the world.

Since January 2019, it has already led to the capture of numerous prominent fugitives affiliated with the 'Ndrangheta.

The future strategic commitment of the Central Directorate that I direct will be focused on consolidating the I-CAN project and strengthening the fight against property crime, a sector in which Italy is a leader in several international contexts.

While the project to map criminal groups will make it possible to create a knowledge base for the international police community, the I CAN project has already made it possible, on the one hand, to increase the international law enforcement community's awareness and knowledge of the "ndranghetista and, as

mentioned above, to capture the organisation's top and most prominent members.

The Italian experience has taught us that identifying and arresting the heads of these organizations can significantly compromise the operational efficiency of a criminal organization. However, to date, in my opinion, the international law enforcement system has not yet developed, as it has in our country, an experience, combined with a specific regulatory framework that is able to effectively combat organized crime, also from an economic, financial and patrimonial point of view.

This is precisely the focus of the third initiative sponsored by Italy in an international context, the one aimed at the adoption of a 'Silver Notice' in the Interpol database.

This Notice aims to identify illicit assets on an international scale, with a view to their seizure within the jurisdictions of the 196 countries belonging to the organization.

This initiative, which we hope and intend will become the 'Red Notice' for illicit assets, is expected to become a sort of 'international seizure and confiscation order', conveying a judicial decision through a police instrument.

The initiative is at an advanced stage of realization and, once approved at the end of June this year by the INTERPOL Executive Committee, it will be able to enter the pilot phase, during which INTERPOL members, on a voluntary basis, will be able to test and refine the functioning and effectiveness of this new tool, identifying critical issues and implementing the appropriate remedies.

Italy, as we well know, has obtained significant results in the fight against mafia organizations through the seizure of capital and the implementation of rigorous prevention measures, established by anti-mafia legislation.

These actions have become a fundamental component of the national strategy against organized crime, aiming to hit the mafias where it hurts them most: their economic resources.

I would therefore like to conclude my speech by emphasising once again how the tools adopted by our country, strengthened by our tradition, legislation, experience and the sacrifice, even extreme, of those who have preceded us in the fight against mafia-style or transnational criminal organizations, can represent an inspiring model for those who find themselves having to face the same threats.

In this context, I would like to remind us all, with feelings of deep appreciation, of the efforts made by South American countries in their determination to include in their legislative systems tools of proven effectiveness, such as those included in Italian criminal law for anti-mafia purposes.

These tools have proven to be extremely effective not only in dismantling the mafia's economic networks, but also in recovering resources to be reinvested in social development and strengthening the rule of law.

The success of these measures has made Italian legislation a model of reference at the international level, inspiring countries and global organizations in the fight against organized crime.

Ultimately, the Italian model demonstrates how the fight against the mafia through the seizure of capital and preventive measures can not only eradicate organized crime but also promote social and economic renewal, restoring legality and trust in institutions.

Thanks

LUZ ADRIANA CAMARGO

General Prosecutor of the Nation Colombia

Drug trafficking, a multi-dimensional problem

Ladies and gentlemen:

First of all, I would like to thank the International Italo-Latin American Organization for inviting me to this important forum for the exchange of research experiences on forms of international judicial cooperation between Italian, European and Latin American prosecutors in the fight against transnational organized crime. I would also like to thank the High School for the Judiciary, the Decentralized Training Centre of Palermo, the National Anti-Mafia and Anti-Terrorism Directorate and the Falcone-Borsellino Programme, which aims to reflect on 'The routes and logic of international drug trafficking and the evolution of international organized crime'.

This summit of European and Latin American prosecutors and judges, united in the fight against organized crime in the symbolic city of Palermo, honours the memory and courageous struggle of Judge Giovanni Falcone, assassinated here 32 years ago on 23 May (1992).

At the same time, it brings us together and encourages us to renew our common commitment to prosecute transnational crime, a scourge that has a serious impact on the course of our countries. As Colombia's



It is time to move forward with bold actions and strategies, as criminal organizations not only persist but, day by day, increasingly evade authorities and embed themselves within various economic, social, political, and institutional activities.

Prosecutor General, after having participated in this international meeting, I am convinced that the actions against drug trafficking and organized crime have not been in vain. This struggle of years, efforts and sacrifices has prevented societies and states from submitting to the corrupt power of mafiosi and criminals.

Of course, the cost has been high: hundreds of servants of justice have fallen, police officers, investigators, agents of our countries and dozens of prosecutors and judges, as well as journalists and thousands of innocent people.

It is time to proceed with courageous actions and strategies, because crime not only persists, but day after day, it evades the authorities with greater ease and camouflages itself in many economic, social, political and institutional activities.

However, this situation must not discourage us. On the contrary, it presents us with challenges that put our experience to the test, all the more so in the knowledge that we are not alone in this task, because as someone said yesterday, 'common memories, common problems'; and I would add today: 'common problems, common solutions'. This is the dynamic of cooperation that consolidates the judicial alliance between Europe and Latin America.

In addition to national efforts, international coordination and judicial cooperation are essential and have been at the centre of the speeches we have heard at this summit.

As has often been reiterated in this scenario, the sharing of information between the members countries of the networks mentioned here is essential to fight organized crime.

In addition, we can only achieve this if we build trust between *Fiscalías y Ministerios públicos*¹, to coordinate around useful tools such as joint investigative teams, which allow us to successfully prosecute members of criminal organizations of any nationality at the same time or almost at the same time.

Or by promptly providing or receiving non-formal information so as to be able to direct investigations and then responding within a reasonable period of time to formal requests for the collection of essential

¹ Public Prosecutor and Public Prosecutor's Office

evidence to be presented in court. Alternatively, by conducting undercover operations and visits in a planned and orderly manner.

From Colombia we are always ready to learn from you and contribute our experiences in the fight against drug trafficking, in which the main judicial mechanisms have been used to investigate and prosecute people linked to this punishable conduct.

For decades, my country has experienced various manifestations of violence, fuelled by organized and hierarchical structures present in various territories, which are mainly sustained by drug trafficking and, especially in recent years, also by other illicit sources, such as illegal mining, kidnapping and the trafficking of migrants.

For years, Colombia suffered the criminal activities of well-defined drug cartels, such as those of Medellín, Cali and Norte del Valle.

Decisive legal action led to their dismantling, but the drug trade continues, no longer concentrated in the hands of a few, but now organized differently and benefitting many individuals in different ways.

Today we are faced with a sort of 'outsourcing' of the drug trade, with small gangs that play different roles, but are all connected to each other. Some are involved in illicit crop cultivation, others in the creation of drug processing laboratories in wooded areas, others in the production or supply of chemical inputs, others in the transport of the finished substance, others in the sale, marketing and shipping to international destinations, and others in money laundering operations.

As far as drug trafficking is concerned, we are undoubtedly dealing with a multiple criminal network. As the Attorney General's Office, we have implemented comprehensive investigative and judicial strategies to take action against all illegal fronts: cultivation, supply of chemical inputs, production, distribution and money laundering.

It is a complex context that commits all our efforts in the search for greater specialisation of prosecutors and investigators, in the effective distribution of tasks and, as we have come here today to reiterate, to appeal for the assistance and cooperation of our colleagues in other parts of the world.



In line with the teachings of judges Falcone and Borsellino, it is essential to pay close attention to the movement of illicit funds.

I can tell you that in the last four years in Colombia, 6,689 people presumed to be part of criminal organizations have been tried.

- 1,835 to the 'Gulf Clan',
- 1,119 to FARC dissidents,
- 485 to the ELN and
- 3,250 to other organized groups that commit crimes in different regions of the country.

However, drug trafficking continues unabated.

What could be the next step in our contribution as prosecutors and prosecutor's offices to this multidimensional problem?

Unlike the challenges faced by prosecutors in dealing with conventional crimes, investigations into organized crime place greater demands: on the one hand, it is necessary to support the collection of evidence through the special investigative methods recommended by international criminal law and by the Palermo Convention itself, as mentioned here, such as electronic surveillance that includes the various forms of current communication, satellite tracking, selective searches of databases that allow information to be cross-referenced, undercover agent techniques and controlled deliveries organized in a systematic and complementary way.

At the same time, our national experience leads us to recognize the usefulness of examining and collecting information from criminal investigations for probably related criminal acts that took place in the same period in which the criminal organization operated and in its area of influence, as well as reports from specialized organizations in civil society and journalistic investigations.

All this allows us to identify the *modus operandi*, the main and support networks and the probable sources of financing.

Similarly, we believe it is appropriate to adopt and promote protocols for analyzing the data that emerges from the evidence collected, allowing investigators, prosecutors and judges to associate and understand large volumes of information with probative value, through which it is possible to know and demonstrate the way in which these organizations carry out their criminal repertoire and the ways in which their members participate.

With regard to this analytical component, we believe, following the teachings of judges Falcone and Borsellino that particular attention should be paid to the paths taken by illicit money. In this sense, it is a priority to include the study of available financial information from the earliest stages of the investigation, as a starting point and cross-cutting component of investigations, not limited to the discovery of money laundering operations, but conceived as a central axis for the demonstration of all crimes that compromise the functioning of the criminal organization and its support networks. Thus, financial information, which reveals the profits from the illegal drug trade and constitutes its *raison d'être*, is the main object of investigation.

As I said before, the bosses of the past have become the so-called invisible narcos of today, who exploit the advantages of the modern world to keep their illicit ends anonymous, such as the same investments in cryptocurrencies already mentioned by some of you.

For these reasons, and for the many that we have already heard from the various prosecutors, judges and analysts from Latin America and Europe present here, we invite you to continue broadening your vision and to stop seeing drug trafficking only as a criminal manifestation, because it has already been demonstrated that it is a multidimensional problem, based on the rules of the market.

This was first noted by Nobel Prize-winning economist Gary Stanley Becker, with his contributions to the

economic analysis of criminal behaviour, highlighting how individuals make criminal decisions through a rational analysis involving utility and risk.

In this perspective, I propose a careful examination of the commercial dynamics of drug trafficking, in order to identify innovative ways to undermine the structure of this business. In this sense, there is an urgent need for strategies aimed at grasping and understanding illicit trafficking as a market-driven enterprise and confronting it with the logic of this economic interaction.

An example, demonstrating the possibility of intervening in this market, occurred recently in Colombia: an unexpected overproduction of coca leaves and paste, with the consequent alterations to the market, i.e. an increase in supply, due to two factors: firstly, the improvement of production processes and, secondly, the ban on spraying the crops with glyphosate following the order of the Colombian Constitutional Court.

These two factors have led to an increase in the number of hectares cultivated with coca, with consequent overproduction, which has triggered a drop in the purchase price of the coca leaf for the farmers, whose price per arroba, i.e. 12.5 kilos, has dropped from 20 to 7 dollars; and a kilo of coca paste, whose price used to fluctuate between 450 and 600 dollars, has dropped to only 37 dollars.

This type of situation could be exploited by the States to interfere with the market in the fight against drug trafficking, identifying the causes of this situation and studying ways to influence the business, proposing and reinforcing the substitution of legal crops.

Along the same lines of thought, a proposal, not new but of proven effectiveness, is to convince governments, within the framework of the criminal policy of the States, to develop educational and health campaigns that discourage consumption.

In reality, as long as there is demand, there will be people, groups and conglomerates willing to take care of this market, which means that tackling these phenomena only through the exclusive instrument of criminalization is a never-ending cycle.



And the truth is that consumption increases year after year.

In this regard, according to data recorded by the UNODC in its latest annual report for the year 2023, 219 million people, almost 4% of the world's population, use cannabis and about 22 million people use cocaine, or 0.4% of the world's population.

To stimulate discussion, questions such as the following could be proposed:

- Would the price of cannabis decrease if countries like Colombia, instead of destroying the seized material, used it for therapeutic purposes in state drug rehabilitation programmes aimed at people addicted to stronger substances such as cocaine, to reduce withdrawal symptoms?
- What would happen to the coca leaf market if countries such as Colombia bought it from the grower at cost price, i.e. the same price as the supply chains of the drug trafficking gangs, or even at a higher price, to supply the legal chains for therapeutic and medicinal use?

- Would the price, and with it the incentive to traffic drugs, decrease if countries like Colombia donated seized narcotics to countries authorized to use them, so that they could be distributed to consumers free of charge?

I would like to assure you of Colombia's willingness to relentlessly pursue the criminal prosecution of drug trafficking, to exchange information and to continue our willingness to cooperate in the fight against this transnational scourge.

Also from my country, overwhelmed by the criminal chain linked to drug trafficking, which has left so many victims: police officers, judges, prosecutors, presidential candidates, social leaders and journalists. Wherever practices and models of systematic criminality and violence have taken hold, preventing the consolidation of the State's monopoly on the use of force and making peace more and more unlikely, I ask that the spaces for discussion on the methods of fighting drug trafficking be widened, because I feel that it is time to go beyond the exclusive exercise of penal action.

Thank you very much!

FLORIANA BULFON

Journalist

*"The mafias:
global criminal markets, political
destabilization and hybrid conflicts."*

"At a certain point the mafia discovered that by getting involved in drug trafficking its profits could be multiplied enormously. In addition, while before it was just a parasitic organization that inserted itself into the distribution of resources, it even began to produce these resources in an incredible way. It then became a huge national problem because, on the one hand, it was an organization acting illegally in a field that, however, remained economically limited to only a few Italian regions, and, on the other hand, this organization became very powerful because it had such enormous resources at its disposal that sometimes they reached the budget figures of small or large states".

These are the words of Paolo Borsellino, spoken at a meeting with students in Bassano del Grappa back in 1989. With the wisdom of foresight, he and Giovanni Falcone had already understood the metamorphosis of the mafias, destined to accumulate such wealth as to influence the markets. 'Having to manage these enormous amounts of capital, what did the Mafia do? - Borsellino explained. - How do you manage capital? You look for markets where you can use it, naturally the richest markets where capital yields the most. In Sicily there's a proverb that says - Your enemy is the one who does your job'. Because normal market competitiveness is understood there, even culturally, in this sense: when I am in competition with someone, it is much easier and simpler for me to eliminate them".

Even after the killing of Giovanni Falcone, Paolo Borsellino continued to try to reconstruct the dynamics of the nascent Mafia capitalism and the channels that could allow the Corleonesi

godfathers to invest extraordinarily large sums of money, equal to tens of millions of euros today. He tried to understand which financiers and businessmen had ties to the Cosa Nostra, keeping in mind the Sicilian proverb: 'Your enemy is the person who does the same job as you'. Because it was clear that the introduction of this mass of economic resources would end up altering the rules of the market; because even if money does not smell, mafia capitalism remains mafia and therefore predatory.

Borsellino looked mainly to Milan, Northern Italy and Switzerland. That was another era: the world was still divided into Cold War blocs and the Berlin Wall separated Berlin. Then globalization arrived. Today I'm convinced that he would look, for example, to Dubai, where many godfathers have been able to live in luxury for many years and set up trafficking without running the risk of being arrested.

Of course, if someone had told them thirty-two years ago that there was a criminal organization made up of a boss from Campania, one from Ireland, one from Bosnia and one from the Netherlands but of North African origin, perhaps Falcone and Borsellino would have thought it was a joke and would have smiled, like the one in the photo that is often published in their memory. Unfortunately, there's nothing to laugh about. The Irishman Daniel Kinahan is now the number one wanted man of the US DEA: we are talking about the head of a Dublin clan, whose father studied at the same school as James Joyce, and who is now considered much more dangerous than any Mexican or Colombian drug lord. In addition, that the Dutchman Riduan Taghi has just been sentenced to life imprisonment for the wave of murders that terrorised the Netherlands, making people talk about Narcoland. Or that the Bosnian Edin Gačanić has been defined by the US administration as 'one of the most dynamic drug traffickers in the world': his cartel of Balkan emigrants has contributed to the growth of cocaine cultivation in three South American countries, buying and transferring the



production of entire regions to Europe. Or that another of the founders of this coalition, the Italian Raffaele Imperiale, determined the outcome of the bloody Secondigliano blood feud – the one that inspired the TV series Gomorrah – with his drug supplies, and he kept two paintings by Van Gogh stolen from Amsterdam's most important museum in his kitchen.

This apparently incredible association is the first to have realized the worst of all possible scenarios: a global multinational that transcends the concept of state sovereignty, perhaps the reality most similar to the Spectre invented by Ian Fleming for the James Bond novels. In my investigation, I called it Macro Mafia, because it does everything on a large scale and exponentially expands the dimensions of its illicit activities. First of all in drug trafficking: it has revolutionized the importation of cocaine across the Atlantic, going from shipments of a few hundred kilograms at a time to shipments of several tons, immediately redistributed throughout

Europe. Then in financial management, because they have funds large enough to buy huge quantities of drugs and to bear any unforeseen event without batting an eyelid, whether it be a seizure by the police or an accident during transport: their turnover is estimated at billions of euros. In addition, they have been able to establish these records thanks to the creation of a logistics network never seen before, which has managed to infiltrate the container terminals of central Europe: their cocaine arrives in Rotterdam, Antwerp and Hamburg.

The Macro Mafia bosses have realized that the hub of the globalized economy is the ports that sort the lifeblood of our society, from oil to cereals, but above all containers: the building blocks of consumerism, used to transfer any kind of merchandise. The largest of all is in Rotterdam, Holland, and it has become the source of their leadership in the importation of narcotics. In the center that feeds the licit commerce of the whole

of Europe, they have built a secret door to transfer the most profitable illegal product and flood the continent with cocaine.

When I arrived in Rotterdam, the sight of the port disturbed me. It looked like an infinite mechanical device, like the gears of a clock, extending for thousands of hectares torn from the sea by frenetically active geometries: forty kilometres of automated machinery dominated by a computer system. A perfect supply chain: In 2021, they managed 28,876 ships with 468 million tonnes of cargo and sorted 15 million containers. Lined up on the ground they would form a wall 90 thousand kilometers long, more than twice the length of the equator: a line that would go twice around the world. In addition, taking care of them was an army of 180 thousand people including workers, employees and public officials.

Visiting it, one realizes that the security measures are very high, with a very high level of cybernetic sophistication, but aimed at something else: they were conceived in the era of the fight against Islamic terrorism, and aim to prevent attacks or attempts, and the passage of arms or explosives. Nobody thought about an internal and invisible enemy, who has inserted himself into this apparently perfect machine like a worm and has dug his way through the controls. Corruption and threats, favours and silence are the old criminal formula that has beaten the surveillance algorithms. Each time a shipment of cocaine is removed from a container coming from South America, a complex and extensive network of accomplices is needed to synchronize the work shifts of the workers hired by the clan, and to guarantee freedom of movement for them and their vehicles: among millions of containers, they have to isolate the one where the drugs have been hidden. Take it to a corner hidden from the cameras, empty it and disappear without a trace. One method is to lock an entire team of 'pickers' inside a container that is brought into the terminal: these narco-workers take the load and then go back to be sealed in the container, waiting for days to be transported out.

In Rotterdam cocaine seizures are frighteningly on the rise. In 2018 it was 19 tons; in 2019 over 33 tons; the year after more than forty and in 2021 it reached 70 tons. We are talking about intercepted narcotics worth billions of euros, but these losses do not affect the turnover of the Macro Mafia. The heads of the port authority themselves claim that: 'The total value of all drugs imported through the ports is exponentially higher. It seems that these seizures do not hinder the activities of the criminals. They still have stocks of cash and are creative in finding methods to import prohibited substances. This example shows how – as prosecutor Melillo believes – these gentlemen are not external to the market, but an active part of it. They are the dawn of a criminal evolution, minotaurs with the muscle power of old gangsters and the entrepreneurial vision of the most innovative managers. They know how to exploit the rules and potential of capitalist society: they invest and live where economic profits are high and legal risks low. They use advanced technologies to communicate and manage their business without fear of being intercepted: the availability of encrypted phones has altered the very dynamics of organizations, allowing the godfathers to maintain control even when far from their territory.

They conducted negotiations to purchase tons of drugs, ordered murders or invested millions of euros from their penthouses and villas in the Emirates, convinced that their chats would never be decoded.

This group of modern-day freebooters first set up in Spain, then moved to Dubai in the early 2000s: the perfect place to move cocaine and money, with a very high quality of life and services. In those skyscrapers, a fugitive can once again be a free man, because the Emirates have signed extradition treaties with very few European countries and this makes it extremely difficult to obtain an arrest. This also happens in Bosnia, a nation too young and too fragile to have established stable judicial relations: in Sarajevo, I personally met one of the leaders of the Macro Mafia. He was a fugitive in his own home, in the neighbourhood that during the civil

war had become the bulwark of the Muslim city, defended by many of his family members: bandits turned warriors, honoured by the community as heroes of the resistance.

Smail Šikalo is one of the closest collaborators of Edin Gačanin, the head of the cartel called 'Dino I Tito': a tribute to Marshal Tito, the only Yugoslav known to the world, and to Ferraris, his true passion. In Dubai, he kept dozens of racing cars in a private garage: above each car there was a personalized tarpaulin with the words 'Scuderia Gacianin' and the prancing horse symbol. In his case too, it is the measures taken by the US authorities that show us his importance: a year ago the US Treasury imposed sanctions on him, defining him as 'one of the world's most prolific drug traffickers'. Secretary of State Anthony Blinken described him as 'a threat to regional stability, to trust in institutions and to the aspirations of those who want a democratic government in the Western Balkans'. A figure, who, due to the quantity of drugs imported and money laundered, is able to influence the democratic path of a nation.

Smail Šikalo's job was to manage the cartel's shipments from Peru: in 2019, the local police discovered twelve hundred kilograms of pure cocaine on a cargo ship about to set sail for Holland and arrested him. The clan wanted to emphasize their origins: the sachets of white powder bore the BIH logo, the Bosnia-Herzegovina badge, and previously they had used the profile of the Drina, the Sarajevo River, as their trademark. Despite the evidence linking Šikalo to that shipment of narcotics, a judge sent him to house arrest. It was a surprising choice, because obviously the detainee escaped after a few days. An internal investigation was opened by the judiciary, which defined that concession as 'a contradictory and erroneous decision', even though everyone thought that the cartel had paid a substantial bribe to obtain his release.

The young Bosnian reappeared in June 2021 in Sarajevo, in a large villa along the avenue named

after his uncle, a hero of the civil war: the same neighbourhood where godfather Gacanin grew up. Moreover, there I met him on his way back from shopping: an internationally wanted man, moving freely in the heart of Europe. Obviously, he didn't want to give an interview but he was extraordinarily friendly. He wasn't worried at all. He has no shortage of friends in the Bosnian city: the cartel often hires special forces agents as bodyguards. Several government officials have been accused of corruption. 'In Bosnia everything is for sale, organized crime has a great deal of influence', the godfather's uncle, from whom he claims to have received death threats, declared in court.

It is not difficult to imagine the impact of narco-capitalists in a nation that was completely razed to the ground thirty years ago but still has a tourist appeal and is strategically positioned at the crossroads of the Balkans, acting as a bridge between the Middle East and Europe.

This is clear when you see the luxury of the bars and restaurants in the old town, just a few metres from where the assassination of Archduke Ferdinand triggered the First World War: I saw the magistrates of the cantonal prosecutor's office having lunch at the tables of a refined restaurant run by the former girlfriend of the boss. However, the cartel had its strongest impact far from Sarajevo: in South America. The 'Tito I Dino' network entered the criminal world with an entrepreneurial approach: they made plantation owners an advantageous offer, offering to buy unlimited quantities with immediate payment, and to take care of transport to Holland. Gacanin, for example, dealt personally with Dairo Antonio Úsuga David, known as 'Otoniel', the last great Colombian boss: he offered his Gulf Cartel an alternative market to the US, allowing them to export to Europe. In Peru, Ecuador and Colombia, cultivation has been extended to other valleys to meet the demands of the Bosnians, who could count on the logistical and financial support of the other partners of the Macro Mafia and thus transfer dozens and dozens of tonnes of cocaine to the Old Continent.



The key actors behind macro-criminal organizations have recognized that seaports, which distribute the vital lifeblood of our society, are at the core of the globalized economy.

It is no coincidence that, according to United Nations data, between 2021 and 2022 the cultivated areas in South America increased by 35%.

The strength of these gentlemen lies in their ability to dominate the cocaine market, both globally and locally. In addition, it is a talent that carries more weight than the availability of hitmen and Kalashnikovs: their commercial and economic resources make them a military power. Raffaele Imperiale, the Italian of the Macro Mafia, is the son of a wealthy builder from the province of Naples who invested in some coffee shops in Amsterdam. It is not known if he ever held a gun, but he was the man who arbitrated the Camorra war for control of Secondigliano, the one that inspired the TV series Gomorrah. The magistrates in fact accused him of mafia-type criminal association precisely because it was his support for one of the clans that determined the outcome of the feud: his drug supplies changed the balance of power in favour of his armed allies.

But you can also understand how steeped in violence the march of the Macro Mafia is from the report of the Dutch Attorney General, John Lucas, who will speak shortly and who led the trial called Marengo. The activities of this cocaine multinational led to an escalation of crime on a scale never before seen in the Netherlands: the model suburbs of one of the richest and most orderly nations in Europe became the theatre of a clash between child killers, ready to kill for derisory sums of money. The news has been flooded

with a catalogue of shocking brutality: they have even discovered real torture chambers where enemies and traitors were tortured, with dentist's chairs transformed into death beds and all the paraphernalia of shears, saws, scalpels and pliers. In the streets of Rotterdam and Amsterdam, I was able to understand what adolescents who have grown up too quickly believe in. A twelve-year-old told me: 'I love Gomorrah: it's my favourite series because there's so much shooting. But the legend is Escobar because he's the boss. Ridouan Taghi is also a real boss: my parents were born in Morocco and when I grow up I want to be like him...'. This is the other side of Holland, which believed itself to be a model society in terms of integration and tolerance, only to suddenly discover itself to be a hotbed of synthetic drugs, a global cocaine collector and above all the home of a ferocious mafia. Ridouan Taghi looms large over all this, the architect of a two-faced criminal organization: the mastermind of the infiltration of container terminals on the Atlantic coast and the strategies that have turned the cocaine business upside down, but at the same time the ruthless puppet master of children transformed into cruel gunmen and children enlisted as pushers. A study commissioned by Amsterdam City Council claims that children as young as nine are involved in drug dealing. In the orderly neighbourhood of De Baarsjes, a far cry from the squalor of many European suburbs, the director of The Mall association, Cecilia Petit, who has been dealing with these hopeless children for fifteen years, explained to me that "many, not only the children of immigrants, feel excluded from Dutch society. In addition, the worse they feel, the more receptive they become to earning a lot of money quickly. Crime suddenly offers them respect and a future perspective that they didn't see before. Once they are involved in this world, it becomes increasingly difficult to get out of it."

There is a magmatic situation, with youth gangs engaged in continuous conflict. On the other hand, to cement the loyalty of a gang of baby hitmen, pushers without a future, refinery technicians,

dockers, lorry drivers and white-collar workers, money is not enough: unparalleled ferocity is needed, with the certainty that any offence will not only be punished with death but will be accompanied by cruelty against those responsible and their families. Enemies and traitors are tortured, killed and burned; revenge is taken on brothers and cousins. Only terror allows the Taghi creature to continue its reign and impose itself on the world's mafia elite, even managing to negotiate with the narcos on the other side of the Atlantic.

In Holland the debate is very lively, but there is still no clear investigative, judicial or social response to stem the contagion of this criminal epidemic. And meanwhile the huge breach that has opened up in the container terminals of the Netherlands and the entire Atlantic coast is flooding the whole of Europe with cocaine. The strength of the Macro Mafia stems from the weakness of legislation and the lack of co-operation between investigators and magistrates. The Irishman Christopher Kinahan, Daniel's father, took up residence in Cyprus in 2007: an EU country where I could see that investments are accepted without too many questions from financial operators who speak Russian correctly and are learning Chinese. The island's property boom is the tool used to spin these colossal sums and then spread them across all continents. From there, Kinahan senior started up businesses in Libya, China, Greece, Panama, the Cayman Islands, the United States, Switzerland, Liechtenstein, Latvia and Brazil, moving into high-profit sectors such as cement, gold, precious stones, sugar, cereals and biofuels. His son Daniel has helped consolidate the family's authority by creating a leading boxing and kickboxing stable in Marbella: he has recruited

hundreds of athletes, including top stars such as England's Tyson Fury, five-time world champion. They know how to ride globalization. They move money with cryptocurrencies or anonymous investment funds, alternating hi-tech speculation with traditional systems, such as gold bars or trust transfers via hawala.

A web of financing that has found in Dubai an investment centre even more efficient than Cyprus, with an added advantage: in the shadow of skyscrapers it is very difficult to be arrested, extradition is extremely complicated. When one of Raffaele Imperiale's lieutenants was stopped at the airport because he had shown a false document, Italian investigators were able to ascertain his identity thanks to his fingerprints. The police delegation that left Italy to take him into custody found a person with different fingerprints in the Emirates' cell: an Italian restaurateur with no connection to the Camorra. Strange, isn't it? How they managed to replace a man inside a penitentiary remains a mystery, which raises suspicions of bribes or blackmail at the highest level.

Imperiale, Kinahan, Taghi, Gacanin are skilled at managing relationships in all environments, including intelligence and power circles. In their golden routine of penthouses, menus by starred chefs and challenges driving Porsches or Ferraris, they know how to build trust and multiply relationships with other criminal groups from different countries or with the emissaries of even more aggressive organizations, such as terrorist groups or even secret services. Their entrepreneurial vocation makes them secular and pragmatic: for them, to paraphrase a line from the old films about the Cosa Nostra, it's not personal, it's just business.

Here we enter a context that until now has been explored mainly by judicial investigations, given that there are no trial results and if any investigative acts exist, they are still covered by secrecy as are, for example, all the investigative activities carried out by the United States against the bosses of



The strength of macro-criminal organizations stems from weaknesses in legislation and gaps in cooperation among law enforcement agencies.



the Macro Mafia. There are traces of a role played by the Kinahan and Taghi associations in the murder of two high-profile Iranian opponents, one of whom had been living under a false name for years, murdered in Holland: executions for which the Dutch government has implicated the Tehran secret service. There are relations between Imperiale's partners and the Lebanese Hezbollah, a movement that has always maintained an active structure in trafficking between the two sides of the Atlantic and a formidable capacity to transfer large quantities of cash between Europe and South America. This shows how intertwined these worlds are and how they exchange skills. Imagine what this could mean from a strictly 'military' point of view: what problem could there be for the firepower of 007 or veteran terrorists from Middle Eastern conflicts to attempt on the life of an inconvenient magistrate in Europe or South America?

The Macro Mafia enjoys trust, resources and relationships in practically every country on the planet. This consortium has created a new model of mafia association that has proven it can act with almost monopolistic methods in criminal markets: it has done so in the cocaine market, the most contested and profitable. It can do the same in other sectors, using its organization to transfer goods that can bring in the greatest profit. Today the return of conflicts in Europe and the Middle East offers it an opportunity. In June 2022, a few months after the Russian invasion of Ukraine, I met some people in Sarajevo who were very close to Gacianin and were investing in this field: they were exporting drones and were ready to create factories for remote-controlled planes, the weapon that has become the norm on the battlefields of the Donbass. And they had relations with both sides: it made no difference whether they were dealing with the Russians or the Ukrainians.

In 1984 Giovanni Falcone spoke of 'insufficient understanding of the international dimension of the problem of organized crime and drug trafficking in particular, and therefore of the need for close collaboration between all the organizations responsible for repressing the phenomenon. We mustn't forget that criminal organizations don't recognize borders and that they operate with ease all over the world, so any delay in international cooperation to repress this phenomenon only serves to further benefit these organizations, which are becoming more efficient and dangerous every day'. He was prophetic. And that's not all.

Forty years ago Giovanni Falcone clearly and lucidly indicated the key points of the issue:

"The problems that arise in this area at an international level are of a different nature (legislative, judicial and administrative) and mainly concern: a) the tracing of capital and assets of illicit origin; b) the possibility of confiscating said assets wherever they may be and, therefore, also in so-called third countries, in which, that is, the criminal organizations have not committed any crime, and much less a crime concerning narcotics, but have invested the assets deriving from such trafficking in lawful activities or deposited capital".

The mafias have changed, they have innovated and learnt to exploit technology and the market much better than those who should be fighting them: they have become fully capitalist and multinational. And for this very reason the best way to beat them is to identify and block their assets. This is a road on which there is still a long way to go because if we look at the experience of the Macro Mafia, so far we have not been able to identify or seize the billions of euros – and I emphasise billions – accumulated through the largest cocaine trafficking operation on both sides of the Atlantic.

Finally, I want to emphasize that it's not only magistrates and detectives fighting this new criminal dimension that goes beyond all borders. My work was made possible thanks to the collaboration of exceptional reporters, who risked



Macro-criminal organizations benefit from trust, resources, and networks, and have demonstrated their ability to operate with near-monopolistic methods within criminal markets.

their personal safety. Like Nicola Tannant, who has been covering the Kinahan clan in Dublin for years, and Advo Avdić, who in Sarajevo investigates the rise of Bosnian godfathers: both go ahead, aware of the dangers. Because, like me, they believe in the mission of investigative journalism.

According to the organization Article 19, last year in Mexico five journalists were murdered and there were 561 attacks against media workers. In Ecuador last January, the studios of a Guayaquil TV channel were occupied live by an armed group: prosecutor Cesar Suarez was killed while investigating this incredible raid. We must not think that this is a distant threat: I want to end my speech by remembering Peter R. de Vries, the legend of Dutch investigative reporters.

In his television programme he had focused on the rise of godfather Taghi and the attempts to intimidate his accusers in the Marengo trial: on 6 July 2021 he was killed with a hail of bullets in the centre of Amsterdam, in front of the entrance of one of the most popular broadcasters. The perpetrators and instigators have not yet been identified. De Vries had a motto, which he had tattooed on himself, and which I consider to be the banner of investigative journalism: 'If you kneel, you cannot be free'. It's very reminiscent of what Giovanni Falcone himself said: **"The important thing is not to determine whether or not one is afraid, it's knowing how to live with one's fear and not be conditioned by it. That's courage, otherwise it's not courage but recklessness"**.

LINCOLN GAKIYA

Public Prosecutor's office of The State of São Paulo Brazil

Introduction:

Good morning to all of you. I would like to thank you for inviting me to participate in this great "Meeting of Studies and Coordination on International Drug Trafficking, in honour of Giovanni Falcone".

Before starting my topic on the connections of the Primeiro Comando da Capital (PCC) with the Italian mafia, I would like to make some considerations about Brazil. For those who do not know, Brazil is a country of continental dimensions, being the fifth largest country in the world in territorial extension. Brazil occupies a territory almost identical to that of Europe, with 28 European countries. Brazil has borders with almost all South American countries, except Chile and Ecuador, and with the main cocaine-producing countries: Peru, Bolivia and Colombia. Brazil today has more than 15,000 km of land border and more than 7,000 km of ocean coastline.

Brazil has about 203 million inhabitants, making it the seventh most populous country in the world. The state of São Paulo, where I live and work has 44 million inhabitants; the metropolitan region of São Paulo alone has more than 21 million inhabitants.

Brazil has one of the largest prison populations in the world, with more than 800,000 prisoners, of which 640,000 are in closed regime and more than 190,000 in home detention, making it the country with the third largest prison population in the world, behind only the United States and China. In the state of São Paulo we have more than 200,000 prisoners in closed regime. Brazil has 53 criminal factions, of which two are the most important: the PCC (Primeiro Comando da Capital) founded in the state of São Paulo, and the CV (Comando Vermelho) founded in the state of Rio de Janeiro.

These considerations were necessary to give you an idea of the dimensions of Brazil and the enormous problems we face.

The growth of the PCC in Europe and its ramifications with the 'Ndrangheta:

The PCC is a criminal organization under the terms of the Palermo Convention. It was founded in 1993 by some prisoners in the Taubaté Custody and Treatment House in the interior of São Paulo, during a football match.

The reasons that led to the emergence of the PCC were the prisoners' dissatisfaction with the oppression and injustices practiced by the state, and a protest against the so-called Carandiru massacre, which was a large rebellion with 111 dead that took place in the São Paulo House of Detention in October 1992.

The founders of the PCC are now dead and have been replaced by other leaders, among them Marco Willians Herbas Camacho, known as Marcola. This is an organization chart of the PCC that shows that the criminal organization is divided as if it were a large multinational criminal enterprise. The leaders that make up the top of the criminal organization (sintonia final) were isolated in the federal penitentiary system through a request made by me in December 2018.

The PCC was noted for its violent and terrorist acts. In 2001, they promoted a mega-rebellion in the state of São Paulo simultaneously in 24 prisons, where dozens of enemies who were also imprisoned were killed and the PCC became known throughout the country.

The PCC also tried to exploit Latin America's largest criminal forum, located in São Paulo, and the capital's stock exchange.

In 2003, on the orders of leader Marcola, the PCC assassinated criminal law judge Antônio José Machado Dias.

In May 2006, the PCC became more notorious for promoting attacks against military police barracks and police stations in the state, as well as attacking banks, supermarkets, setting buses on fire and practically paralysing the city of São Paulo. These attacks resulted in the deaths of more than 500 people, including police, civilians and criminals.

The PCC is a criminal organization that engages in acts of a terrorist nature. As of 2010, the PCC made contacts with the FARC and with the EPP (Paraguayan People's

Army), paramilitary organizations in South America, which provided drugs and military training to PCC members.

The PCC is present in all 26 Brazilian states and also in the federal capital, and in practically all South American countries, with a current membership of more than 32,000. The PCC is also present in more than 23 countries besides Brazil, operating predominantly in South America, but also with a presence in several European countries. In 2021, we had more than 1,545 PCC members outside Brazil.

The PCC is today a criminal organization with transnational mafia-type operations, the main exit point for cocaine from Brazil being through the port of Santos, considered the largest port in Latin America, through which more than 10,000 containers pass every day.

PCC criminals act in partnership with criminal organizations in Europe, such as the Calabrian 'Ndrangheta mafia, for example. PCC members buy cocaine in the Andean countries, especially in Colombia, Peru and Bolivia, paying on average 1,200 to 1,800 USD per kilo of cocaine and resell this cocaine in Europe for an average of 35,000 to 80,000 EUR, rising to more than 100,000 USD if the cocaine is exported to Asia or Oceania.

In December 2021, the US government placed the PCC on the US Treasury's (OFAC) sanctions list, making it a risky criminal organization for the US government, just like the Mexican and Colombian mafias and cartels, as well as terrorist organizations such as Hezbollah, Islamic State and Al Qaeda.

I currently consider the PCC to be a mafia-type criminal organization, as it possesses all the characteristics found in mafias.



The PCC is now a transnational criminal organization of a mafia-type nature, operating across all 26 Brazilian States, the federal capital, and throughout the countries of South America.

The PCC's first contact with Italian mafiosi came in 1990, when the brothers Bruno and Renato Torsi, members of the Neapolitan mafia La Camorra, also known as the Metralha Brothers, who were part of the New Family cell and were responsible for kidnappings in Italy, fled to Brazil and ended up in the Casa de Custodia in the House of Detention in São Paulo, together with the leader and founder of the PCC, Mizael Aparecido da Silva, "Miza", fled to Brazil and ended up imprisoned in the Casa de Custodia in the São Paulo House of Detention, along with the leader and founder of the PCC, Mizael Aparecido da Silva, "Miza," who was inspired by the Camorra to write the first statute of the PCC. The Torsi brothers were extradited to Italy, yet continued to correspond with Mizael.

Further evidence of the PCC's connection with the Italian mafia came through mafioso Nicola Assisi, considered an exponent of the Calabrian mafia known by the nickname "The Nephew." Nicola and his son Patrick Assisi moved to Brazil and established the first contacts between the PCC and the 'Ndrangheta. In July 2019, Nicola and Patrick Assisi were arrested in São Paulo.

Another PCC connection with the Italian mafia was through the Brazilian criminal known as André do Rap, who was responsible for shipping tons of cocaine to Italy, acting in conjunction with the 'Ndrangheta.

In May 2021, mafia criminal Rocco Morabito, considered one of the top leaders of the 'Ndrangheta, who had been on the run from Italy for several years, was arrested in Brazil. According to the Europol investigation called "Operation Eureka," Morabito negotiated the delivery of weapons of war to the PCC as a form of payment for cocaine shipments sent to Europe by the Paulista faction through Brazilian ports. A joint investigation by US, Italian and Paraguayan law enforcement agencies uncovered business dealings between the PCC and the Italian mafia in Paraguay. The investigation, which culminated in the seizure of tons of drugs in Paraguay, was known as "Operation Spain Connection." Paraguay's criminal prosecutor, Marcelo Pecci, had a meeting in Argentina in



December 2022, where he was already investigating the connections between the Italian mafia and the PCC in Paraguay. The same prosecutor was murdered in Colombia while on his honeymoon in May 2022. European police already treat the PCC as one of the world's largest criminal groups. Europol classified the PCC as a cartel.

The Brazilian federal police also investigated the PCC's association with mafias in Albania and Bulgaria in the distribution of cocaine from Bolivia and Colombia to Europe.

Serbian trafficker Aleksander Nesic was found in Guarujá, São Paulo, where he was negotiating the export of cocaine to Europe via the port of Santos in 2023. Aleksander is the son of Goran Nesic. Both were sent to Brazil by the Balkan mafia, commanded by Darko Saric. The group is made up of ex-military personnel who served in the Bosnian war in the 1990s.

The PCC uses for money laundering: petrol stations, car shops, real estate, construction companies, exchange houses in Paraguay, digital banks that are Fintechs, bitcoins, bus companies in the public

transport sector, churches, illegal mining and also NGOs in the public health sector and urban waste management.

The PCC has already created its own digital bank to launder millions of reais from drug trafficking. Churches are also used for PCC money laundering; in Brazil, they do not pay taxes and justify the money laundering as donations from the faithful.

The PCC is also present in the bidding processes for São Paulo's metropolitan public transport. In March 2024, I was responsible for coordinating an investigation called 'Operation Terminus', in which we demonstrated the presence of the PCC in the management of some urban public transport companies, responsible for the transport of more than 15 million passengers per month in São Paulo. During this operation, we managed to seize and freeze more than 800 million reais in company assets.

Thank you all for your attention!

JOHN LUCAS

General Prosecutor of Netherlands

Mr Chairman, dear colleagues, ladies and gentlemen present

is an honour for me to stand here today and contribute to this important meeting. When Giovanni Melillo asked me to speak briefly here today about Dutch Marengo process and the reason for that, I was happy to say 'yes'.

I would like to thank the organization for making this meeting possible and I hope that we can take new steps here today to jointly fight for the rule of law and to take steps towards good cooperation in the fight against serious organized drug crime. We ought to do this because our societies have been under pressure for some time now due to the violent threat caused by international organized crime. Therefore, the need for cooperation is evident. Serious criminals can do their destructive work anywhere in the world; they seem to prefer places in the world where law enforcement is less equipped. Enormous amounts of money are made from this crime, and that money can be used almost anywhere in the world. And, not to be underestimated, this continues to perpetuate violence against innocents and corruption.

Our work is international, our adversaries work together internationally and that is why we must do the same.

You have been dealing with all these matters in Italy for a long time. May 23 and July 19, 1992 in Italy: the dark days of the murders of Giovanni Falcone and Paolo Borsellino and their supervisors. May 23, 1992 and July 19, 1992 are the dates that have been burned into the soul of the country. I walked from my hometown in the Netherlands to Rome in 2022 and during my walk-through Italy I saw many streets and squares named after Giovanni Falcone and Paolo Borsellino; that has been inspiring me to do this work. However, not only they have paid with their lives for the fight against crime; many

others have paid a well. Security guards, police officers and many other innocent people who were just doing their job. In that light, this meeting is also a tribute to them all and a task for us to continue the fight against serious crime.

I am sorry, but my Italian is not enough to fully explain my story. With your permission, I will continue in English.

Before I go into more detail about the Marengo process, I would like to introduce myself.

I am John Lucas, I am the Chief Public Prosecutor at the National Public Prosecutor's Office in the Netherlands. This Public Prosecutor's office deals with combating serious cross-border organized crime, as well as with investigating terrorism, human smuggling, combating high-tech crime, child pornography and international crimes, such as war crimes and genocide.

To explain Marengo mega-trial, I should actually start with three shocking murders. These are three moments that at first glance do not have much to do with each other, but have brought about a huge change in the way we look at the fight against crime in the Netherlands and the safety of those responsible for it. These three events come together in Marengo process. I will get to that in a moment; I will start in 2017.

The investigation against the organization of Ridouan Taghi had been going on for some time by 2017; it was a tough and complicated investigation. None of the suspects wanted to explain themselves and every suspect who was arrested invoked his right to remain silent. It was a characteristic of this organisation; anyone who spoke to the police was unsure of his life. The one who talks, goes! At that time, crypto communication was not yet available to the investigative services. The arrival of a key witness changed that case. The use of key witnesses is only done with great restraint in the Netherlands. The arrangement is that the use of key witnesses is possible if the other means prove inadequate and the investigative interest is very great.

The latter was certainly the case given the large number of murders in the period of less than two years before. This made the need to take action inescapable. Where organized crime chooses excessive violence, the government must take a step forward. Doing nothing is not an option.

With the arrival of the key witness, Marengo case accelerated because evidence could then be interpreted and placed. But the efforts of the key witness also led to the three events announced above, which became black pages for Dutch society and investigative services.

I'll mention them briefly.

On March 29, 2018, the brother of the key witness was murdered; it was a week after the deployment of the key witness was made public. Never before had an innocent family member been deliberately

murdered in the Netherlands, most likely to target the witness who had made incriminating statements. It was an unprecedented event, with which we lost our naivete, if any, for ever.

More than a year and a half later, on September 18, 2019, the murder of one of the key witness's lawyers followed. Derk Wiersum was a young father and the lawyer who assisted the key witness. He was shot dead on the street while leaving his house. Once again, Dutch society was confronted with a shocking murder surrounding this criminal case. The anger and sadness were unprecedented. And then July 6, 2021. That day, the well-known journalist and at that time also the confidant of the key witness was shot in broad daylight in the centre of Amsterdam. Journalist Peter R. de Vries died a few days later from his injuries. Although all



three attacks had a huge impact on the society, this last one was even more shocking. The attack was undoubtedly made as publicly as possible to have maximum impact: in broad daylight in the heart of Amsterdam, in a street where many people were walking and sitting on terraces. Members of the criminal organization even made film recordings to sow fear. If I look at the letter of the law, it was a terrorist attack.

How could it come to this and what happened after July 6, 2021?

Ridouan Taghi grew up in a criminal youth group in a neighbourhood in Central Netherlands. He started as a relatively small hash dealer; in a very short period he has worked his way up to one of the largest players on the cocaine market in the Netherlands and apparently also internationally. He also became the leader of a ruthless murder organisation; actually, for a long time without being noticed by the police and the judiciary. When he came into focus it was actually already too late and his murder organisation had already struck repeatedly. In a world where, unfortunately, the cocaine trade and the associated major financial interests seem to be an ineradicable evil, excessive violence and corruption are always close by. The growth of this criminal stemmed from the trade and the duty of silence that everyone in his organisation had. 'Whoever talked had to die'. I have already mentioned it. It was precisely the way in which the organisation was set up with many confidants and the enormous violence that affected anyone who turned away from the organisation, that made the investigation very complicated.

The Marengo trial is about six completed murders, four attempted murders, four preparatory acts for murder and preparatory acts for causing an explosion in a building. One of these murders is a so-called mistaken murder - a painful term to express that a different victim fell than was intended.

Seventeen suspects were tried in that trial between 2018 and 2024, including the main suspect Ridouan Taghi.

On February 27, 2024, after 142 court days, all seventeen suspects were convicted for their role in Taghi's murder organisation. Taghi and two others were sentenced to life imprisonment. Other suspects received prison sentences ranging from 29 years to 2 years. Appeals are currently underway in the cases of 14 suspects.

The offences for which the suspects were on trial took place in less than a year and a half. The first murder was that of the Spy shop owner on September 9, 2015. The reason for this murder was the fact that Taghi thought that the owner of this Spy shop was cooperating with the law, while the reality was that the judiciary had demanded administration from the Spy shop owner against his will. It was not enough for Taghi to kill the owner. In addition, an attack was also made with a rocket launcher on the Spy shop where he worked, while people could be present in the building. The purpose of the attack was to make it clear that no one would ever dream of betraying Taghi and his organisation.

The other murders can also be linked to either the organisation's idea that the victim had spoken to the police to reveal something about the criminal organisation, or the settlement took place because there was a disagreement about payments within the criminal environment: money that had not been paid or cocaine that had been stolen. The manner in which the murder was to take place was repeatedly stated, it was to be a deterrent example to others so that no one would talk to the police or even talk about him.

The crime blogger who first linked Taghi's name to the liquidations was murdered for that reason. Two attempts were made and the attack was successful the third time. Once again, the reason seems to have been: whoever talks must die.

Six murders were committed within less than a year and a half. In a number of other cases in which liquidations were prosecuted, there are also indications that Taghi had a role in it, but he has not yet been prosecuted for this.

Our investigation has been comprehensive. It must be said that in this case, we did not primarily focus on the narcotics trade, although that was the source of all murders. We have done everything we can to prevent this form of violent crime from becoming the new normal. We tried to trace and arrest everyone who was involved in the group, as well as the successors of the people whom we arrested. The trade in narcotics is a criminal offense and we have been trying to put a stop to it, but this form of violence went much further and had to be stopped.

We have largely succeeded in that, but it took a lot of effort because the members were in all kinds of places in the world and had their own tasks. The group had people in many places around the world who worked on their assignments from there. There were people responsible for the money flows, for the transport of the drugs and ultimately for the violence. I will come back to this in a moment.

Marengo trial has come for a high price to the Dutch rule of law: in addition to the six murders mentioned above, there were also three murders in the immediate vicinity of the key witness, several public prosecutors who are still under heavy (personal) security to this day, the deployment of the army to guarantee security around the hearing days, and unfortunately, I could go on and on. Marengo trial has had many victims and a lot of misery. Nevertheless, the trial has shown to the society that justice will take its course, regardless of violent attempts to thwart this justice. In addition, in the Netherlands we have learned a lot from the

Marengo process and the events surrounding it. I would like to take you through a brief description of what we have learned. It is precisely the lessons we have learned that make us convinced that we need to work together much more internationally if we want to take a stand against this international crime. The collaboration with you, our Italian and international colleagues, has also given us a lot of insight into what is and remains necessary to put a stop to these forms of crime.



The rule of law compels us to engage fully in the fight against transnational organized crime. A strategic coalition is needed to intensify our joint efforts against criminal networks

After the murder of journalist Peter R. de Vries in 2021, a separate Task Force was set up in the Netherlands by the National Public Prosecutor's Office with the assignment to focus exclusively on tackling criminal power structures that threaten the rule of law. We use that term to describe a criminal organisation that has become so large, powerful, inventive and international that we believe that successfully combating this organisation can only be achieved by investing heavily in combating the entire criminal system. Therefore, we no longer spend our scarce capacity only at intercepting cocaine transports or arresting ringleaders, but we focus on dismantling the entire criminal structure. This also requires that we recognise and remove crucial links within a criminal power structure. It may therefore mean that relatively smaller criminals are sometimes tackled earlier than larger criminals, precisely because they form an indispensable link within a power structure.

Moreover, we saw that if we do not penetrate deeper into the organisation, people will simply continue. Nothing will change. People remain silent for a while when there are arrests, then a substitution takes place and someone else becomes the leader and the trade continues. We are dealing with criminal organisations that have become so large and powerful that they are able to absorb blows and organise themselves again. How have we created that focus? Our insights into criminal networks have grown enormously after we were able to crack various crypto communication platforms (Encrochat, SkyECC).

For the first time, we saw all communications between criminal networks, worldwide; without code language, because people felt safe in mutual contact. We see that some criminal groups are working increasingly modularly. These are not automatically permanent connections, but we see certain components that are supportive and that require their own expertise. These units can work for multiple criminal groups and offer their services to different groups. Crime as a service. The knowledge we have gained through our investigation into crypto communications has taught us that we needed to strengthen a number of areas.

We now distinguish a number of components that I will briefly mention.

1. Criminal money. Criminals want to make money and a lot of money can be made in the cocaine trade. But that money also has to go back to the bosses. These bosses are not in the Netherlands, so there are flows of money from sales and trade on the street, but at the same time we see large flows of money in the background that never enter or leave the Netherlands. These money flows are regulated by a separate group that provides their services to these criminals. We have noted that there are several types of money flows in these types of networks, each requiring a separate approach.

2. Drugs (production for example). The Netherlands is not only a trading country and a transit country for narcotics (particularly cocaine) but also a production country. Synthetic drugs are produced on a large scale in the Netherlands and exported to all countries in the world.

3. Violence and threat. I have already mentioned that some groups were used who wanted to perform acts of violence on behalf of criminals. Violence brokers take orders and deliver them, others supply the weapons and the people who carry them out. Sometimes very professional. The

shooters are often young people who want to do it for a reasonably small amount but who do not know who the client is. In Marengo, we saw both a Polish and an Antillean group that carried out violence for payment.

4. Logistics and transport. We have been continuing to look for ways to make our ports (Rotterdam and Antwerp) safer and to ensure that the import of cocaine becomes more difficult. There were varying degrees of success, because we also see that imports shift to other ports when things become too difficult somewhere. That is why there is a need to work together on a system to make the ports safer and more resilient to the influence of the criminals. This requires broad international cooperation from us in that area. However, it may still happen that we lag behind developments.

5. Continued criminal conduct from detention and communication in general. Two topics that, unfortunately, have proven to be sometimes related. Two of Taghi's lawyers were arrested around Marengo trial on suspicion of passing on information from Taghi to the outside world; communication that made it possible for Taghi to partly continue his business operations from detention. One of these lawyers has already been sentenced to 5 years in prison and the trial against the other lawyer is still ongoing. Although obviously very sensitive, a bill is currently being discussed in the Dutch parliament to gain more insight into unwanted criminal communications from a detained suspect through his lawyer. When tackling communication, one can also consider tackling so-called crypto platforms. The evidence against Taghi and his sixteen co-suspects did not only consist of the statements of the key witness, but also of many hundreds of decrypted messages from crypto phones. In collaboration with other countries, the Netherlands now has considerable experience in obtaining and using cracked crypto communications in criminal investigations.

I would call the image that we received from the communication via those crypto telephones, shocking. The ease with which violence was discussed. The enormous scale of the narcotics trade.

We now have a good idea of how this trade works and which actors are crucial for it. This is the information that we must discuss with each other in our joint approach to this form of crime, because only together can we make a difference here. The Netherlands will continue to conduct an investigation into these platforms where possible.

6. Corruption and resilience. I should also mention corruption and resilience. Corruption almost comes naturally because of the large amount of money that can be earned from this crime. We see civil servants, port inspectors but also police officers being drawn into the organization for money. A major concern. This also applies to resilience. The use of violence makes some cautious, while right now we need to stand strong and step forward together. For me, the murdered magistrates Falcone and Borsellino are examples. Our work is not finished. Much still needs to be done.

7. Finally, we have identified new-comers as our focus. We see the attraction of the quick money and the apparent glamor of the criminals to the young people; young people who often have little education or no education at all, and who are not smart enough to realize that they will eventually end up in prison. These are boys aged 14 or 15 who are tempted to empty containers.

This is where criminal law alone falls short, and we ask for help from municipalities and other authorities to help these young people and guide them away from crime. However, some young people already require a thorough criminal justice approach.

We take actions in each of these seven areas, with everything aimed at dismantling the criminal power structure. In addition, yes: this requires

enormous capacity from us and it means that we sometimes have to make clear-cut choices about what we do and what we do not do.

I am coming to a conclusion. Just as May 23 and July 19 will remain black days for you, March 29, September 18 and July 6 will remain black days for us. We will continue to remember those days, but these days also give us the task to work together against serious organized crime. The rule of law requires us to commit ourselves to this task. And I am convinced that we can only do that by joining forces and working together, where possible across the borders of our countries. In other words, a strategic coalition, to jointly intensify the fight against criminal networks.

Together we can enter into discussions with countries where criminals reside, where their money flows and where they feel untouchable. Together in a coalition we are stronger than criminals. Ultimately, the rule of law and the safety and health of our citizens will emerge stronger. I believe in international cooperation. We already do a lot together, but I would like to strengthen our collaboration even further and I hope that your presence here is a sign that you want the same.

Thank you for your attention.

EDUARDO EZEQUIEL CASAL

Attorney General of the Argentine Republic

Direct co-operation and joint investigative teams (AIAMP and ARG)

Complexities and challenges of transnational organized crime.

If we consider the complexities and challenges of the fight against organized crime, we note that this type of crime is characterised by operating across national borders, involving multiple countries in its illicit activities, generally has a well-defined hierarchical structure and uses corruption to protect its operations. Furthermore, we see how these criminal organisations have undergone a significant evolution in recent years, adapting to technological advances and changes in the global landscape and diversifying their operations to include activities such as cybercrime and human trafficking, as well as maintaining traditional sectors such as drug trafficking, arms trafficking, goods smuggling, money laundering and other forms of crime. These organizations often resort to violence and intimidation to protect their interests and expand their operations.

They have also developed more complex and sophisticated networks, taking advantage of globalization to expand their operations internationally. Collaboration between different criminal groups, including terrorist groups, has also increased, enabling them to expand their reach and power.

Efforts to combat TOC

To counter these developments, international cooperation efforts between countries are also intensifying and more comprehensive strategies to dismantle criminal organizations and reduce their impact on society are being developed and implemented.

It is precisely in this context that the Assistance Programme against Transnational Organized Crime (EL PACCTO) seeks to contribute to security and justice in Latin America.

In this context, the fight against transnational organized crime requires various public policies that address the problem from different angles, with a comprehensive approach, the participation of multiple sectors and constant evaluation of the strategies implemented.

These policies include:

- Strengthening the institutions responsible for justice and law enforcement so that they can better investigate and prosecute members of criminal organisations;
- International cooperation: encouraging collaboration between countries to exchange information, improve coordination of efforts and prosecute criminals across international borders.
- Confiscation of assets: ensure the confiscation of assets and proceeds obtained illegally by criminal organisations, depriving them of financial resources and encouraging their dissolution.
- Prevention and education: implement crime prevention and public awareness programmes to dissuade people from undertaking criminal activities and reduce the demand for illicit products.
- Legislative reforms: update and strengthen laws relating to the fight against organized crime, providing for stricter penalties and more effective investigative measures.

Direct inter-institutional cooperation

Improving the effectiveness of the system for combating TOC

Today I want to focus on improving the effectiveness and efficiency of international cooperation mechanisms, in particular through direct inter-institutional cooperation and joint investigative teams (JIT).



The fight against transnational organized crime requires public policies that address the issue from multiple perspectives through a comprehensive global approach.

Effectiveness and efficiency are two related but distinct concepts, although both are fundamental to promoting the effectiveness of the system for combating organized crime. Effectiveness aims to achieve the desired objectives or results. Efficiency, on the other hand, is based on the resources used to achieve these objectives. Therefore, an action will be more efficient to the extent that it achieves its objectives with the least possible use of resources (time, agents, procedures, money, efforts, etc.).

Today we are trying to improve both effectiveness and efficiency, to be more effective in the fight against transnational crime.

Characteristics of direct cooperation

Direct international cooperation, or what is erroneously called 'informal cooperation', refers to the interaction and collaboration that takes place between organizations or similar bodies in different countries, in a much less structured way than traditional channels of international legal assistance between countries, and without the need for formal agreements or treaties.

This form of cooperation is based on flexibility, spontaneity and efficiency in addressing common problems or needs. However, fundamentally, direct cooperation works best when the parties know each other and have been able to establish bonds of commitment and trust. Ultimately, this type of cooperation is characterized by its non-bureaucratic nature and its focus on fast and effective action, which facilitates collaboration and the sharing of resources and knowledge among international actors in an agile and pragmatic way.

This includes, for example:

- **The exchange of good practices:** in which agencies share knowledge, experiences and successful strategies;
- **Training and skills development:** through training and capacity-building programmes between organizations in different countries;
- **Informal networks and personal contacts:** the creation of professional networks between individuals

and organizations facilitates direct cooperation. These networks enable a rapid response to emerging needs and foster mutual knowledge, trust and understanding.

- **The exchange of information in specific cases:** law enforcement agencies, prosecutors or judicial agencies from different countries can exchange relevant information on the cases they are working on, in real time and without strict formalities.

Complementarity between direct cooperation and formal cooperation channels

However, we must not confuse the issue and fall into the error of thinking that this type of co-operation is sufficient to resolve transnational criminal investigations. But rather we should understand these mechanisms in a sense of **complementarity with the traditional instruments** of international legal assistance to address the legal and judicial challenges in investigating transnational cases, so as not to substitute one mechanism for another, but rather to make complementary use of both in order to increase their respective benefits.

For example, the flexibility, speed and adaptability of information exchange through direct cooperation networks or personal contacts should be complemented by mechanisms regulated by bilateral or multilateral treaties or agreements for extradition, exchange of evidence, enforcement of sentences or assistance in criminal investigations.

Therefore, direct cooperation can act as a preliminary or fallback mechanism in situations where a rapid response or immediate exchange of information and critical resources is needed between investigators and prosecutors, which can then be formalised and deepened through international legal assistance.

International legal assistance, on the other hand, will provide the case with a solid and recognisable legal framework for judicial and criminal proceedings, guaranteeing the application of the law and the protection of rights; in this way, exchanges and preliminary agreements reached through informal cooperation can be formalised and legalised.

It is also observed that direct cooperation creates relationships of trust and personal networks between officials and organisations from different countries, which facilitates subsequent formal cooperation, in the sense that international legal assistance can use these networks and relationships to streamline and improve the effectiveness of formal processes. Thus, direct and formal co-operation together create a solid and effective system for dealing with complex international legal problems.

The AIAMP

Today I have the honour of being here representing the Ibero-American Association of Public Prosecutors (AIAMP), of which I was elected president last February.

AIAMP is an organisation that brings together the public prosecutor's offices of the 22 countries of the Ibero-American Community, including Andorra, Spain and Portugal, with the aim of strengthening cooperation and collaboration in the field of justice and the prosecution of crimes in the region.

AIAMP plays a crucial role in improving judicial cooperation in Ibero-America, promoting a more coordinated and effective response to the common challenges of the region's judicial systems. Through its work, it contributes to strengthening the rule of law, protecting human rights and combating crime more effectively.

In addition to institutional strengthening, through the development and modernisation of public prosecutors' offices or the defence of the autonomy and independence of public prosecutors' offices, the AIAMP aims to:

- Facilitate cooperation and judicial assistance, in a more effective and coordinated manner, to transnational challenges such as organized crime and corruption.
- Promote the exchange of experiences, information and best practices among member institutions, thus favouring the adoption of successful methods and strategies.

These objectives are reflected in the actions carried out by its 9 permanent networks of prosecutors specialised in various sectors, such as:

- Drug trafficking
- Corruption
- Money laundering and criminal economy
- Human trafficking and smuggling
- Cyber crime
- International criminal cooperation
- Restorative criminal justice
- Environmental protection
- Gender-based violence

Each of these networks constitutes a channel for international cooperation, in which prosecutors from the region specialized in each of these areas share knowledge, experiences and best practices and exchange crucial and timely information.

To this end, in September 2018 we signed an **agreement of inter-institutional cooperation** between 18 Public Prosecutor's Offices in the region, which serves as a legal basis for providing us with direct assistance in investigations in an agile and efficient manner.

In short, the AIAMP is a very important platform for collaboration and development of public prosecutor's offices and public prosecutor's ministries in Ibero-America, promoting justice, legality and cooperation throughout the region, and it is even more powerful thanks to its relationship with various international organisations as strategic partners, such as:

- The Conference of Ibero-American Ministers of Justice (COMJIB)
- The Ibero-American Network for International Legal Cooperation (IBERRED)

The Ibero-American Judicial Summit (CIJ), or

- The European Union Agency for the Evaluation of Criminal Justice Cooperation (EUROJUST)

Joint investigation teams (JIT)

Another of the most effective tools for fighting transnational organized crime is the formation of joint investigative teams.

JITs are one of the most effective ways to address the challenges of transnational crime, enabling more direct and efficient cooperation between authorities in different countries. By combining resources, expertise and efforts, the teams strengthen the capacity to investigate and prosecute complex crimes that cross borders. JITs are particularly useful and effective in the fight against organized crime, where criminal networks operate in several countries, as they allow law enforcement and judicial authorities from two or more participating countries to work together on a transnational criminal investigation, on a temporary basis and tailored to deal with specific cases.

The interesting aspect is that this form of cooperation brings together the advantages of the two systems of formal and informal cooperation, since, on the one hand, it facilitates direct cooperation and coordination between the authorities of the countries involved and, on the other hand, it also allows for the rapid and efficient exchange of information and evidence or the execution of joint operations, the results of which will be useful for all participating jurisdictions.

By working together as a team, the authorities of the participating countries can share information, allow direct access to their databases and resources, coordinate actions more quickly and efficiently and carry out joint operations such as simultaneous raids and arrests in multiple jurisdictions.

All these possibilities, of course, avoid the delays typical of formal international cooperation and facilitate a more thorough and accurate investigation, increasing the chances of success.

The creation of a team is established through an agreement between the participating countries, which defines its objectives, duration, composition and operating rules. The legal basis of the CIS is well defined by a combination of international treaties, bilateral and multilateral agreements and national laws. These legal frameworks provide the necessary structure for the authorities of different countries to collaborate effectively in the investigation and prosecution of transnational crimes, strengthening judicial and police cooperation.

At a global level, the United Nations Conventions against the illicit traffic of narcotic drugs and psychotropic substances (Vienna Convention, 1988), against transnational organized crime (Palermo Convention, 2000) and against corruption (Merida Convention, 2003), articles 9, 19 and 49, promote international cooperation to establish joint investigative teams. In Europe there are several conventions, decisions and protocols that regulate this type of cooperation, including the EUROPOL and EUROJUST regulations that assist in the coordination and creation of teams of experts and provide resources, intelligence and technical support.

In Latin America, on the other hand, we have the **MERCOSUR Framework Agreement** on Joint Investigation Teams, approved by Argentina, Brazil, Paraguay and Uruguay and in force since May 2020. There are also other sub-regional mechanisms or agreements that promote greater integration of judicial and police authorities in criminal investigations against drug trafficking and organized crime. For example, the designation of liaison judges or prosecutors within the Andean Community, which includes Bolivia, Colombia, Ecuador and Peru; or in the Central American Integration System, which includes Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, Panama, Belize and the Dominican Republic.

The experience of the Argentine Ministerio Público Fiscal²

The Argentine Public Prosecutor's Office is convinced that promoting and using these more effective international cooperation mechanisms is the best way to tackle transnational organized crime, with critical advantages that improve the capacity of judicial system operators and the effectiveness of criminal investigations and proceedings. Ultimately, the goal is to reduce impunity and increase regional and global security by mitigating the harmful effects that transnational organized crime has on society.

By working together, countries can better protect their citizens, promote justice and contribute to stability and global development. In this regard, we have signed bilateral agreements that promote direct inter-

² Public Prosecutor's Office



institutional cooperation with **16 foreign prosecutors and another two regional agreements** within the framework of AIAMP and MERCOSUR. On the other hand, to date, we have signed **agreements for the establishment of JITs in 8 cases** and we have others under consideration for the signing of this type of instrument.

As **success stories**, I can mention:

A) the case of the so-called 'Loza Clan', in which ten people were convicted, with sentences ranging from 4 to 10 years in prison, who constituted an international organization dedicated to drug trafficking and money laundering operating in Argentina and Spain. The investigation was triggered by the arrest, in November 2017, of two men from Madrid at Ezeiza International Airport, when they tried to enter the country with more than 365,000 euros hidden in their pockets.

From that moment on, an international joint investigation team was deployed, **made up of authorities from Argentina, Spain and Italy, in coordination with EUROJUST**, which made it possible to coordinate

and unify the information gathered and to identify the members of the organization and its operations.

At the same time, an interdisciplinary team was created at a national level with the support of the federal prosecutors specialized in drug crimes and economic crimes and money laundering (PROCUNAR and PROCELAC), members of the National Gendarmerie, the Financial Information Unit (UIF), the Federal Administration of Public Revenue (AFIP), the General Customs Directorate and the Federal Intelligence Agency (AFI) to get to the bottom of how this criminal organization operated in the country.

B) Another successful case was the investigation into a transnational organization operating in southern Argentina and Chile, involved in the smuggling of goods, drug trafficking, money laundering and human trafficking. In this case a joint investigation team was set up involving police forces and prosecutors from Argentina and Chile, which led to the dismantling of the criminal organization through 46 simultaneous raids and arrests in both countries.

GIUSEPPE GATTI

Deputy Prosecutor National Anti-Mafia and Counter-Terrorism Directorate

The albanian mafia in the international drug trade

Albanian criminal groups are the most widespread and widespread foreign organisations in the European Union: between 2018 and 2020, the number of Albanians arrested in Europe for cocaine trafficking far exceeded that of Brazilians and Colombians.

Despite this, this criminal phenomenon is generally underestimated.

Above all, there is a lack of analysis aimed at a deeper understanding of the organisational structures of these criminal groups.

What happened last century with the expansion of the Italian mafias abroad is repeating itself: for a long time, Americans, Europeans and Australians referred to the 'Italians'; in this way they brought together very different criminal phenomena: even then there was an element of underestimation and this allowed the Italian mafias, today we're thinking mainly of the 'ndrangheta, to relocate and put down stable roots in Europe and beyond.

Albanian organized crime has some important elements in common with the 'ndrangheta.

We're thinking of the importance of familism; the existence of strict codes of behaviour; the criminal reputation deeply rooted in the territory of origin. But we're also thinking of the ability to infiltrate the economic-financial fabric; the conditioning of the political-administrative sector; the use of the most modern and sophisticated technologies; the development of relationships with other international criminal organisations.

Family ties are undoubtedly one of the main characteristics of Albanian criminal organisations.

It is a particularly strong bond, historically legitimised by customary codes: ancient rules based on besa,

which in Albanian means honour, trust and, above all, keeping one's word.

A set of precepts that, in addition to regulating the various aspects of family and social relationships, also strictly and firmly govern criminal bonds of an associative nature.

This bond, besides extending to the most distant degrees of the parental scale, is also capable of incorporating other types of social ties that overlap and coexist with each other: such as having lived in the same neighbourhood, in the same city, in the same region. Even the simple fact of being 'Albanian' becomes an element capable of ensuring the strength and solidity of the associative relationship.

This is why Albanian criminal organizations do not perform affiliation rites: there is no need for a 'baptism' to sanctify a bond that is already perceived as such.

In addition, this is still one of the main reasons why Albanian criminal groups, despite their progressive settlement abroad, have always continued to maintain stable connections with the original structures active in Albania.

In fact, the main drug trafficking centres are still operating in Albania. And it is also in Albania that the most important operations of speculative reinvestment of the enormous illicit profits generated by drug trafficking are carried out.

In their evolutionary path, Albanian criminal organizations have been able to combine an original military mafia model with a more evolved and sophisticated business mafia model.

The configuration of Albanian criminal organizations took its first important steps in the 90s, with the fall of the dictatorial regime and the explosion of a profound socio-economic crisis deriving from the collapse of pyramid schemes.

Taking advantage of the chaos, the institutional vacuum and a generalized state of instability, Albanian criminal groups empty military arsenals; they get hold of deadly weapons of war; they take root in the main urban centres; they occupy specific neighbourhoods; they create real inaccessible strongholds; they develop violent armed conflicts with opposing factions; they aim to assert territorial hegemony and

to control all illegal activities.

The original matrix is almost always anchored to family feuds: the initial murder of a relative and the cause of revenge thus become a tool for recruitment; this type of criminal aggregation gives rise to an unstoppable trail of blood and terror, which further amplifies the mafia's capacity for subjugation and conditioning.

Armed conflict and violent confrontation also characterize the relationship with the institutions: bomb attacks on the police are the order of the day; brutal murders of politicians and public administrators follow one another at an impressive rate.

By sowing panic and terror, Albanian criminal groups quickly acquired a notorious criminal reputation: they achieved what is known as 'environmental conditioning' and thus, in order to maintain their criminal power, it was no longer necessary to continuously resort to explicit acts of violence.

This is the moment in which the Albanian criminal groups transform themselves from simple armed gangs into real paragonovernmental organizations: the so-called public health committees are born.

We are faced with criminal groups that have all the characteristics of mafia associations: in Albania, they have military control of the territory in which they operate; they are capable of offering services and guaranteeing security and protection; they collect increasing quotas of social consensus; they take advantage of a deep-rooted conniving conspiracy of silence; they develop increasingly close relationships with entrepreneurs; they impose forced monopoly regimes in strategic economic sectors; they become fundamental interlocutors for electoral success; they establish symbiotic relationships with politics.

With the war in the former Yugoslavia and the consequent embargo imposed on Serbia, Albanian organizations specialized in the smuggling of goods and arms trafficking; shortly afterwards, with the migration crisis, criminal interests turned to the trafficking of migrants, human beings and the exploitation of prostitution.

In Italy, Albanian criminal organizations are now operating in almost every region of the country; their criminal policy choices are inspired by a clear-sighted pragmatism: in southern Italy, where the



The real leap in the evolution of albanian organized crime has been recorded in the field of international cocaine trafficking.

Italian mafias are deeply rooted in the territory, the Albanian clans talk, negotiate and act as if they were credible commercial partners; in central and northern Italy, where the scenarios are more fluid and there is more room for manoeuvre, they are increasingly aiming for the violent conquest of the territory and the monopolistic control of illegal activities.

The sector that has given the greatest boost to the expansionist process of Albanian organized crime is, without doubt, that of international drug trafficking.

At the beginning, the Albanian criminal cartels imported marijuana produced in Albania into Italy; for this reason, they developed a stable interaction with the so-called Apulian mafias, which operate in the south-east of Italy.

Originally, the Albanians only dealt with the production and packaging of the marijuana; transport to Italy was managed in synergy with the criminal groups from Puglia, while storage and subsequent distribution throughout the territory was totally in the hands of the Apulian clans.

Within a few years things had changed: even the transport, distribution and sale of marijuana in Italy were taken over by Albanian criminal cells that had settled permanently in Puglia.

The historic control of the so-called trans-Adriatic route has allowed the Albanian cartels to assume an increasingly significant role in heroin trafficking, strengthening their ties with the Turkish mafia.

However, it is above all with regard to the international cocaine trade that we see a real leap in the quality of Albanian organized crime.

Thanks to their extraordinary organizational skills and high operational reliability, Albanian criminal groups can count on an autonomous network of brokers; they have their own contacts in the tri-border area;

they deal directly with the Brazilian and Colombian criminal cartels; they have managed to stabilize their presence in Ecuador, a strategically key country for the transit of cocaine to Europe; they have important bases of operations in Dubai, where the most important financial transactions of the drug trade are made and where many Albanian mafia bosses continue to operate with impunity while on the run. Their involvement also extends to the subsequent phase of cocaine distribution in Europe.

Albanian groups are increasingly present in the port areas of Rotterdam, Aversa and Hamburg, where most of the South American cocaine arrives, developing

important synergies with the 'Ndrangheta.

The relationship between the Albanian mafias and the 'Ndrangheta in the international cocaine trade is constantly evolving: the balance is progressively shifting towards an increasingly equal level.

Until a few years ago, cocaine imports from South America were managed almost exclusively by the Calabrian mafias; the 'ndrangheta jealously guarded their relationships with the South American producers, preventing any contact between the latter and the Albanians; the latter only had executive roles: At most, they could operate as sub-buyers of a share of the narcotic managed by the Calabrians.



Now there are cases in which the Albanians directly manage the importation of large shipments of cocaine with the South American cartels, reserving a limited percentage of the profit for the 'Ndrangheta. However, there is more.

The enormous profits from drug trafficking have provided Albanian criminal groups with huge financial resources that are laundered into the legal economy. The most significant part ends up in Albania; it is invested in various business sectors or used to bribe politicians and public officials.

The capacity for evolutionary adaptation has led to profound changes in organizational structure and operational strategies.

There has been a shift from a static vertical model to a horizontal networked consociational model, which is much more dynamic, adaptable and flexible.

A model that covers the entire illicit supply chain; a model that acts according to compartmentalized schemes and managerial logic; that has enormous capital at its disposal; that can count on institutional support and cover; that makes constant use of corruption; that makes use of the most modern computer technologies; that is increasingly focused on conquering new markets.

The management of violence has also undergone a process of sophistication and modernization: no longer brutal and sensational demonstrations but only surgical interventions, well targeted and selected in advance: the executive phase is entrusted to professional hitmen, who make no mistakes and leave no traces.

The central figures in the criminal network are the financier, the organizer, the intermediary and the guarantor: the financier-organizer is the point of reference at the decision-making level; the intermediary takes care of the connections between the different segments of the criminal chain; the guarantor ensures that the illicit transaction goes smoothly; that the buyer receives the drugs and the seller receives the agreed payment; for this reason, the guarantor is also the one who takes care of obtaining the necessary cover and protection, adopting targeted and diversified strategies of mafia infiltration in the political-institutional sphere.

This new organizational model is allowing Albanian groups to develop an increasingly alarming level of interoperability on an international level; to create criminal consortia with other mafia cartels, giving rise to the so-called macro-mafias.



It is a modern and evolved consociative model that can count on the sharing of encrypted digital communication platforms and makes use of a network of sophisticated financial services associated with the development of virtual currencies, the system of parallel exchanges and underground banking.

Faced with these scenarios, an effective action to contrast the Albanian mafias must, today more than ever, necessarily treasure the precious teachings of Giovanni Falcone.

We can no longer be satisfied with investigations that aim to target individual suspects and seize a few drug shipments: an adequate law enforcement strategy must be based on real 'system investigations'; the aim must be to reconstruct the web of relationships and associative links; the connections and links between the various criminal organizations involved must be brought to light; the aim must be to intervene throughout the entire chain that manages the international drug trafficking and money laundering network.

For this reason, the DNA (National Anti-Mafia Directorate) together with the DDA (District Anti-Mafia Directorates) and the Central Police Services of Italy has set up a real analysis laboratory on the Albanian mafias; the objective is to create an updated map of the Albanian criminal groups; above all, to highlight the links between the original structures present in Albania and the branches operating in Italy, in Europe and now also in South America.

This is an extremely laborious and complex activity; we are trying to put together the pieces of a vast and complex mosaic; for this reason, we are drawing on all available information resources: court orders, investigative results, prison information, financial flow analyses, contributions from security experts at Italian embassies, university studies and research, consultation of open sources on the web (so-called open-source intelligence).

The first steps taken are encouraging; the quality and scope of investigative coordination and impetus is improving; in the most important investigations



An effective counter-strategy must be based on genuine system-wide investigations aiming to reconstruct the web of connections among the various criminal structures involved.

of the DDA (District Anti-Mafia Directorates) into international drug trafficking, the links between Albanian criminal cells based in Italy and the original associations, linked to the most important criminal families of Durrës, Elbasan, Tirana and Vlorë; new wide-ranging investigative projects are being developed, aimed at reconstructing the entire criminal network and striking - also and above all - at the top of the Albanian criminal hierarchy.

We still have a long way to go and it is all uphill: we have to do much more and we have to do it quickly, to make up for the serious delays accumulated over time.

But we can only move forward together, because alone we go nowhere.

I would like to quote Giovanni Falcone's words again, as I believe they are more relevant than ever: only a specialized joint investigative network can effectively oppose structured and well-organized criminal associations.

The use of increasingly advanced information technology will undoubtedly be a decisive factor in the analysis of Albanian criminal groups.

Thanks to investigative co-operation at a European level, we now have access to huge volumes of decrypted encrypted communications used by transnational criminal organizations to manage illegal trafficking: many of these chats can be traced back to Albanian drug traffickers.

It would be important to aim at the creation of digital sharing platforms to analyse this massive concentration of data in the fastest and most efficient way.

In this field too, the creation of joint investigative teams, provided for and valued also by the Palermo Convention on transnational organized crime, will have to become increasingly widespread.

The first investigations into Albanian criminal organizations, carried out by joint investigative teams, are producing encouraging results.

In some cases, they have been decisive in the arrest of important Albanian drug traffickers, who have then decided to collaborate with the justice system.



The use of joint investigative teams must increasingly become a widespread practice.

With the statements of the first Albanian collaborators of justice, the level of investigation is beginning to rise: thus, the first results in the fight against the laundering of illicit proceeds are also arriving.

This new method of working is only just starting out: to make further progress, everyone's contribution is needed. We all need to share information and knowledge, and we must do so as quickly and as completely as possible.

We all need to talk to each other, to listen to each other, to constantly compare notes; we all need to gain more and more mutual trust.

This is the great legacy that Giovanni Falcone leaves us today: it is up to us to keep his memory alive; to put his precious teachings into practice; to do so with determination and courage, but above all, by working together, aware that we are all part of one big team.



BARBARA SARGENTI

Deputy National Prosecutor Anti-Mafia and Anti-Terrorism

I would like to start by drawing a distinction between coordination of investigations and cooperation in investigations, and it seems to me that the common investigative team is precisely the tool aimed at strengthening the former.

Joint investigation teams (JITs) are an investigative tool that was introduced in Europe in 2002 and has been widely used in Italy since 2016. In this regard, it is worth mentioning the United Nations Convention Against Transnational Organized Crime, article 19 of which specifically mentions the use of investigative teams, as well as article 9 against the illicit trafficking of narcotic and psychotropic substances.

This tool is used by the various Italian District Directorates, implementing collaboration and coordination with countries such as Ecuador, Argentina and Brazil. What I would like to emphasize is the evolution of the concept of the joint investigative team, which several countries can join because the JITs are no longer necessarily bilateral in nature, but can also have a multilateral dimension.

Even if it is only a bilateral team, it must guarantee – and here the responsibility of the judicial authorities and prosecutors of each country must be recalled – internal coordination, as criminal phenomena are integrated, widespread and therefore require the creation of logistical networks, technological networks, as well as direct transnational and integrated contacts. Increasingly, we are seeing the right effort to bring together the various segments of the current criminal network within each country and in its external projections.





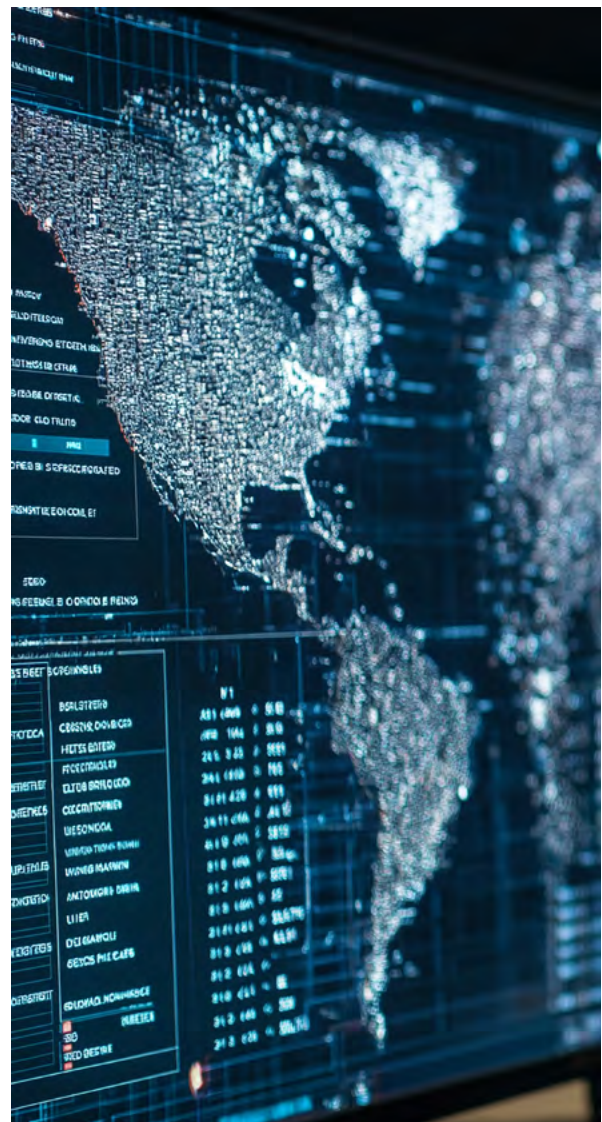
It is necessary to integrate the various regional investigative segments, through a truly transnational investigation, one that pools knowledge and expertise in real time.

For example, through the joint team, a form of mutual assistance can be used in listening to and interrogating the collaborator of justice and the reflection that we all make is that everyone can contribute to hearing the collaborator of justice by bringing those cognitive elements that belong to him. For example, it will be different to listen with our Brazilian colleague to an Italian collaborator of justice who belonged to the 'Ndrangheta, lived in Brazil for years and was detained in Brazil. Obviously the various Italian District Directorates that are investigating the phenomenon will have their own point of view and will be able to verify the statements of this state witness, but the Attorney General of Brazil will rightly be able to refer to knowledge data that we do not have. Of course, there are other organizations that were started in Latin American prisons and I want to mention, because it hasn't been mentioned yet, the organization that started in Venezuelan prisons and then spread to other prisons and is also operational abroad, namely the Trend de Aragua.

Our Chilean colleagues know it well, because in the north of Chile it is growing in terms of operations and is demonstrating all the typical characteristics that also belong to others, namely: extreme violence, contacts, recruitment and training tasks inside and outside the prison, as well as the capacity for recycling and corruption that also belong to others. I want to conclude by emphasising that within the joint team it is possible to implement the best strategy, including the special investigative techniques that we have talked about in previous days in the working groups.

It is one thing to organize an undercover operation within a joint investigative team and another to organize

an undercover operation that is somewhat connected, somewhat unconnected to a controlled delivery and that is activated on the basis of information, a mechanism, or even a proper initial investigative effort, but within the joint team we manage to unite the two segments: I refer for example to the Latin American and European segments, to understand a little bit of everything. Only in this way can we render the complexity of the phenomenon with a truly transnational investigation, because we unite the two segments, the two types of knowledge, and we do it in real time.



JUAN BAUTISTA MAHIQUES

General Prosecutor's office in Buenos Aires.

Good morning, everyone.

First of all, I would like to thank the Programme of Assistance against Transnational Organized Crime, the National Anti-Mafia and Anti-Terrorism Directorate, the High School of Magistrates, the Falcone-Borsellino Programme, the International Italo-Latin American Organization and Giovanni Melillo for inviting me to participate in this valuable conference, together with colleagues with such extraordinary careers.

I will now continue my presentation in my mother tongue, Spanish.

I am delighted that these spaces have been created, as I firmly believe that dialogue and the exchange of experiences between different international actors, such as those promoted by this meeting, are essential for designing and implementing innovative mechanisms to combat criminal phenomena as complex as those that bring us together today.

Organized crime represents an unprecedented global challenge.

Organized crime fuels violence, corrupts institutions and undermines the economic and social development of the communities affected.

With the advance of globalization, this criminal phenomenon has intensified and become more complex. Improvements in connectivity have helped criminal organizations expand their illicit activities across borders and operate in an increasingly coordinated manner at the transnational level. This has severely hampered the work of local judicial authorities. In the context of European and Latin American regions, the transnational nature of this phenomenon has been particularly evident in the area of international drug trafficking. A good example is the case of the triple frontier between Argentina, Brazil and Paraguay, which has long been characterized by the convergence of

various illegal activities, including, in addition to drug trafficking, arms smuggling and trafficking.

This cross-border corridor has become a serious threat to the European region, precisely because it is one of the departure ports for the cocaine entering the region. To date, the measures implemented in Argentina, Brazil and Paraguay have been insufficient to combat crime in this geographical area.

The eminently transnational aspects of this criminal phenomenon require coordinated work by all the regions affected by the crime. International cooperation is therefore the only way to prosecute effectively.

Of course, this is not an easy task. This heterogeneity often hinders the progress of investigations and, at the same time, frustrates the aspiration to put an end to organized crime.

In recent decades, significant efforts have been made to articulate an international agenda for the fight against organized crime, in order to minimize these differences and strengthen the capacity of States.

In 2000, the United Nations Convention against Transnational Organized Crime was adopted. The instrument was conceived as an effective means of establishing a legal framework to enable the international cooperation necessary to combat these criminal activities. Essentially, the convention requires the States that are party to it to establish measures to combat money laundering, corruption and the participation of companies in serious crimes in which a criminal organization is involved; and to authorize the confiscation and seizure of goods that are the proceeds of a crime and those intended to be used for criminal purposes.



In recent years, important efforts have been made to develop an international agenda to combat organized crime.

Furthermore, it provides for mutual legal assistance between the States Parties with regard to investigations, criminal proceedings and proceedings relating to offences arising from organized crime.

The Organization of American States has also made significant efforts to tackle organized crime, including model regulations on money laundering, illicit enrichment and transnational corruption, arms manufacturing and corruption.

Similarly, I must mention the specific programmes for cooperation between European and Latin American regions, such as the programme of assistance between Europe and Latin America against transnational organized crime – EL PACCTO – whose main objective is to provide technical assistance to 18 Latin American states, including Argentina, to help strengthen citizen security and the rule of law.

This programme aims to promote judicial and legal cooperation, support the development of more efficient prison systems that respect human rights, promote cross-border, regional and international cooperation and support the specialisation of the security forces of Latin American states.

In the same vein, the Latin American Internal Security Committee (CLASI) was created as an initiative supported by EL PACCTO, with the aim of uniting the efforts of Latin American countries in the fight against organized crime. In turn, the creation of CLASI is accompanied by the development of an analysis of the criminal threat in the region, through the tool for documentation and evaluation of the threat in Latin America (Ideal), which allows these countries to define their work priorities based on a study of the main criminal threats.

The measures described above demonstrate the commitment at the international level to creating cooperative tools to address organized crime. While these efforts should not be underestimated, it is essential to recognize that we still face significant challenges.

One of these is the difficulty of identifying which activities fall within the scope of organized crime. In recent times, criminal networks have increasingly expanded their control and have permeated the activities of the legal



The latin american Committee for Internal Security has been established with the objective of uniting the efforts of latin american countries in the fight against organized crime.

economy, going so far as to control, for example, local public services.

This diversification of criminal activities, combined with the intrinsic transnationality of the phenomenon, makes it difficult to conceptualise.

This difficulty prevents the enactment of adequate legislation to prosecute and punish them, hinders the possibility of harmonising local legislations and weakens effective cooperation between countries.

Differences in legal frameworks hinder the extradition of suspects, the coordination of investigations and the exchange of information between jurisdictions.

Despite this, important steps have recently been taken to harmonise regulations in the different regions. A good example is the modification of national legislation to comply with the international standards established by the recommendations of the Financial Action Task Force (FATF), especially in the area of money laundering and confiscation of assets.

Thus, in addition to Argentina, countries such as the United States, the United Kingdom, Canada, Australia and the member states of the European Union have modified or approved regulations based on the FATF recommendations. These measures are of fundamental importance in dismantling criminal networks, as they deprive them of the financial resources necessary to operate and expand.

Another aspect that makes the fight against transnational organized crime difficult is related to the different capacities of local prosecutors. Although some countries have managed to adapt and improve the activities of their public prosecutors to meet the



needs of this criminal phenomenon, many others remain weak and lack the necessary tools to tackle such complex crime. These weaknesses in local systems have repercussions on the capacity of the international system and reinforce the need for cooperation between states.

In this context, it is necessary to strengthen the mechanisms for coordinating cross-border investigations and build bonds of trust between international actors, which will enable effective international cooperation. This is achieved through the training of the agents involved and, in particular, through the promotion of spaces – such as today's – that allow us to exchange experiences and refine our investigative strategies. The formation of specialised international teams, made up of lawyers, investigators and prosecutors from different regions, has also been suggested as an effective tool for reducing differences in investigative approaches and strategies.

Another way to strengthen the capacity of systems in this fight is to design better mechanisms for the exchange of relevant information, such as criminal records and other sensitive data related to the judicial system or financial order.

The role of new technologies in this effort should not be underestimated. Modern investigative techniques, such as the use of transnational satellite surveillance or the interception of satellite communications, can provide enormous advantages in the fight against organized crime. Otherwise, evidence obtained with investigative techniques used in one country in accordance with the law may become inadmissible under the legal regime of another country.

As we know, one of the most significant obstacles in the fight against organized crime is corruption. According to the literature on the subject, well-established criminal organizations proliferate in countries where government structures are weak and officials are willing



Organized crime is closely linked to corruption. Judicial independence is fundamental.

to make deals with the leaders of these organizations. Organized crime, therefore, is closely linked to corruption, both of officials in general and of magistrates and members of the judiciary and public prosecutors in particular.

For this reason, I would like to emphasise the importance of the independence of the judiciary in the fight against organized crime. The promotion of an impartial judicial system is one of the most effective mechanisms for discouraging the illegal activities that fall under this type of crime. Nevertheless, in the Latin American region, violations of the independence of the judiciary have recently been the order of the day, as have attacks against members of the public prosecutor's office.

The city of Rosario, in the province of Santa Fe, Argentina, has been affected by the intensification of violence from organized crime. In the last two years, more than five hundred homicides have been recorded, 70% of which are directly or indirectly linked to the activities of these organizations. The city of Rosario has also been the target of several attacks against the headquarters and members of the judiciary and public prosecutors. In this sense, in 2018 the leader of one of the most prominent organizations in the city was tried for a series of shootings against buildings of the judiciary and against the homes of prosecutors and judicial officials involved in the persecution of the criminal organization.

Similar attacks are taking place in several Latin American countries. In Ecuador, for example, four prosecutors were murdered and several judicial officials were intimidated and threatened between 2022 and 2023. In Brazil, more than one hundred

judges have received threats and some have been murdered.

These acts delegitimize the credibility of the judicial system and prevent those responsible for the crimes committed from being properly prosecuted.

The consequences of the proliferation of these criminal acts are evident in several indices that assess the perception of corruption, trust in institutions and the position of countries in terms of the rule of law. Argentina, for example, scored 37 out of 100 on the Corruption Perceptions Index, ranking 98th out of 180 countries evaluated in 2023. At the same time, Latinobarómetro surveys indicate that in 2021 only 16% of citizens will say they have 'a lot' or 'some confidence' in the judicial system, relegating the country to second to last place.

As the facts and figures above demonstrate, corruption, attacks on the independence of the public prosecutor's office and the judiciary, and the lack of legitimacy of institutions are problems present in Latin American countries. However, without an independent judiciary and impartial prosecutors, our efforts to prosecute organized crime are like trying to gather stones in a field. This is why our regional cooperation must also be **geared** towards strengthening institutions at a global level.

In conclusion, judicial cooperation between Europe and Latin America is emerging as a pillar in the fight against transnational organized crime. In this meeting I have tried to emphasise the importance of strengthening collaborative ties, sharing good practices, promoting training and facilitating the exchange of relevant information in judicial matters. At the same time, I have tried to emphasise the need to harmonize legislation and strengthen judicial institutions, as key aspects in tackling this criminal phenomenon. Only through effective and sustained judicial cooperation, centred on mutual trust and joint work, will we be able to move towards a more effective and coordinated response to organized crime in our regions.

Thank you very much to everyone.

GIOVANNI BOMBARDIERI

Public Prosecutor at the Court of Reggio Calabria

Today it has become clear from all the reports given so far, from that of Grassi to those of our foreign colleagues, to the Brazilian prosecutor, that the 'Ndrangheta is clearly present in the investigations. The investigative evidence shows that the 'Ndrangheta has a relationship of trust with South American criminal organizations involved in international drug trafficking. The 'ndrangheta, as Prefect Grassi rightly said, acted as a partner to the drug cartels of South America as early as the 70s, 80s and 90s and is also reliable because, at a time when the Cosa Nostra was starting to have its first repentant members, the 'Ndrangheta appeared to be that family-based criminal organization that was impenetrable, impervious to any external attack.

There is talk of reliability based also on the code of honour of the 'Ndrangheta. We have seen that in criminal organizations such as the CCP or the Albanian criminal organization, the strong point has always been the relationship with the 'Ndrangheta. This is accompanied by a phenomenon of internal underestimation of the danger of the 'Ndrangheta, which has allowed it to increase its power and prosper. The 'Ndrangheta has grown all over the world; for example, in Australia in the 1960s and 1970s with local organizations replicating the organizational models in their homeland.

Its reliability has allowed the 'Ndrangheta to win the trust of South American cartels, whose core business is drug trafficking; and this has allowed it to acquire such importance as the organisation of reference in Europe and in South American criminal organizations. What certainly emerged was the possibility for the 'ndrangheta to purchase drugs on credit and to intervene in relations with other national mafias and vouch for them in international

drug trafficking. The 'Ndrangheta fed on this for a long time; until today, when other dangerous and important criminal organizations, also involved in international drug trafficking, are beginning to emerge on the international-European scene. We refer to the Albanian mafias, as mentioned by our colleague Gatti; to the rise of the criminal power of the Albanian mafias, which are based on concepts such as familism, honour, control of the territory: all connotations typical of the 'ndrangheta.

The criminal power of the Albanian mafias is based on the concept of family and territory, whose characteristics and connotations are typical of the 'Ndrangheta. We had already found traces of the rise of Albanian criminal organisations in our investigations; since 2015/2016, when the Albanians, exploiting their control of some ports in Northern Europe, were dealing with the 'Ndrangheta and exchanged their willingness to exfiltrate cargo from northern European ports with accreditation and introductions to South American suppliers; so there was an activity in which the 'Ndrangheta effectively recognized that the Albanians controlled the main ports, we're talking about Antwerp and Rotterdam, which allowed them to smuggle very important drug shipments and in exchange for this they demanded what the 'ndrangheta was able to offer; namely, accreditation with the South American cartels; that is, for example, to buy on credit from the South American cartels. This allowed the 'Ndrangheta to gain more and more importance and autonomy in negotiations with the South American cartels, which even today require the participation or guarantee of the 'Ndrangheta in the most important drug shipments.

Although the Albanians have acquired an important and significant autonomy in the drug market and in international drug trafficking, the 'Ndrangheta is still present; this is because it is recognized as having an important control capacity thanks to its presence in Northern Europe and in the American continent, particularly in South America, also due to the transfer of real international brokers to South America. Think of Santo Scipione, who settled in Colombia and

became a point of reference for all drug traffickers, including those from other criminal organisations. Think of Pannunzi, a huge international broker, who likewise became a point of reference for all criminal organizations involved in transferring drugs to Italy.

A former collaborator with the justice system even reported that at a certain point in history the 'Ndrangheta offered to be the sole partner for all the drugs and cocaine sent to Europe; something that the cartels didn't accept due to various interests and relationships that had already been established with other criminal organisations. The 'Ndrangheta therefore had the power to propose itself, and even to become the only partner for the distribution of cocaine in Europe. This important role in the drug trade has certainly continued, as demonstrated by the recent arrests of important Italian drug traffickers to which our Brazilian colleague referred: di Pasquino, degli Assisi, Rocco Morabito, known as 'U Tamunga', after a period of hiding out in Uruguay and then an escape that continued in Brazil.

Only extremely complex investigations in cooperation with the Uruguayan Fiscalia and then with Brazil, with the effective contribution of both the Judicial Authority and the Fiscalia, have allowed us to arrest them. The 'Ndrangheta has certainly established itself as an international player in drug trafficking and today's meeting has confirmed this. Another very important factor that was discussed is the need for international co-operation, which must be increasingly faster, more immediate and more ready, because the investigative emergencies that develop in South America thanks to this network of collaboration must be immediately usable in our investigations, which are initially connected. We're thinking of the arrests of Tamunga, Pasquino, Assisi, and all the fugitives like the Giorgis arrested in Paraguay.

During these arrests, a lot of material that was in the possession of these individuals was recovered. The need for immediate investigations, required for the most effective fight against criminal organizations, makes it necessary to transfer the knowledge that can

be gained and/or derived from examining the seized material, which was available to these individuals in those countries. This immediate informative report may still be developed and improved.

Certainly, the basis for this is the conviction that has emerged once again: the necessity and importance of Joint Investigation Teams; the importance of the tools of international cooperation that, finally, are being developed not only in the executive phase, through, for example, the international request for the execution of orders of imprisonment or application of pre-trial detention. Fortunately, today this cooperation is mainly developed in the investigative phase, allowing the countries participating in the investigative teams to acquire elements that can be directly used during the course of their respective investigations, which are crucial for their development.

The Joint Investigation Teams instrument is perceived as highly effective; nevertheless, it should be noted that in other countries the joint investigation team requires authorization from the political and administrative authorities, which lengthens the process and sometimes nullifies the immediacy that this institution requires. For this reason, we should work to speed up the possibility of co-operating, also with the aim of facilitating contacts between colleagues working in different countries.



The 'ndrangheta has gained increasing importance and autonomy in negotiations with south american cartels.

MAURIZIO DE LUCIA

Public Prosecutor at the Court of Palermo

During the course of the conference, we can say that at least two issues of fundamental importance emerged: the first is the commemoration of Giovanni Falcone and the other magistrates and police officers who died for having effectively opposed criminal organizations, in particular the Sicilian and Palermitan Cosa Nostra; The second is that through this event, magistrates from very different places, sometimes thousands of kilometres apart, have been brought together. They have some basic ideas in common and, I think, first and foremost, the protection of the weak in accordance with the law and, to do this, the desire to change and to make things change, above all through the method of sharing information and evidence. This method must be at the centre of all strategies against organized crime in Italy, Latin America and anywhere in the world. The current state of Cosa Nostra is one of uncertainty, unlike the other forms of mafia-type organizations present in Italy. There is no doubt that the State has been working particularly constantly and thoroughly to fight criminal organisations since at least 1992, the year of the Sicilian massacres, having initially given priority to fighting Cosa Nostra over the other Italian mafias, due to the history of the relationship between Cosa Nostra and the State, and due to the blood, that has been shed. Certainly, today Cosa Nostra is weaker than it was in 1992, but to say that Cosa Nostra is dead is the greatest gift we could give Cosa Nostra today, because the horizontal communication structure of the organization is the same as it was in the '90s and as it was even before, in the '80s. Even today, to decide on a crime to be committed in a certain area, it is necessary to request authorization from the top of the criminal organization, even informally, today as in 1980. From this point of view the rules are the same. It must be kept in mind that to defeat Cosa Nostra - apart from the inadequacy of the procedural and police

tools, which can contain the evil but cannot be decisive, because the factors that lead to the defeat of the mafia are economic and cultural - the type of pressure we must exert on this organization must continue to have the character of constancy and continuous disarticulation in the territories of the mafias, because the very fact that the rules are there and always the same allows for a constant reorganization of Cosa Nostra towards what has been defined as the submerged level, but which I call 'low intensity criminal activity' which, however, has a central point.

The mafiosi are aware that in order to become strong again they must regain military strength and to regain military strength they must regain economic strength and economic strength is the theme of this conference, it is the international drug trade and the trade in particular of a commodity that has been mentioned: cocaine.

The sensitivity towards anything that produces profit means that attention must be paid to all forms of drugs that go on the market and the current situation of Cosa Nostra is certainly a minor one compared to the big player in international trade in Europe, the 'Ndrangheta. However, we must be careful, because there is no league table of mafias and there is no mafia that wins and a mafia that is defeated. As magistrates, we must be interested in only one objective, to defeat all mafia organisations by looking at what has been done for some and applying it to others.

After that, what we need to follow is a slow change that is occurring in the relationship between the supply and demand of drugs. For a certain period of time, Cosa Nostra went to beg for drugs from the 'ndrangheta, but today this structure has changed because Cosa Nostra has characteristics that are also useful to the 'ndrangheta. And so that role of simple customer of those who offer is slowly becoming a role of minority partner in some businesses.

Cosa Nostra, for its part, is putting the Brand first, it was said that the 'ndrangheta is a structure that is less historically appealing for those who have to do business in South America. The 'Ndrangheta has been talked

about for 30 years, our Latin American colleagues have stated it with the same, if not even greater, authority as the Cosa Nostra in those markets, but the Cosa Nostra brand continues to be significant in those markets as well. It would be like saying that presenting the two associations as somehow coordinated while they do business increases their credibility on the international market, and then there's the convenience of selling drugs in Sicily.

Sicily is an important market that was somewhat disjointed and unstructured, but is now becoming more unified, starting with the idea of the so-called 'drug markets' that are no longer abandoned to the labourers, but are somehow coordinated by the mafia organization. Today, Sicily is home to over 5 million people and the demand for cocaine is a serious, strong demand that affects an important part of this country. Cosa Nostra needs money and needs it fast, it is once again becoming somewhat dominant in distribution, certainly in Sicily, but also in its ability to come to an agreement with the large Calabrian 'Ndrangheta families to organize not only supplies in Sicily, but also in some way the purchase of joint shipments with South American drug traffickers. This is the current state of Cosa Nostra's relations and position in this market.

There has been talk of the Falcone method, which is not just follow the money, it is much more, it is above all the institutional capacity of a man with that cultural background, with that capacity for work, to present himself credibly in front of those with whom he has interacted during the course of his career, from mafiosi, from the worst mafiosi, to the highest offices not of our State, but of all States, we remember the meeting with

George Bush senior in 1989 at Villa Taverna in Italy, the only magistrate to have been received by the President of the United States, not for formal reasons, but for substantial ones.

So if this is what Cosa Nostra is, its relationship with drug trafficking is somehow different from the relationship with drug trafficking that other organizations have, because drugs are used to accumulate money, but for Cosa Nostra it is a tool to accumulate power and Falcone's method is not to look so much at the crime itself, but to look at the purpose, which is the overall disorganization of the organization, which means that we can rejoice when we seize tonnes of cocaine, but our problem, at these levels, is not the quantity of cocaine we manage to seize, but rather the ability to destroy the network that organized the transport of cocaine from South America to Europe, Italy and Sicily, destroying the entire network.

Or rather: on one side the transport network, on the other the financing network. These are the objectives that in my opinion we must pursue, in the knowledge that they can only be achieved through international cooperation. Mafiosi have always collaborated, on both sides of the Atlantic. Cosa Nostra is still a major player, you only need to look at the channels of communication between the families on both sides of the ocean. Let's consider the channels of communication that even recently the Palermo prosecutor's office has identified with North America and with some enclaves in South America. Let's remember the place where Buscetta was captured, which is the beginning of the true story of the Italian State's opposition to Cosa Nostra.



The model for combating Cosa Nostra is based on coordination and information sharing. Mafiosi are well aware of the central role of cocaine trafficking in restoring their economic and military strength.

This is where we are now: is Cosa Nostra dead?

The answer is certainly no; Cosa Nostra is severely weakened and is suffering a serious backlash from the State. Its structure allows it to survive because it has a history of 170 years. If we look at the Cosa Nostra model and its history, we can learn some things that also concern the other criminal organizations that infest this country. The model for fighting Cosa Nostra is therefore a model based on coordination and sharing that must be offered to all and can be followed by all.

NICOLA GRATTERI

Public Prosecutor at the Court of Naples

The quantum leap of the 'ndrangheta occurred in 1969 with the institution of the dowry of the Saint during an important meeting in Montalto, a hamlet of San Luca near the Marian sanctuary of Polsi. On this occasion, it was established that, with the dowry of the Saint, it is possible to have a double affiliation: a 'ndrangheta boss, thanks to that important dowry, can join a deviated Masonic lodge. Initially, the dowry of the Santa is conferred on thirty-three prominent members of the 'ndrangheta. A significant aspect of this dowry is the rite of poisoning the santista in case of betrayal; if he did not have the courage to do so, the task would fall to another santista.

In the 'ndrangheta, as is well known, there are two societies: the major and the minor. While for the gifts of the minor society the reference Saints were St. Michael Archangel, St. Nunzia, and St. Liberata, with the institution of the Saint, the figures chosen as reference symbols are Mazzini, Garibaldi and

Lamarmora, emblematic figures of the Risorgimento with Masonic ties. Thanks to the Saint, many 'ndranghetists managed to enter the deviated lodges of Freemasonry, where representatives of the institutions were already located: law enforcement officers, magistrates, politicians and members of the ruling class, including businessmen and professionals. Some collaborators of justice revealed that the names of certain magistrates were whispered in the Grand Master's ear, thus remaining known to a few.

Following the Montalto summit, interrupted by a police blitz that led to the arrest of about a hundred bosses and their affiliates, a significant trial was held in Locri in which the unity of the 'ndrangheta was recognised for the first time. However, the following year, in 1970, the Court of Appeal of Reggio Calabria annulled this sentence; at that time, Article 416 bis of the criminal code not yet exist, only Article 416, and the concept of 'ndrangheta was not perceived as unitary. For the next forty years, magistrates, law enforcement agencies, journalists, historians and academics continued to describe the 'ndrangheta as a marginal organisation, often limited to kidnappings. Between 1973 and 1989, some 380 kidnappings were



recorded in Italy, of which only three or four were in Apulia, some were attributable to the Camorra and a few to Sicily; most were the work of the 'ndrangheta. Each seizure yielded about one and a half billion lire, and the 'ndranghetistas, after having built palaces and bought luxury cars - at a time when prevention measures were less developed - found themselves filling entire rooms, houses and underground bins with banknotes, without knowing how to handle them. For the 'ndrangheta, two favourable coincidences mark the beginning of its propensity towards drug trafficking. In the early 1990s, while Cosa Nostra decided to resort to massacres, the 'ndrangheta was in a strategic position to profit from the drug market. I understood the strategy of the 'ndrangheta during a brief conversation with an important boss, arrested after a long fugitive period. He told me: "If courage were blood, the sea would be red." That expression made me realise that many 'ndrangheta clans had decided to keep a low profile not for lack of courage, but as a matter of pure convenience.

With the accumulated proceeds, the 'ndrangheta fits into a context in which Cosa Nostra's war against the State forces the latter to react, sending men and means to Sicily to fight that criminal organisation that had killed many statesmen. In this period, there is a strong demand for cocaine, as the homologation of tastes and consumption in western culture is spreading. The 'ndrangheta, in order to exploit this trend, starts sending dozens of boys, brokers, to Colombia and especially Bolivia, to buy cocaine at the lowest price.

Even today, some organisations sell cocaine to the 'ndrangheta at 1,000 euro per kilogram, while the others pay 1,800 euro. I started investigating this phenomenon in 1989 and, in that year, I was already in Colombia and in Venezuela, while in Italy some magistrates did not understand the importance of drug investigations. Investigations into drug trafficking did not arouse interest, but by following this line of investigation, in seven years drug seizures in Milan decreased by 70%, as did drug-related arrests. Today, we recognise that many supermarkets in the Milan belt are in the hands of the Ionian 'ndrangheta, many public places, entertainment venues frequented by



The future of organized crime is technological. the dark web represents the new frontier. It is essential to develop the technological capacities necessary to counter this evolving threat.

footballers, actors in the centre of Milan are run by the 'ndrangheta. In short, we are paying the effects of that long and guilty underestimation. The same can be said in Europe.

I am reminded of the meetings I had in 1989 and 1990 with the prosecutors of Amsterdam and Rotterdam about the growing presence of the 'ndrangheta in Holland; they were incredulous at the time, but today we can see the presence of three types of mafia: the 'ndrangheta, the Albanian mafia and the 'maffia,' composed of third-generation North Africans who are terrorising the country, not to mention the influence of German groups.

We must necessarily close the gaps that have accumulated over the last ten to twenty years. With regard to investigation teams, the IILA, for example, could invest more in investigations in South America. The DEA is the most powerful drug police in the world, with a dominant presence in Colombia, not only for political reasons, but also due to significant financial investments. I was lucky enough to work in Colombia with the DEA and the local police, which received support from the DEA. The latter invested enormously in Colombia, creating facilities even in dilapidated conditions, where I found police stations equipped with state-of-the-art technology, comparable to what we have, a real leap forward. The generosity of the Americans made it possible to build this infrastructure, allowing the DEA to conduct investigations with the same technological resources as the Colombians.

This difference in approach is fundamental: we are investigators, while they are buyers, and the results speak for themselves. At a meeting in Washington,

with representatives from 16 countries, Italy was the leader, but it is no longer so. As the facts show the Dutch, as well as the French and the Germans, have made significant progress on the technological level, though not on the regulatory level. Italy has always been a leader in investigation techniques; our training courses are attended by foreigners, but today we have lost some of that know-how and we must take note of it and act accordingly. We could replicate the DEA project in Colombia: it would take about 200,000 euro a year to do similar work to the DEA.

Today, it is no longer necessary to travel to Colombia, to Cartagena, Santa Marta or Bogotá, to buy cocaine. The investigations I conducted as a prosecutor in Naples show that the Camorra is one of the most advanced organisations in Italy, together with the 'ndrangheta.

During an interrogation of a collaborator of justice, I witnessed a real lesson in economics, investigative techniques and circularity, topics that few university professors could explain. Basically, it means that I can order 2000 kg of cocaine simply by using my mobile phone, without moving from home. This makes eavesdropping and the use of Trojans even more relevant.

The future of mafias is technological; the dark web represents the new frontier. We must equip ourselves with the technologies necessary to access these networks, otherwise, before long, only the well-known will be arrested.

I would like to share a utopia I wrote about 15 years ago, after one of my trips to Colombia with Professor Nicaso. Marijuana can be grown anywhere, and trying to eradicate the marijuana trade is futile. Heroin is also produced in different parts of the world, and the Taliban, while pretending to fight the drug trade to gain credibility with the Americans, will not change the situation. Synthetic drugs are another matter: anyone from home can order them from Vietnam, India or China. However, cocaine is the only substance that could really be combated.

The UN is a weak body, affecting less than 0.1% of any global issue, while the world is dominated by multinational corporations and states like China and the United States. Cocaine is an issue that affects

not only the Western world, but the entire economy, health and freedom of people; the funds generated by drug trafficking can influence media and shape public opinion, creating huge problems for millions of individuals. If we had strong and authoritative UN with supranational powers, it should go down into the Amazon rainforest and talk directly with the farmers. Crop conversion, attempted 20 years ago, failed not because it was a bad project, but because of corruption and lack of funds. A farmer who cultivates coca does not care what he plants; he simply has to provide for his family. He earns 100 euros for one hectare of coca, while for the same hectare of coffee he only earns 40. He should therefore be offered adequate compensation that allows him to support his family while controlling the cultivation.

The western world spends millions of euros every day in the fight against cocaine, deploying police and judiciary forces and devoting entire working days to discussing the trafficking of this substance. However, states around the world do not invest even 0.01% of these resources in crop conversion, an issue of power and priorities.

Drug traffickers wield such significant influence that they can even influence elections, electing presidents of the Republic. When I met Salvatore Mancuso in the Washington prison, accompanied by the Guardia di Finanza, he told me to bring him the then president, revealing how much money he had given him for his campaign. During the search of his computer, we found the names of 36 parliamentarians who were on his payroll.

If we do not adopt a radically different approach, we will continue to seize only a fraction-no more than 10 per cent-of the cocaine that arrives in Europe.



Cocaine is a problem for the entire economy and for the health of millions of people.

FRANCESCO LO VOI

Public Prosecutor at the Court of Rome

I will try to provide answers to the questions asked during the brief illustration I am about to give, referring first of all to most of the topics that have already been dealt with and explained by colleagues not only from Italy, especially those from Central and South America. But I'd like to start with an article published today in an Italian newspaper that recalled a statement made by Tommaso Buscetta to Giovanni Falcone. The Palermo Prosecutor, Dr Maurizio De Lucia, has just recalled that Tommaso Buscetta had left for Brazil even before he started collaborating, even before he broke off relations with Cosa Nostra for good. In fact, at the time when he was still in contact with the area of the Cosa Nostra to which he referred in particular, he was already in Brazil. During that period Buscetta said to Falcone: 'if you want to fight the Mafia you have to fight and eliminate the drug trade'.

Buscetta denied having any personal involvement in drug trafficking. He realized, being a high-ranking mafioso, that in the 80s the mafia (meaning the one he knew well, Cosa Nostra) couldn't survive without drugs; despite having other forms of income, of dirty money, drugs were already a fundamental element at that time.

All this happened in the 80s, but it is very topical and we have heard it from our foreign colleagues who have spoken over the last few days.

The phenomenon has become so dangerous that it has gone beyond national borders; it is no longer a problem for each individual country, it is a transnational problem, therefore it must be looked at wherever it is tackled, because this is what drugs also mean, in the words of Buscetta, in summary: drugs means money, money means power, power means the ability to strengthen the criminal organization, the ability to strengthen the criminal organization from a military point of view; it means that, referring to what I heard yesterday and today from my colleagues from Central and South America, drugs, money, power



Drugs, money, and power enhance the organization's military and corruptive capacities.

and strengthening the military organization involve infiltrating the public administration. None of our colleagues from other countries failed to mention how drug trafficking and the money that it produces everywhere - I refer in particular, but it is just one among many, to the admirable presentation made by our colleague from Sao Paulo - and everywhere means corruption wherever you look, in various sectors including the judiciary, as our Argentinian colleague explained a little while ago.

I believe that this would be enough, it would be enough to have heard about drugs as a precursor to corruption, about drug trafficking as a creator of corruption, as a creator of infiltration and to definitively close any discussion about possible reforms aimed at reducing the powers to fight against corruption, against drug trafficking and consequently against mafia organizations; because that is what they are concerned with, because Article 416-bis is a fundamental law that in Italy serves to fight mafia organizations.

Gabriel García Márquez in a book published several years ago entitled 'News of a Kidnapping' described a particular story that took place in Colombia in the 80s and 90s, and the 90s, which is largely comparable to what was happening in Italy during those same years in terms of attacks by criminal organizations and drug trafficking; In Colombia, especially at that time, criminal organizations were particularly active, as they still are in reality, based on what we have heard and experienced in our investigations, largely the same as what we experienced in the 1980s: murders of magistrates and journalists, kidnappings not only for the purpose of extortion, but as a form of attack. We also experienced this, we suffered, the sentences say so.



This continues to happen because in Central and South America they continue to kill magistrates, they continue to kill journalists, they continue to attack the State and its institutions in various ways, which can be traced back to the violence to which the criminal organisations that traffic drugs are accustomed. So, to return to this point of the question, what is the situation today?

We have heard about the situation in Calabria, in Palermo, in Naples. Rome is the capital of Italy, in Rome we find a bit of everything, because there is a particular structure of criminal organisations that are mainly involved in making money from drug trafficking. There are episodes of extortion and human trafficking, but more than anything else, there is a presence and they mainly deal with drug trafficking with some form of interaction between the so-called 'traditional' mafias (primarily Cosa Nostra, 'Ndrangheta and Camorra) with another sector, that of the so-called "indigenous" mafias, which originated in the Rome and Lazio area. This territory is quite vast and equally rich, not only

because Rome is the capital of Italy and offers great business opportunities, but also because the rest of the country also allows for significant business for a series of organizations that are not strictly typical, but which adopt, use and exploit the mafia method. All these organizations, having to deal with each other in the best possible way to guarantee the best deals at the beginning, through a system that is as peaceful as possible, operate with a multi-level system in the field of narcotics that starts from the supplies of the large mafia organizations but also, as recent investigations have shown, with direct connections with the large production houses located in Central and South America, as well as through a very complex investment channel recycling system that passes through all the routes that have been illustrated to us, both from southern and northern Europe and from Africa, with an enormous capacity for reinvestment and recycling. That's why it's not infiltration, it's no longer infiltration, but rather occupation of the financial system, of the economic system. Fortunately, in recent years much has been done in the fight against money laundering,

in fact large quantities of goods and productive assets have been seized and confiscated, but unfortunately the phenomenon continues to occur. I'll give a few very brief examples, because all mafia organizations finance themselves through drug trafficking and from this point of view Rome is out of control.

All the bloodshed, the murders, the leg injuries (i.e. wounds deliberately inflicted not to kill but to incapacitate certain opponents) are part of the dynamics linked to drug trafficking. With the co-presence of protagonists, together with Roman drug traffickers, from different organizations, with the presence of Albanian criminal organizations that have become increasingly popular, especially in the Rome-Lazio area, with simple members or even in some cases leaders of some organizational forms, we arrived at situations that truly surprised us, like when we saw criminal groups in which in Rome the Albanians were in charge and the Italians carried out orders and did the manual labour. All of this is linked to the world of drugs with a further aggravating factor that leads me to the final hopes that must always accompany this type of meeting. My final consideration is that I hope it is only a phenomenon, a few episodes, a few connections, a few occasional associations.

Some of the new forms of drug trafficking, new mafias and connections with traditional mafias, are in turn forming links in the Rome and Lazio area with terrorist and extremist organisations of an exclusively national scope, but no less dangerous for this, since the risk of common intentions being created between political extremism and criminal organisations, even if they deal in drug trafficking, can be particularly dangerous. Suffice it to say that in the last two years new proceedings have been brought against over 1,300 people for the crime of belonging to the mafia or for crimes aggravated by the mafia (as we call it), as well as against over 1600

people for drug trafficking. We realise that this alone leads to a very special workload together with the necessity and importance of the constant battle of the Police Force as well as the Judiciary - indeed, if I may say so, it should be extended to the entire population, to all citizens - to continuously update the mapping, the identification of subjects, organisations and places of operation of the various criminal organizations, because it is this mapping that allows us to better direct our action to combat them.

This is what concerns the typically national side, to conclude after the international side, which is what we have been dealing with. We increasingly need to increase judicial and police co-operation for investigations in general, and not only on the purely criminal side, but also, as Prefect Raffaele Grassi reminded us today, to block and prevent reinvestment in other countries affected by this openly transnational phenomenon. We were able to hear how the characteristics of the actions of drug traffickers are substantially the same in all the countries that were present at our meeting, because it is these networks, these overlapping characteristics that have caused the phenomenon to spread even to countries that previously seemed absolutely untouched by phenomena of this type, such as the Netherlands, but which are now heavily involved and affected.

On the other hand, the only way to work is through cooperation networks, as has been mentioned. I remember when the 'European Judicial Network' began at a European level in 1998 and the various networks spread to many parts of the world, to the point where we now talk, as we have been doing recently, of a globalization of cooperation networks. At least a dozen have been mentioned today, including those that enable us to make the best use of the international conventions and instruments that we have and are able to use, such as the joint investigative teams provided for in all the conventions. I believe it is for this reason, that is to say to create a network, to increase the networks to globalize, as John Lucas said today, that 'we are here' and I would add: it is not only for this reason that we are here, but it is also for this reason that we must continue to be here.



Some drug trafficking mafias have established links with extremist and terrorist organizations operating mainly at the national level.

ALFREDO MANTOVANO

Undersecretary of State

Presidency of the Council of Ministers

New drug trafficking scenarios and judicial intervention

I thank the National Anti-Mafia Prosecutor for the invitation. I greet the authorities, and in particular, the magistrates from other countries, who are particularly committed to combating drug trafficking.

1. Since, for various reasons, we speak a common language; let us start with a concrete case. August 2021. In Dubai, Raffaele Imperiale, a Camorra exponent of no lesser importance, is arrested. He is considered to be one of the most influential brokers of international drug trafficking. The investigations leading to his capture reveal the methods he uses to launder the proceeds generated by drug trafficking:

- uses money mules, i.e. people who provide their identity to open current accounts and/or credit cards to which sums from illicit trafficking are credited;
- resort to hawala channels, i.e. money transfers without banking or financial transactions. Strongly rooted in Islamic culture and based on trust, today these channels are used as an alternative remittance route to banking systems;
- opens legal entities in various jurisdictions to provide non-existent services (so-called 'cartiere' companies);
- uses virtual currencies;
- operates investments in real estate;
- buys large quantities of gold, reaching up to 40 kilos per month.

I recount the criminal exploits of Mr. Imperiale because they constitute an interesting profile, synthesized in one person, of the main aspects that characterise the current phenomenon of drug trafficking.

2. The first is that the financial avoidance methods deployed - to carry out transactions along the criminal chain and to launder illicit proceeds - increasingly pollute global economic and financial ecosystems.

There is a well-established overlap between organized crime and economic-financial crime. Giovanni Falcone described it, and pursued it, in a masterly manner. It is a phenomenon that we have been aware of for some time, especially in Northern Italy: it is characterized by the contiguity between the financially strongest mafia groups - because they are transnational managers of drug trafficking - and certain sectors of the national and international legal financial world, aimed at money laundering and reinvestment operations.

The scale of the profits to be reinvested and the massive money laundering activities linked to drug trafficking, realize real distortions of the ordinary market dynamics, even of market sectors that are in themselves unrelated to the drug market, such as the gold market.

That is not all. The economic repercussions of drug trafficking condition the geopolitical balances. It is estimated that Hezbollah, compared to the 10 million dollars a year it received in 2004, today, proceeds no less than 100 million a year from the illicit activities in the so-called Triple Frontier (the area where Brazil, Argentina and Paraguay meet). No particular imagination is required to imagine the kind of use that is made of these sums in the Middle East. A rather clear idea is provided by the operation, the result of collaboration between the US Drug Enforcement Administration (DEA) and the police forces of European states including Italy, which in 2016 led to the arrest of individuals close to Hezbollah and the dismantling of a complex cocaine trafficking and money laundering operation, the proceeds of which, according to the DEA, were intended to forage Hezbollah's military activity in Syria.

3. The activities of the boss Imperiale introduce a second aspect of current drug trafficking: the impact of new technologies - distribution, up to and including money laundering.



There is a well-established convergence between organized crime and economic-financial crime: there is an observable proximity between international drug trafficking operators and sectors of the financial world.

These new technologies have made it possible to create parallel markets to those of 'traditional' drug trafficking: digital markets, where supply and demand meet in retail, thanks in particular to in particular the dark web, cheap, moving money through cryptocurrencies, anonymously, without the intermediation of banking institutions.

One of the truly alarming aspects is the fact that on the so-called 'over-the-counter' web there are numerous companies specialised in import/export, which act as trading platforms for drugs (mainly between China and the rest of the world). The new drugs put on the market by drug traffickers often travel on the distribution routes of legal international couriers, in which the Chinese import-export plays the leading role: illicit online shopping forms have even been detected on easily accessible e-commerce platforms (such as Amazon).

This is a worrying qualitative leap, indicative of the extension of drug trafficking to even low levels of criminal organization - one even encounters simple 'sole proprietorships' -, which are difficult to intercept and counteract at the investigative level.

4. Today, an analysis on drug trafficking cannot ignore what is happening in the field of new synthetic drugs - Fentanyl in the lead - which are revolutionising the geography of trafficking itself.

From the side of the criminal producers, fentanyl and analogues are preferable items to traditional drugs:

they are cheap to produce, can be sold cheaply, are highly addictive, easy to make, thanks to a variety of common chemicals that are readily available, concentrated and therefore convenient to conceal and smuggle.

China has the pre-eminence because synthetic drugs can be processed through chemical production, which is possible in sufficiently large and complex economies. This pre-eminence means that drugs no longer originate exclusively in Latin American or South East Asian nations, such as Venezuela, Mexico, Colombia, Ecuador and Vietnam, which used to base part of their economies on drug trafficking, with local and agricultural production that could be used to synthesize substances to be poured into rich Western markets.

Analyses of major cryptocurrency platforms (Elliptic, TRM and Chainalysis) uncovered more than 90 companies based in China that supply fentanyl precursors. Ninety per cent of these companies accept payments in Bitcoin and Tether cryptocurrencies, facilitating the laundering of billions of dollars. Seventeen of these companies have even publicly offered to supply Fentanyl, despite the Chinese government's ban as of 2019.

Other Chinese companies offer a variety of chemicals, including synthetic opioid precursors, amphetamines and methamphetamines.

From March 2021 to April 2023, the cryptocurrency wallets of these operators - i.e. the electronic payment instruments capable of generating and storing value in cryptocurrency, sending and receiving crypto payments, monitoring the balances of stored values and connecting to the various blockchain networks - received more than \$27 million in thousands of transactions, with the number of payments sent to the addresses shared by the precursor providers increasing by 450 % year-on-year. It is a sum that has enabled the acquisition of additional precursors, to produce Fentanyl, with an estimated value of USD 54 billion. In particular, Chainalysis identified cryptocurrency addresses linked to Chinese sellers of Fentanyl precursors, who received more than \$37.8 million in 2018.

Artificial Intelligence also plays a key role in the field of new drugs. The latter is exploited not only by Chinese laboratories, to identify new chemical synthesis processes, but also by neophytes, to easily acquire the notions useful in the chemical processing of substances from legally acquired products and tools.

5. All these changes also have an impact on methods of counter-narcotics trafficking. Technological developments have reduced the effectiveness of some traditional investigative techniques, such as that of the classic undercover agent, infiltrating the drug market at several levels. Today, the 'undercover' action remains, but makes use of digital storage systems that provide access to cryptocurrencies (so-called digital 'wallets'): by exploiting the peculiar characteristics of the cryptocurrency market and technology, it is possible to discreetly and silently observe and analyse the evolution of markets and the connection between the cyber and kinetic worlds.

The monitoring of payment methods (in cryptocurrency) is also essential to intercept the transactions - often of small amounts - with which the chemical precursors necessary to synthesize the opioid are purchased, often distributed by highly differentiated channels, which are difficult to capture. Operational observation of payment methods and supply shipments can make it possible to profile patterns of abnormal behaviour and thus better target repressive action.

6. Gilbert K. Chesterton, in one of the stories about Father Brown, has his priest/detective say: "Men manage to maintain a kind of average level in good, but no one has ever managed to remain on an average level in evil. It is a road that goes downhill all the time". This maxim holds true when applied to drugs. Not only because the use of drugs, even those mistakenly still called 'soft', places the user on an 'inclined plane' that pushes him or her towards taking new and more harmful substances.





A collective societal effort is needed to address the cultural dimensions of drug use.

But also because around every person who for a thousand reasons approaches drugs, even for a minimal quantity, a much more articulated mechanism moves, which is fed at every step of the chain. The profits of the large organization, engaged in large-scale trafficking, are only achieved if someone lends themselves to the sale of individual doses.

Moreover, the fact that drug trafficking is not going through a crisis is borne out by all the main indicators: the total quantity of drugs seized is growing; the number of reports forwarded to the public prosecutor's office relating to the production, trafficking and illegal possession of drugs is increasing, as is the number of persons arrested or reported at large in this area. And the number of criminal 'cartels' that manage to carve out an important role for themselves in global drug trafficking is growing: among these, the important role taken on in recent years by Albanian criminal groups, which have reached levels of specialisation and versatility - they are well established in the markets for marijuana, cocaine and synthetic drugs (such as MDMA, i.e. ecstasy, and methamphetamine) - and are proving to be fully reliable on the world crime market. Albanian criminal gangs are also well established in South America, where they manage a not insignificant part of the drug shipments to Europe; they exploit the geographical position of their country as a 'bridge' for the South American cocaine trafficking routes to Central Asia and the Middle East.

Let me propose an analogy with the successful fight against tobacco smuggling in Italy. In the 1990s, the entire cigarette smuggling chain represented a security risk, since the criminal organizations involved counted on logistical bases within individual states, on financing and investment channels that moved huge financial resources, on veritable 'armies' on the territory, which in some Italian regions had come to use armoured vehicles and radar to manage

movements, on deadly weapons that claimed victims among the police forces⁴. The response in terms of regulatory adjustment, while it hit the leaders and members of the criminal associations whose object was tobacco smuggling, the means they used and the proceeds, did not neglect to extend the fight to street sales, in order to deprive the large traffic of widespread circulation.

Following this logic, Law No. 92 of 19 March 2001 was approved by a unanimous vote, introducing criminal offences also for the possession of t.l.e. in limited quantities (Article 291 bis of Presidential Decree No. 43 of 23 January 1973). It was a winning choice, which the Italian Parliament unreservedly endorsed, and which led in a short time, together with the intensification of police counter-action, to the defeat of that type of criminal aggression; once the emergency was over, with legislative decree No. 8 of 15 January 2006 the offence mentioned above - Article 291 bis of Presidential Decree No. 43/1973 - was decriminalized and replaced by an administrative sanction of between €5,000 and €50,000. It is hard to see why for drugs, the effects of which are on average more harmful than tobacco, an opposite path should be followed, with a continuing emergency.

In addition, in this sense a reflection should be made (this is not the place) on the sale in commercial establishments, or online, of cannabis derivatives. With respect to which I recall that Law No. 242 of 2 December 2016, Dispositions for the promotion of the cultivation and agro-industrial chain of hemp, following which cannabis shops have been opened throughout Italy, with extensive advertising of the products they offer, would leave no uncertainty: art. 1 circumscribes the promotion of hemp cultivation "to the cultivation and processing", to the exploitation of "research results", "to the production of foodstuffs, cosmetics, biodegradable raw materials and innovative semi-finished products for industries in various sectors", but not to the sale of cannabis derivatives, in particular its inflorescences.

So much so that it allows the judicial authorities to order the seizure and destruction of the hemp grown if the percentage of active ingredient - THC - found in

⁴ Cf. Alfredo Mantovano, *Miliardi in fumo. Le multinazionali del contrabbando, le reti criminali, il contrasto, la prevenzione*, with an introduction by Piero Luigi Vigna, Manni ed. 2001.

the average of samples taken during a police check exceeds the limit of 0.2. The law adds that the farmer who has complied with the prescriptions given for cultivation suffers no penalty, provided that the THC does not exceed the 0.6 per cent limit.

It is singular that an activity qualified as criminally illicit, namely the sale of cannabis derivatives by businesses started on the assumption of the contrary, continues to take place in a generally undisturbed manner, endorsing in fact the conviction of its lawfulness. On this, in confrontation with the judiciary and respecting the clear decisions of the court of legitimacy, we must be clear, following the same logic that has led to strong restrictions on smuggling.

7. As a government, we are following the path of first enforcing existing regulations. We are doing this for example in the face of the Fentanyl challenge. We have not taken refuge in the automatism of increasing penalties: we have put in place an all-round operational model. We have detailed an Action Plan with indications both on prevention activities and on the management of a possible emergency, with the provision of a constant exchange of information between the competent Ministries, the National Anti-Drug Department, the Police Forces, intelligence and the Customs Agency.

The government is also working on the issue of combating the illicit use of cryptocurrencies: we are examining it in various fora, including international ones, including the G7. A few days ago the topic was dealt with at the first meeting of the G7 Working Group on Cybersecurity - set up this year by Italy -, and it is at the attention of the G7 Finance Ministers, who are meeting in Stresa.

However, any effort is doomed to failure if we, as a society as a whole, do not take on the cultural problem of drugs. More than fifty years ago, an Italian writer, Pier Paolo Pasolini - certainly not a prohibitionist - was alarmed by how drugs had ceased to be a phenomenon essentially concerning a few elites - artists in search of inspiration - and had become a mass phenomenon; he defined this phenomenon

as a 'cultural vacuum', understood not as a lack of 'erudition', but as a loss of principles and horizons, in the face of life's challenges.

The dramatic images coming from the United States - women and men, many young, hunched over themselves or slumped to the ground, rendered absent by the intake of Fentanyl - tell of a phenomenon that was not born by chance, but is a consequence of 'cultures' and distorted conceptions of freedom in vogue since the 1960s. Nor is it by chance that the tragedy takes on even pandemic proportions precisely in those States that have been experiencing the damage of legalisation for a few years now.

The Italian government's commitment against drugs - all drugs - does not translate into increased repression. It starts from the conviction that one cannot remain silent in the face of the 'nothingness' from which hundreds of thousands of young people escape with the use of drugs, and in the face of the denial of the demand for hope and meaning that makes human life, passionate and curious about reality.

In his *No Country for Old Men*, Cormac McCarthy has one of his characters say, 'if you were Satan and thinking about how to bring the human race to its knees, it is likely that drugs would come to mind'.

The anniversary of Giovanni Falcone's tragic death is an opportunity, thanks also to the concerted effort against drug trafficking that has emerged during this day's proceedings, to recall that the fight against drugs serves to make every man and woman stand up straight, upright and free.

New global criminal geopolitics and the response of judicial and security diplomacy

Giovanni Tartaglia Polcini Deputy Director El Paccto 2.0

1. Transnational organized crime is undergoing a period of profound transformation, increasingly emerging as a growing threat on a global scale. Substantial and compelling evidence points to the existence of genuine intercontinental networks that already operate as unified actors, both strategically and operationally—from the conception to the execution and management of drug trafficking, human trafficking and smuggling, as well as illicit financial flows and money laundering.

2. This shift in how mafias and cartels operate is undoubtedly facilitated by a gradual convergence of standards and operational models emerging across their countries of origin. These criminal organizations increasingly display common patterns of territorial presence, acting not only through threats and violence, but also by infiltrating the weak points and inefficiencies within institutions, societies, and markets.

3. Judicial multilateralism, strongly promoted by Italy, has promptly recognized the significance of this threat, adopting important normative frameworks. In 2021, under the Italian Presidency, the G20 endorsed a set of High-Level Principles on Combating Corruption Related to Organized Crime (1). The United Nations embraced the same approach through a landmark resolution adopted in December 2023 during the Conference of the States Parties to the UN Convention against Corruption (2). The European Union, in turn, has shaped its partnership strategy on justice and security with Latin America and the Caribbean through an Action Programme to counter transnational organized crime, which reflects the new holistic vision through international coordination and support to judicial authorities (3).

4. Within the framework of the European Programme EL PACCTO 2.0, in collaboration with the Italian initiative Falcone Borsellino, coordination meetings have already been held among magistrates from dozens of countries, with the aim of fostering the necessary shift in approach at a time marked by the intensification and acceleration of the threat posed by transnational organized crime. The National Anti-Mafia and Counter-Terrorism Prosecutor of the Italian Republic has played an active institutional role in supporting this process, which has already borne significant fruit during and as a result of the events held in Palermo on 23-24 May 2024 and in Foz do Iguaçu, Brazil, in September 2024 (4). Further multi-jurisdictional operational meetings will follow in 2025, in Amsterdam (5) and once again in Palermo (6), as part of a clear and structured strategy toward a new *modus operandi* in judicial cooperation against organized crime – a strategy enabled and strengthened by legal diplomacy.

5. Mafias and cartels exploit three main channels of infiltration: corruption, as a means of penetrating public administration; money laundering, to gain control over entire economic sectors and markets; and the prison system, which they infiltrate with the aim of exercising influence and control. The dysfunction of penitentiary systems, in particular, not only gives rise to what are often referred to as “universities of crime” – where proselytism, recruitment, radicalization, and training take place – but also undermines the credibility of custodial sanctions in many national contexts. These are recurring patterns: the differences among national contexts in the way organized crime manifests itself through these parallel mechanisms are, in fact, merely residual or circumstantial in nature.

6. It is equally crucial to grasp the diachronic nature of the phenomenon: developments that emerge in one country decades in advance tend to materialize elsewhere across the globe over time.

This converging trajectory allows mafias and cartels to transcend national borders with ease, turning frontiers not into obstacles, but into channels for

ongoing exchange. They manage major illicit flows much like multinational corporations would – with global ambitions and complex logistical structures.

The existence of genuine intercontinental criminal networks can already be asserted and demonstrated: high-profile arrests overseas of fugitives shielded by groups seemingly unconnected to their countries of origin; the composition of prison populations; the laundering of massive illicit capital on the other side of the world; trafficking routes and operating methods; the staggering scale of human trafficking; and the record seizures of narcotics are all clear indicators that the landscape of global criminal geopolitics has fundamentally shifted.

The proven access of transnational criminal organizations to the most advanced technologies, online communication infrastructures, and the dark web exponentially increases their level of threat and operational capacity.

7. It is for all these reasons that a change in approach is imperative. Studying and understanding the posture of a cartel operating overseas, or of a criminal group originating thousands of kilometers away from a European judicial or law enforcement office, is now a strategic necessity – no longer a matter that can be postponed. A new investigative mindset must be fostered – one that responds to this emerging threat

with a renewed culture of cooperation. It is essential to respond to this challenge blow by blow, questioning outdated paradigms and moving beyond tools that, while once effective, were designed to address threats of a different time.

Italy and its institutions have an irreplaceable role to play in this strategic, conceptual, and operational context. Legal diplomacy and Italy's long-standing experience in the fight against organized crime have produced a mature, forward-looking, and pragmatic vision – one that must now be fully leveraged on the international and global stage. In this crucial phase of response, only international and global coordination of investigations can provide an effective answer.

This experience has proven to be extremely valuable in fostering relations with Latin America and the Caribbean, and it can readily be extended to other regions of the globe – beginning with the Balkans and Eastern Europe, and reaching the wider Mediterranean and Africa.

With this perspective and these objectives in mind, the European regional programme to combat transnational organized crime in Latin America and the Caribbean has sought to compile the proceedings of the historic meeting held in Palermo on 23-24 May 2024, in order to provide an initial knowledge base for those who were unable to attend in person.



EL PACCTO 2.0



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ASSET-BASED APPROACH TO COUNTERING DRUG TRAFFICKING

STUDY AND COORDINATION MEETINGS IN HONOUR
OF GIOVANNI FALCONE



Giovanni Tartaglia Polcini
Deputy Director El Paccto 2.0

Powerful transnational criminal organizations with intercontinental operations represent a global threat. They determine the quantity of drug production (as well as illegal migration flows, for example) the routes, the storage places, the consumer markets. They do business with each other. They are networked; they have taken advantage of globalization and digitalization and are even developing a real narco-culture, which tends to distort the very narrative on the values of our society. In concrete terms, drug trafficking has united mafias from all over the world. It favors, for example, the escape of the most important fugitives. It procures their escape from prisons. It launders the enormous capital produced by this vile trafficking and commerce. It corrupts and strikes at the heart of States.

Cocaine production has increased.
New drugs present new threats.

Decades after the adoption of the Vienna and Palermo Conventions, the results of judicial cooperation led to broader reflection, and it is therefore legitimate to ask if and what can be done. Traditional investigative techniques are not enough. More needs to be done.

This is precisely what brings us together in Palermo and serves as a driving force behind the European Programme against Transnational Organized Crime. His vision in this specific domain constitutes the core of our model.



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