



**PARLIAMENTARY ASSEMBLY OF THE MEDITERRANEAN**  
**ASSEMBLEE PARLEMENTAIRE DE LA MEDITERRANEE**  
الجمعية البرلمانية للبحر الأبيض المتوسط

**REPORT ON ORGANISED CRIME IN THE MEDITERRANEAN AREA**

**Speech by Hon. Angela Napoli (Italy)**

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**Cairo, Egypt**

Our globalised world is seeing new opportunities unfold for criminal groups, which are becoming increasingly organised and are extending their influence and interests in all directions.

Organised crime groups carry out illegal activities with a view to accumulating wealth and acquiring positions of power. Such criminal organisations violate rights and hinder their recognition, offer the chance to make easy money, obtain powerful positions and satisfy unmet rights/requirements, such as that of emigration, through illegal means. All this explains the ever-growing proliferation and power of such organisations in the context of globalisation, a phenomenon that is both an engine of integration in countries with a strong economy able to withstand free market competition, and one of exclusion for those others where criminal and illegal activity is able to flourish unfettered.

The Mediterranean is an area of both integration and exclusion, encompassing very diverse countries with vast economic, cultural, political and religious differences. Criminal organisations here have interests that transcend regional boundaries and national differences.

The illegal activities of these criminal organisations range from illegal immigration to human trafficking, from involvement in drugs and arms trading to that of radioactive and nuclear matter, from counterfeit good smuggling to money laundering.

**Italy's** longstanding criminal organisations are: **cosa nostra** in Sicily, **'ndrangheta** in Calabria, **camorra** in Campania and **sacra corona** in Apulia.

While **Apulia's organised crime** is characterised by a lesser degree of violence due to a lack of concerted coordination between its various factions, the **'ndrangheta** has become Italy's most modern and fierce criminal organisation. This is due to its ability to infiltrate economic activity and influence local administration, particularly where procurement contracts are concerned, as well as its skill in laundering funds obtained through illegal activities. The **'ndrangheta** is heavily involved in international cocaine trafficking, which has allowed it to thrive economically and extend its influence overseas, thus reigning over other criminal organisations.

Sicily's **cosa nostra**, recently hit by an effective police clampdown, is now regrouping, making it harder to identify its current leaders. It is worth noting the Sicilian mafia's interest in drug trafficking, developed alongside similar organisations such as the 'ndrangheta in particular.

Campania's **camorra** is characterised by scattered, numerous groups across its territory. New criminal offshoots often clash with old groups, many of which are struggling in the aftermath of their bosses' imprisonment. Investigations have revealed operational ties between the camorra, the Calabrian mafia and Sicilian families in certain dealings. Over the last few years, connections with Nigerian, Albanian and North African groups have also been observed. Camorra contacts with Albanian and North African groups in the Caserta region have led to tension spilling over into acts of intimidation and brutal repression (most notably exemplified by events in Castelvoturno on 18 September 2008 that resulted in the death of 6 African citizens).

**Italy** has witnessed the growth and permanent settlement of **foreign mafia** groups over the past few years, thus known because their criminal activities constitute a concrete threat to society, and their approach is similar to that of the traditional Italian mafia.

Clearly, on this occasion, I will only be referring to foreign mafia groups from the Mediterranean area.

**Albanian criminal organisations** are the ones that have most invaded Italy from abroad, and are present in many regions, including Apulia, Calabria, Sicily, Campania, Lazio and Lombardy. They are involved in trafficking human beings for prostitution, trafficking drugs such as heroin and marijuana and trafficking modern weaponry and explosives. As far as drug trafficking is concerned, there are undisputed ties with Italian organised crime. Various investigations have shown that Albanian criminal groups work alongside their Calabrian counterparts, creating an operational unit of sorts reminiscent of that which temporarily existed between businesses.

Albanian criminal groups have an impressive ability to break into drugs markets in Europe, the USA and Canada. They are also heavily involved in trading paracetamol and caffeine to cut with heroin, having created their own labs to chemically process these substances.

Women are working their way up in Albanian criminal groups, and can now be found in top management positions. Albanian criminal organisations tend to launder and re-use substantial sums originating from illegal activity in Albania and, to a lesser degree, Italy, by purchasing numerous homes and businesses. Capital is sent to Albania either through money transfers or through veritable '**money mules**', chosen as couriers by the traffickers themselves. These couriers tend to be persons without previous convictions, with a residence permit and a job, undoubtedly making it easier for them to blend in.

**North African organised crime** continues to make steady headway in Italy. Initially, criminal organisations made up of Moroccans, Algerians and Tunisians kept a relatively low profile in Italy and limited their activities to drug-dealing. However, they have since gone on to become involved in decision-making, as shown by the fact that criminal groups from Morocco (the world's leading cannabis producer) are increasingly producing drugs in their own country of origin. In Italy, North African criminal organisations are also involved in illegal immigration and human trafficking for prostitution, as well as in producing counterfeit IDs. Here too, links have emerged between North African groups and Italian criminal organisations, particularly the Sicilian mafia and the 'ndrangheta, with regard to drug trafficking, as well as connections with Albanian groups in drug dealing. However, some trafficking continues to be handled autonomously. It has recently emerged

that North African criminal groups have been re-investing earnings from illegal activities, both in Italy and their countries of origin, in legal activities such as butchers, internet points, phone centres and ethnic shops.

It is therefore apparent that Italy and other Mediterranean countries increasingly need to fight crime that is multiethnic in nature and encompasses a vast array of different illegal activities over an area that transcends national boundaries, crime characterised by different structures and a plethora of organisations.

Groups from different countries exploit weaknesses in international law to actively cooperate, if not work in synergy with one another, pooling their particular skills and corruptive capacities for illegal ends.

**Drug trafficking** is the most lucrative activity for all **mafia** groups, so new ‘routes’ must be identified and curbed, given that criminals have already identified these in order to guarantee supplies for rich European markets. To take the example of **cocaine**, as well as the traditional route from South America to Europe, the African route is also emerging, wherein large shipments of cocaine cross the Atlantic Ocean and the Gulf of Guinea before reaching West Africa. From here, the drugs continue on-land to reach the African coasts of the Mediterranean, namely Morocco, Algeria, Libya and Tunisia, before making their way over to Europe on fishing boats.

Bearing this in mind, patrolling the Mediterranean sea will play a very important role. Italy, through its Central Directorate for Anti-Drug Services, is spearheading and actively participating in key international cooperation initiatives. MAOC-N (Maritime Analysis and Operations Centre – Narcotics), for example, with France, Ireland, Holland, Portugal, the UK and Spain, as well as a project to improve intelligence systems in the Western Mediterranean basin, alongside France and Spain.

Any list of drug trafficking routes cannot fail to mention that connected to one of the most widely used drugs, namely cannabis resin, or **hashish**. Despite a progressive reduction in cannabis plantations, Morocco continues to be the leading producer of hashish. The main route for reaching European and non-European markets continues to be that of the Iberian Peninsula, particularly Spain. However, recently an additional route has emerged, traced by ships from Algerian, Libyan and Tunisian ports, thanks also to the lack of checks in place. Here, local criminal organisations handle ever-increasing quantities of the drug coming from Morocco and heading for EU member states, with Italy, Spain and France topping the list of destinations.

These routes are therefore closely connected to variations in the production of the drugs they are used for, and are undergoing huge changes all geared towards increasing trafficking and earnings for individual criminal organisations.

In this context, Italy – geographically located at the heart of the Mediterranean, and an easy access point both by land and by sea – is particularly appealing to criminal organisations involved in drug trafficking.

There also exists a connection between **immigration and crime**. The mass influx of immigrants from countries with poor living standards are targeted by criminal groups, who involve them in criminal activities ranging from drug trafficking to drug dealing, the smuggling and sale of cigarettes, bonded labour and prostitution.

Faced with the disruptive development of such phenomena and criminal organisations that so ably interact and intertwine, our response must rise to the challenge and transcend any national boundaries to harmoniously combine with each individual country's approach. Corruption, organised crime and illegal immigration must be countered in order for the Mediterranean area to develop in coexistence and cooperation.

An initial response comes in the form of bilateral and multilateral agreements that must not only be ratified by national Parliaments, but also be implemented and respected.

I would like to list the bilateral agreements already in force between Italy and other Mediterranean countries regarding the fight against crime:

**Italy – Spain cooperation agreement** (03.06.1986) against drugs.

**Greece – Italy cooperation agreement** (23.09.1986) against terrorism, organised crime and drug trafficking.

**France – Italy agreement** (13.10.1986) regarding the creation of a cooperation committee to fight terrorism, organised crime and drug trafficking.

**Spain – Italy cooperation agreement** (12.05.1987) against terrorism and organised crime.

**Bulgaria – Italy cooperation agreement** (08.12.1989) against drug trafficking.

**Malta – Italy cooperation agreement** (28.02.1991) against drug trafficking and organised crime.

**Italy – Croatia cooperation agreement** (28.05.1993) against drug trafficking and organised crime.

**Italy – Slovenia cooperation agreement** (28.05.1993) between Interior Ministers against drug trafficking and organised crime.

**Italy – Turkey cooperation agreement** (22.09.1998) against terrorism, organised crime, money laundering, drug trafficking and human trafficking.

**Italy – Bulgaria cooperation agreement** (12.04.1999) against organised crime.

**Algeria – Italy cooperation agreement** (22.11.1999) against terrorism, organised crime, drug trafficking and illegal immigration.

**Italy – Libya cooperation agreement** (13.12. 2000) against terrorism, organised crime, drug trafficking and illegal immigration.

**Syria – Italy cooperation agreement** (03.01.2001) against organised crime, drug trafficking and money laundering.

**Bosnia and Herzegovina – Italy cooperation agreement** (28.01.2002) against organised crime.

**Cyprus – Italy cooperation agreement** (28.06.2002) against organised crime and other forms of crime.

**Tunisia – Italy cooperation agreement** (13.12.2003) against crime.

**Albania – Italy cooperation agreement** (19.06.2007) against crime.

Cooperation on security in the Mediterranean today embraces many more areas than it did previously, reflecting the conceptual ‘extension’ of security that academics have clearly illustrated in the past few decades. Cooperation processes in the Mediterranean are supported by both government and private entities, but it is the government that maintains a dominant role in the field of security.

The **final Declaration** issued at the **Barcelona Euro-Mediterranean Ministerial Conference**, held on 27 and 28 November 1995 and signed by EU member states, Morocco, Algeria, Tunisia, Egypt, Israel, the Palestinian Authority, Jordan, Lebanon, Syria, Malta, Cyprus and Turkey, is particularly noteworthy. This declaration established a multilateral framework that brought together economic and security issues. I am a staunch supporter of this declaration, particularly in terms of its desire to overcome the classical bilateral approach that had characterised Euro-Mediterranean relations for so long, giving them a new dimension based on global cooperation and solidarity. There emerges a multilateral, enduring spirit of partnership, which respects the specificity of each participant and complements the consolidation of bilateral relations. Clearly, in this context, we must highlight those aspects of the Barcelona Declaration related to the fight against terrorism and organised crime, as well as the scourge of drugs in its diverse forms.

Italy is endowed with extensive and valid **antimafia regulations**. I will try to outline their key aspects which, particularly from the early 80s onwards, marked a new understanding of how best to combat this phenomenon, namely through *wealth clampdowns, specific regulations, coordinated investigations, anti money laundering measures* and *incentives for informers*.

The first significant antimafia law was the **Rognoni – La Torre Law n. 646 of 1982** which includes wealth-related clampdown measures such as the **confiscation of illegal assets**. This sought to act as a deterrent, given the reasonable assumption that the possibility of losing illegally acquired wealth could deter criminals from pursuing the illegal activities that would produce it in the first place.

Nevertheless, the introduction of such measures was not immediately accompanied by legislation to counter the laundering of mafia money. It was only in **1990** that **money laundering** officially became a crime, due to a previous lack of awareness that the substantial funds acquired and then funnelled into legal activities was to become the main problem regarding large criminal organisations, and that measures to combat money laundering needed to play a leading role in combating the mafia.

The aforementioned Rognoni – La Torre law also introduced article **416 bis** into the criminal code, defining involvement in mafia organisations as based on intimidation tactics and aimed at committing crimes, acquiring and managing businesses, tenders and public services, or gaining unfair profits and advantages.

A keystone in the fight against the mafia’s political connections was law n. **55 of 1990**, which provided for municipal and provincial councils to be dissolved in cases where direct or indirect links between administrators and organised crime networks are identified, or in cases where administrators are found to be influenced by said networks. In the same vein, law n. **16 of 1992**

prevents any local council employee taken to court or sentenced for mafia-related crimes from standing as an election candidate, and suspends said individual from employment.

**The tragic events of 1992**, which saw the death of Judges Falcone and Borsellino, led the Italian state to adopt a more efficient and targeted approach to criminal investigations. This in turn led to changes regarding pre-trial custody, preliminary investigations, gathering of evidence and imprisonment. A number of specific decree-laws were therefore adopted in relation to mafia, which was no longer considered an occasional phenomenon but rather a permanently established criminal organisation. **Tougher prison measures** were adopted regarding **criminals** held for mafia involvement, as well as protection measures for **informers** collaborating with the law and **witnesses** testifying against them.

In **1991**, responding to the **need for mafia investigations to be specialized and coordinated**, an **Antimafia Investigation Directorate (D.I.A.** in Italian) and a **National Antimafia Directorate (D.N.A.** in Italian) were set up. The former is responsible for preventing the potential development of mafia-related organised crime and ensuring the coordination of preventive investigations. The latter, affiliated to the Public Prosecution Office of the Supreme Court, is responsible for the nationwide coordination of organised crime investigations. **Antimafia District Directorates (D.D.A.** in Italian) have also been established in the Courts of regional capitals.

In **1991**, the first specific **anti money laundering** provision was introduced (Decree-Law n. 143/91), borne of the realisation that the mafia used (and continues to use) legal channels – particularly in banking, finance and stock markets – to launder illegally-acquired funds. This provision made cash transfers subject to stringent registration and identification requirements, limited the use of cash and bonds and introduced specific obligations for financial operators to signal any suspect activity.

**Antimafia legislation** issued post-1992 was no longer fuelled by a sense of urgency, and was therefore able to **improve, stabilize and integrate existing laws**. Thus measures to protect the economy from mafia infiltration were perfected, **clampdowns on mafia assets** were consolidated by **enhancing confiscation and anti money laundering** measures, **article 41 bis** was introduced into the criminal code to guarantee that mafia bosses be kept in isolation, and specific procedural and substantive measures were adopted to protect **informers**.

Law n. **328/1993** ratifying and enforcing the **Convention on laundering, search, seizure and confiscation of the proceeds from crime** (Strasbourg, 8 November 1990) is also of central importance. In an age of globalised markets, the transnational dimension of the money laundering phenomenon cannot be ignored. While multinationals seek the most convenient legal and fiscal context for their capital, so too criminal organisations shift their capital in search of areas with weaker prevention and repression measures. The Internet has particularly contributed to the creation of tools that just a few years ago would have been inconceivable and that now allow funds to be hidden and transferred in partial, if not complete, anonymity. The transnational nature of money laundering seems to have hugely benefited the world of organised crime.

The growing importance of fine-tuning investigative techniques and international cooperation is therefore apparent.

**Transnational crime** has also constituted a topic of reflection for the UN. Its **Convention and Protocols against transnational organised crime**, adopted on 15 November 2000 and 15 May

2001 respectively, introduced what has been described as the first global legal tool to combat this phenomenon.

In terms of different sources of income for criminal organisations, the amended regulation on the **smuggling of tobacco products** is also worth noting, which has transnational implications when foreign tobacco is involved.

Specific measures to combat organised crime were recently introduced by **Decree-Law n. 92 (23 May 2008): Urgent public security measures**, which introduced tougher sanctions for mafia involvement. Measures were extended to include **foreign organisations**, whose intimidation tactics and goals reflect those of mafia organisations.

One of the Houses of the Italian Parliament has already approved a new **security bill** which strengthens the competences of **District Courts** and the **Antimafia Investigation Directorate** in terms of prevention measures. It also modifies disciplinary proceedings regarding the **seizure of mafia assets and property**, and strengthens the implementation of the **special prison scheme** for individuals such as terrorists and mafiosi considered a particular threat to society.

Finally, I cannot but mention Italy's **Parliamentary Committee of inquiry into the mafia phenomenon and other criminal associations, including foreign ones**. This Committee, first created in 1965, is renewed by an establishing law at the beginning of each new Parliament. It is made up of 25 Deputies and 25 Senators, and its tasks include:

a) verifying the implementation of legislation and provide Parliament with policy-setting on matters pertaining to the mafia and other main criminal organisations;

b) ensuring the adequacy of relevant regulations and responses; formulating regulatory and administrative proposals to coordinate and strengthen national, regional and local initiatives; enhancing existing agreements on crime prevention, legal assistance and judiciary cooperation also with a view to establish an antimafia legal space at EU level and promoting international agreements;

c) assessing changes in the mafia phenomenon and its connections, including institutional ones, with particular focus on new areas of permanent infiltration, other than the traditional ones, characterised by a strong productive economy, and on international cooperation with other criminal organisations to establish new forms of illegal activity targeting people, the environment, wealth, intellectual property rights and national security, particularly through the exploitation of illegal immigration flows; better understanding the economic, social and cultural characteristics of criminal organisations' areas of origin and development;

d) protecting procurement contracts and public works from mafia influence; combating wealth, investments and money laundering connected to criminal activities.

International crime is a deeply concerning phenomenon which inevitably involves Mediterranean countries, given the role the Mediterranean area plays in globalisation.

The first **Committee of the Parliamentary Assembly of the Mediterranean** must examine the situation and put initiatives to fight against organised crime before Member States.

First of all, I would like to see an **Observatory on organised crime** established within the PAM to gather useful information, produce up-to-date analyses of current trends and offer concrete guidance on possible responses. This could act as an **information network**, spread throughout the Euro-Mediterranean area and connected to other international bodies.

We should then seek to:

- Coordinate national legislation and promote mutual cooperation between Mediterranean countries;
- identify shared regulatory definitions, such as for example *transnational organised crime group, criminal gain, serious crime, seizure and confiscation*;
- outline those specific indictable cases for all countries, such as **involvement in an organised crime group** and **money laundering**, harmonising sentences imposed, and specifying that legal persons are also answerable to such crimes;
- strengthen **legal tools** and **improve cooperation** between countries in order to efficiently combat national and transnational criminal organisations;
- introduce **legal cooperation** mechanisms, for instance regarding the transfer of rulings, extradition, the seizure and confiscation of crime-related assets;
- identify prevention measures and specialised training methods for **staff working in this field**;
- define **money laundering** of illegally-acquired funds;
- enhance and coordinate **border controls**;
- urge Parliaments of the Mediterranean countries to establish, each, a **Parliamentary Committee of inquiry into national and transnational organised crime**.