

Conceptual Framework of International Organized Crime



Mandeep Kaur

Research Scholar,
Deptt. of Political Science,
Punjabi University,
Patiala, Punjab

Abstract

The study of conceptual framework of international organized crime is most important for society. International organized crime poses a significant and growing menace to national and international security, with terrible implications for public safety, public health, democratic institutions, and economic stability across the globe. It is not confined to the boundaries of any one country and has become an international problem. The study of organized crime, particularly in the form of racketeering, drug trafficking, illicit trafficking of firearms, gambling and white collar crime, reveals more clearly than does the study of individual crime that the problem is rooted in the general culture of which we are all a part. The Purpose of research paper is to understand the concept of international organized crime. The paper examines the structure and criminal activities of international organized crime.

Keywords: International Organized Crime, Criminal Activities.

Introduction

Organized crime refers to criminal activities which involve large numbers of people and are organized and controlled by a small group. It is any enterprise or group of persons engaged in a continuing illegal activity which has as its primary purpose the generation of profits. Beside the main activities being illegal under various state and federal laws, there are also laws which deal with money laundering from organized crime activities. Several organized crime operations have profitable legal businesses, such as licensed gambling, building construction, or trash hauling which operate alongside and provide "cover" for the illegal businesses. Organized crime resembles those economic adventures or enterprises which are organized to carry on illegal activities. The purpose of such activities is to amass huge profits through illegal means. The largest share of the profit, however, goes to the manager and kingpin of the entire immoral enterprise, e.g., prostitution, smuggling, bootlegging, gambling, racketeering etc.¹ Federal Bureau of Investigation Definition: "Any group having some manner of formalized structure whose primary objective is to obtain money through illegal activities. Such groups maintain their position through the use or threat of violence, corrupt public officials, graft or extortion and generally have a significant impact on the people in their locals or region or country as a whole. One major crime group epitomizes this definition— La Cosa Nostra".² According to National Crime Agency: "Organised crime can be defined as serious crime planned, coordinated and conducted by people working together on a continuing basis. Their motivation is often, but not always, financial gain. Organised criminals working together for a particular criminal activity or activities are called an organised crime group". Organized crime refers to those self-perpetuating associations of individuals who operate internationally for the purpose of obtaining power; influence commercially gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption or violence. It is a category of international, national or local grouping enterprises run by criminals who intend to engage in illegal activity, most commonly for money and profit.

Aim of The Study

The aim of the study is to understand the concept of international organized crime, examine the various criminal activities of international organized crime.

Review of Literature

Gennaro F. Vito, Jeffrey R. Maahs, Ronald M. Holmes, in their book "Criminology: Theory, Research and Policy" (Sudbury, Massachusetts: Jones and Bartlett, 2007) describes the characteristics of organized crime groups in the United States and identify the different

Remarking An Analisation

theories of organized crime. This book also focuses on two such organized crime groups. The First, the Sicilian Mafia, become a model for others to follow. The second, Russian organized crime, depicts how the Sicilian model has been modified to fit the expanding of new organized crime.

Klaus Von Lampe in his book "Organized Crime: Analyzing Illegal Activities, Criminal Structures, and Extra-legal Governance" (Log Angeles: Sage Publications, 2016) provides a systematic overview of the processes and structures commonly labeled "organized crime," drawing on the pertinent empirical and theoretical literature primarily from North America, Europe, and Australia. This book explores illegal activities of organized crime, patterns of interpersonal relations that are directly or indirectly supporting these illegal activities, and overarching illegal power structures that regulate and control these illegal activities and also extend their influence into the legal spheres of society.

Ramsey Clark in his book "Crime in America: Observations on its Nature, Causes, Prevention and Control" (Great Britain: Cassell & Company Ltd., 1971) describes that whole civilizations and societies have existed without organized crime. There are several aspects of life in America that make it a natural culture for organized crime. The author also describes the activities of organized crime. The book is important for theorizing the assigned work.

Jay S. Albanese, in his book "Organized Crime in Our Times" (Cincinnati: Anderson Publishing, 2011) describes that the organized crime remains one of the most fascinating manifestations of criminal behaviour, yet it remains one of the least understood. This book conveys in a concise manner the nature, history and theories of organized crime, together with the criminal justice response. He argues that organized crime is committed by a ethnic groups, making ethnicity a poor indicator of organized crime activity. This book is very useful for the present work to comprehend the different aspects of organized crime.

Patrick J. Ryan and George E. Rush in their book, "Understanding Organized Crime in Global Perspective" (New Delhi: Saga Publications, 1997) Explores the functions and structure of criminal syndicates. The works in this book are mainly the effort of members of the international Association for the Study of Organized Crime. This book glimpses the various international organized and have in-depth study of numerous countries mainly effected from the international organized crime.

Characteristics of Organized Crime

1. It is an association of criminals for the purpose of committing profit, may be permanent or lasting for a period of time.
2. It functions on the basis of centralized control and authority which is vested either in the hands of one individual or a few members.
3. Create fund to serve as capital for the gang criminal enterprises.
4. Criminal gangs seek to expand their activities beyond their borders to secure monopoly throughout the area in which they operate. They

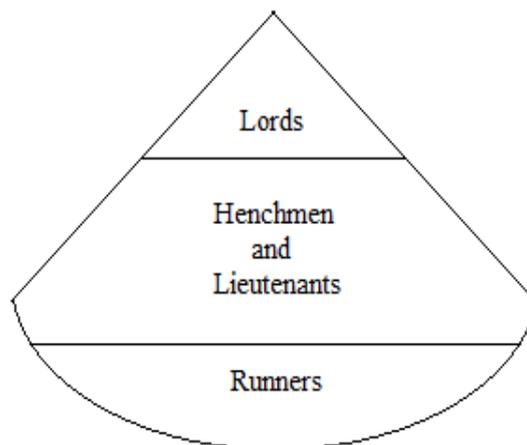
do not hesitate to use violence to eliminate competition, silence informers, persuade potential victims, or enforce their edicts. Often the large gangs import gunman from other areas to do this work for them and to make detection of their crimes more difficult.

5. Organized crime requires discipline, efficiency, obedience, and loyalty and mutual confidence. Establishment of policies of administration, rules of conduct and methods of operation is strictly enforced and severe penalties are imposed upon their violators.
6. Adopt measures to protect the group and to guard against the interruption of its activities. These include maintenance of arrangements with doctors, lawyers, politicians, judges, policemen, and other influential persons and the use of bribery and other forms of corruption to secure political favour and to avoid arrest and punishment.³

Organized Structure of Organized crime

Each organization has a unique structure. Clinard and Quinney have stated that, "organized crime has a hierarchical structure of positions". Burgess has compared this hierarchical structure with a feudal system. At the top of the pyramid are 'Lords'—powerful leaders who take important decisions and run the organization. These leaders maintain a master-self relationship with other persons in the feudal structure. A middle echelon of gangsters 'henchmen and lieutenants' carry out commands of the leaders. At the bottom of the structure are 'runners', who are persons marginally associated with organized crime.⁴

Model on Organized Crime



Source: Ram Ahuja, "Criminology", Jaipur: Rawat Publications, 2012, p.11.

These are criminals who work as prostitutes, carry narcotics or other illegal goods, supply alcohol, pick pockets and directly deal with the public. The hierarchical structure affects career of the criminals, Particularly those lower in the hierarchy. They have a long record of crimes against them and never think of ending their criminal careers. These bottom gangsters are either on the payroll of the organization or get a cut of the profits. The gangsters at the middle level

Remarking An Analisation

are sometimes pulled up from the lower levels and sometimes directly recruited from large cities, having criminal record of armed robberies and murders and having a perception of themselves as 'tough' guys. Some 'lieutenants' sometimes become leaders at the top. Leaders in the organized crime live segmented lives, retiring to the isolation of respectability. Their commitment, nevertheless, remains with the world of crime where in detachment from the values of the larger society, they receive their esteem authority and a lifestyle of opulence. Organized crime may thus provide a person with an opportunity for a lifetime career in crime. Walter Reckless is of the opinion that, "selection of a career in organized crime is apparently dependent upon the existing social circumstances of the area in which a person lives". Therefore, the research team identified five types of structures found among the 40 organized crime groups studied. These included the standard hierarchy, regional hierarchy, clustered hierarchy, core group and criminal network. The standard hierarchy was depicted having a single leader, clearly defined hierarchy, strong systems of internal discipline, being known by a specific name often having a strong social ethnic identity, using violence as important to activities and often having a clear influence or control over defined territory. Illicit activities contained gambling houses, prostitution, smuggling, cigarette and racketeering. All three groups from China fit its typology, while the other groups who fit the typology were from Eastern Europe— Russia, Bulgaria, Lithuania and Ukraine.

The regional hierarchy had a single leadership structure and a line of command from the centre, but a degree of autonomy at the regional level, a geographical/regional distribution, multiple activities, often strong social or ethnic ties and violence as necessary to activities. Regional hierarchies appear to operate a "franchise model" in which regional groups pay money and give allegiance to use the name of a well-known criminal group. Japanese, Yakuza groups in Australia and the Fuk Ching gang in the United States also followed this model. The clustered hierarchy consists of a number of criminal groups with a governing or oversight body. The groups may have a diversity of structures but usually they are of the standard hierarchy type. Each group has substantial autonomy but the groups may come together to divide up markets or to regulate conflict between each other. Clustered hierarchies engage in multiple activities and have a relatively wide membership.⁵ In the United Nations research, only three groups corresponded to this model—one consisting of former prison inmates in South Africa, another in an Italian dominated network in Germany and a third Russia.

The core groups type of organized crime consists a limited number of individuals who form a relatively tight and structured group to conduct criminal business. Around this "core group" may be a large number of associate members or a network that is used from time to time, depending on the criminal activity in question. Core groups are generally quite small and are more likely to engage in a single or limited number of criminal activities. Internal discipline is maintained through the small size of the group and

the use of violence, though violence is not as important as in the standard hierarchy. They had no name and no distinct social or ethnic base. Two groups active in the Netherlands were generally involved in the trafficking in human beings. Each member has a specific role in the trafficking process. Criminal networks are identified by the activities of key individual who engage in illicit activity in often shifting alliances. Prominence in the network is determined by contracts or skills and personal loyalties or ties are more important than social/ethnic identities. The network connections are maintained based upon a series of criminal projects. Criminal networks maintain a low public profile and are seldom known by any name. The networks reform after the exit of key individuals, while criminal networks characterized only four of the 10 groups in the research, it is likely that criminal network are increasingly more common and a growing phenomenon. This is because networks can be more easily reformed if key individuals are arrested than can hierarchical structures, where the loss of a key individual causes major disorganization. Two of the network groups were operating from the Netherlands and the remaining two were from the Caribbean.

Typology of Organized Crime

Organized crime is a continuing criminal activity that works to profit from illegal activities that are often in great public demand. Organized crimes can be grouped into three broad categories: provision of illicit services, provision of illicit goods, and infiltration of legitimate business. Within each of these categories there are more specific crimes that often come to the attention of the criminal justice system. Provision of illicit services involves attempts to satisfy the public's demand for certain services that are not provided by legitimate society. The particular crimes in this category include prostitution, loan sharking and gambling. Loan sharking is the leading of money at an interest rate above that permitted by law. Organized prostitution offers sex for pay on a systematic basis. Numbers gambling is a category of lottery that operates without the sanction of state. Each of these crime is a continuing enterprises that accomplish needs for money, sex, or gambling that cannot be satisfied in a legitimate way, such as through bank loans, state lotteries, or marriage. Provision of illicit goods involves offering particular products that a section of the public desires but cannot acquire through legitimate channels. The sale and distribution of drugs and the fencing and distribution of stolen property are example of crimes in this category. There is a great demand for drugs, such as marijuana, valium, heroin, and cocaine. Provision of illicit goods and services is distinguished from infiltration of legitimate business by its consensual nature and the lack of intrinsic violence. The infiltration of legitimate business is more ravenous than the provision of illicit goods and services.⁶ In this case organized crime groups attempt to create demand for their services rather than exploiting an existing market. Demands for protection money or non-show jobs in return for avoidance of property damage, work stoppage or violence illustrate the ravenous nature of this type of

Remarking An Analisation

crime.

Typology of Organized Crime

Type of Activity	Nature of Activity	Harm
Provision of illicit goods and services	Gambling, lending, sex, narcotics, stolen property	Consensual activities No inherent violence Economic harm
Infiltration of legitimate business	Coercive use of legal businesses for purposes of exploitation	Non-consensual activities Threats, violence, extortion Economic harm

Source: Jay S. Albanese, "Organized Crime in America", 3rd Edition, Cincinnati: Anderson Publishing, 1996, p.495.

Activities of Organized Crime

Organized crime groups also provide a range of illegal services and goods. The activities of organized crime are wide-spreading. Organized crime has following activities:

Drug Trafficking

According to the most recent commission on organized crime, illegal drug trafficking is the most serious problem in organized crime throughout the world. Billions of dollars in profits are generated for the underworld annually through illegal drug sales, and the results in "incalculable costs in individuals, communities, families and governments worldwide". The commission emphasized that, although the influence of organized crime is significant, the individual users of illegal drugs must also be a target of control without the demand from users, there would be no illegal drug market.⁷ The most commonly known illicit drugs are heroin, cocaine, and cannabis. Since the end of the 1970s and the early 1980s, changing related to the geopolitics of opium production and to international trafficking routes have been significant. The British opiate market of the 1960s was primarily fed by a combination of leakage of pharmaceutically produced drugs from the legal prescribing system and then by 'street heroin' produced and distributed from the Golden Triangle region of South-East Asia. Drugs are smuggled in large shipments, too, and divided and sold to dealers. The illicit drug traffic is often characterized as structurally similar to the bootlegging. Both provide an illegal commodity for whose procurement and distribution gangs are formed, and in both, the activity is surrounded by violence. However, there are also essential differences, the most essential being that although some drugs (such as marijuana and, to a lesser extent, cocaine) are extensively used, drugs do not have the same social acceptance as alcohol.⁸ Because of the enormously high economic value and profit margins of drugs, they not only have become an interesting commerce for criminals but also for political movements needing money to finance their activities, such as guerrilla and independent movements. A category of drug traffickers that is not mentioned often are the traffickers who are more or less connected to governments such as the secret services and the army, working either independently or in cooperation with political movements involved in the drug trade. Heroin and cocaine are more

specialized in terms of market and supply and therefore require more elaborate mechanisms for both importation and distribution.

Gambling

Gambling is the 'bread and butter' of organized crime. Gambling has been documented as having existed since antiquity. One could philosophize and conclude that life itself is a gamble. The colonists appeared to be more concerned with witchcraft than with moderate drinking and outlawing public lotteries. Today gambling provides the single greatest source of illegal revenue for criminal societies and alliances. Legal and illegal gambling (cards, dice, slot machines, numbers, and racing), unlike hard narcotics, cuts across a broad spectrum of the population.⁹ Even though gambling, for the most part, has been a traditional outlet for organized crime in America, it has presumed devastating dimensions in recent years. It is now playing the part in organized crime that bootlegging played in the prohibition era, it is currently the basic beneficial support of organized crime. One of the profitable gimmicks for organized gambling has been the skimming of money from legal casinos. A 1960s investigation in Las Vegas, Nevada, indicated that the government had evidence that chunks of \$100,000 had been going untaxed from the counting tables to private investments. Those involved were gamblers and syndicate representatives from all over America. While "skimming" has little concern for local vice enforcement, the investment of this money is bound to show up in the liquor business, the financing of prostitution activity, and other enterprises. Skimming rackets in Las Vegas and the group that is engaged in them reads like a chapter from the "blue book" on organized crime. Some of the money skimmed off the top will leave the country for foreign deposit, some will go to special funds to insure that nearby states do not have gambling. Much of it may go into the legitimate sphere of business.¹⁰ Some professional gamblers who concentrate on sporting events resort to bribery in order to make their bet a "sure thing". They bribe or attempt to bribe participants who can shave points to either lose the even margin or cut down the winning margin. These are characteristics of the types of third party criminality that become by-products of certain forms of gambling. By implication, the relationship between sports and big business investments will probably always borders on ethics rather than law. Major organized sporting groups have kept investigators on their payroll to protect the player from this influence. Only in isolated instances have the major sports been tainted by bribery. However, those who know the business report bribery as a constant and continuing problem. The Kefauver Committee pointed its finger definitely to gambling as the principal support for current big-time rackets and gangsterism. The oldest form of the business of gambling is the gambling house, parlor or casino, which exploits most of the gambling games such as roulette, poker, particularly the so-called "one-armed bandits" or slot machines, which are sometimes operated in places other than out-and-out gambling houses.¹¹

Remarking An Analisation

Money Laundering

Money Laundering is another important activity of organized crime. Money laundering plays an essential role in illegal drug trafficking. It is a process of concealing the existence, source, and disposition of money secured from illegal sources. The term is originated from the reference criminals make to "dirty" money that is "laundered clean" so that it can be used openly. For example, large sums of money obtained by selling illegal drugs are channelled through legitimate sources to make it appear that the money has been obtained lawfully. The transaction might be as simple as sending the cash to another country or as complex as taking over a bank. Huge amounts of cash are difficult to handle (\$1 million in \$20 bills weights over 100 pounds) and easily stolen. Thus, drug trafficking money may be secured in foreign banks or invested in legitimate stocks, bonds, businesses, or other sources. Money laundering is the name given to the process used by drug dealers to disguise the source of their revenue. Drugs profits are laundered by converting them into other assets, such as real estate, racehorses, stocks and bonds, diamonds, gold or other valuables. The NNICC says that millions of dollars in drug monies are laundered through commercial banks and other financial institutions each year, with major money laundering operations flourishing in South Florida and Los Angeles. Other estimates put the laundered amount as high as \$100 billion. The People Executive Research Forum (PERF) estimates that profits in excess of \$100 billion a year are generated in the United States through trafficking and related underworld activities. PERF also points out that successfully money laundering can only be accomplished with the cooperation of lawyers, stockbrokers, accountants and investment advisers.¹²

Loan Sharking

Loan sharking is the most lucrative activity of organized crime. Loan sharking is described as the lending of money at usurious rates, with collection of debts often facilitated through the use of violence. Threats and violence are quickly used to collect money where necessary. Loan sharking sometimes called 'juice' is believed to be the second most important source of income for criminal syndicates. Loan-sharking drivers in practice and in name from the past business of shy locking: the lending of money outside of state-restricted interest rates. It has been estimated that crime societies obtain large amounts of illegitimate revenue, second in value only to that gained from gambling, through loan-sharking. The lending of money at usurious rates (vigorous) estimates run from 5 percent to 20 percent on a weekly/monthly basis is typical combined with a threat of violence for non payment of the principal and interest. More important than actual violence is the strong implication that force will be used if necessary. A profitable money lending business depends on a steady and increasing cash flow at work on the streets. Therefore, customers who cannot pay the combined principal and accrued interest are rarely killed or even injured in ways that would permanently impede their earning capacity (dead or crippled

borrowers may mean a loss of the original investment). Typically, a bargain is arranged whereby the customer pays an agreed upon amount (less than the actual combined value of the principal and interest) and is told, with more or less sincerity, to "never come back". The working capital for loan sharking may come from gambling, narcotics, legitimate businesses, or even from banks (borrowed) and put on the streets for those willing to pay usurious rates.¹³

Racketeering

Racketeering is another important activity of organized crime. Racketeering includes two kinds of business, both based on intimidation. One is criminal monopoly, the other extortion. "Criminal monopoly" means the use of criminal means to destroy competition. Whether a competitor is actually destroyed or merely threatened with violence to make him go out of business, the object is to get protection from competition when the law will not provide it and when it cannot be legally achieved (through price wars, control of patents, or preclusive contracts). We can distinguish altogether three kinds of "monopoly": those achieved through legal means, those achieved through means that are illegal only because of anti-trust and other laws intended to make monopoly difficult, and monopolies achieved through means that are criminal by any standards means that would be criminal whether or not they were aimed at monopolizing a business. Factors such as the 1929 depression and the repeal of Prohibition in 1933 forced organized crime members to seek new criminal enterprises. As the demand for bootlegged liquor decreased, labor racketeering was pursued robustly. Labor racketeering is described by the President's Commission of organized crime as the infiltration, domination and use of a union for personal benefit by violent, fraud, or illegal means. Al capone was one of the first gangster to engage in this new enterprise vigorously. Gradually, other Mafia bosses followed suit and began to obtain control of labor unions to profits. Labor racketeering can take many forms. For example, gangsters were used to protect picketers against management thugs hired to break the strike. When in the employ of management they can also be used as strike-breakers.¹⁴ Labor racketeers can also be used to protect other traditional racket, such as gambling and loan-sharking.

Bookmaking

Bookmaking is the activity of taking people's money when they bet and playing them money if they win. It involves taking bets on sports events horse races and originated as the taking of off-track bets in urban areas where people could not attend races at the track. For sports there is usually a point spread that is standard for a given event; for horse races the bookmaker needs to stay abreast of the pari-mutuel odds for each race. A bookmaker also needs some way to "cover" his bets, which are not always evenly distributed. So if the bookmaker works for a crime organization with considerable with financial resources, it may be possible for the organization to cover his bets.

Remarking An Analisation

Book-makers can exist without wire service, but they will remain very restricted in their operations. The Kefauver Committee used a very fitting analogy: The wire service is to be bookmaker as the stock ticker is to the stockbroker. The bookmakers in key cities are the local collection agents of the American public. Although the United States public spends millions of dollars annually at the race tracks through legalized pari-mutuels, practically all other betting, excluding personal side bets and personal gambling games, is conducted illegally through bookmakers. One report estimates that ten billion dollars a year is taken from the U. S. public through organized gambling.¹⁵ Experts state that large syndicates, operating across state lines, are definitely in control of gambling. There seems to be a New York syndicate that controls betting on sports events, runs the numbers game, distributes slot machines, and operates gambling casinos in Florida and New Orleans. Frank Costello is frequently mentioned as being one of the principals in the New York syndicate. There is also a Chicago syndicate, which has similar interests and is controlled by former members of the old Capone gang. It likewise has tentacles in Florida. Another syndicate in Cleveland is known to have interests in West Virginia, Florida, and Las Vegas. Local syndicates are usually tied up with a major syndicate. For example, the organization developed in the front for the expanding Capone syndicate out of Chicago.¹⁶ Some authorities doubt that there will ever be one, all inclusive syndicate in the United States because it would take much killing to achieve complete integration and a single, inclusive organization might be more vulnerable to law enforcement measures.

Prostitution

Like gambling, prostitution is generally viewed as a victimless crime in which a service is provided to a willing customer, and it too has been historically related to organized crime. The growth of the brothel parallels the growth of the organized crime mobs before and during prohibition, a growth that was facilitated by the payment of protection money to law enforcement and government officials. Prostitution also provided a source of new income and expansion for organized crime syndicate during the 1930s, but after world war second, syndicate involvement diminished. What organization there is comes from the control of prostitution in large cities by black and Hispanic pimps with small stables of fewer than ten prostitutions. Other forms of prostitution, including the use of children, are usually a matter of fairly independent "hustling."¹⁷

illicit Firearms Trafficking

Illicit firearms trafficking is the movement of firearms from the legal to illegal marketplace through an illicit method for an unlawful purpose, usually to acquire profits, prestige, power or to supply firearms to criminals. The diversion of firearms from legal to the illegal market place includes international, intrastate trafficking, interstate, stolen firearms cases, straw purchases and illegal firearms transfers. The illegal trade of firearms usually occurs through three main channels. These include:

1. Clandestine military operations: these are covert transfers of firearms by one government to a separatist or insurgent forces operating in another country;
2. Black market sales: this is the criminalization of other legal transactions, rather than black marketeering per se. What truly differentiate a black market from a 'legitimate' firearms deal is the covert methods of intermediating between demand and supply firearms moving one way and money back to other. To hide other trail, purveyors of black market firearms will use concealment, mislabeling, laundering of payment and fake documentation. The essence of the black market transaction can be understood by thinking of "black" not as a colour, but the absence of light;
3. Grey market sales: the grey market is more obscure than the black market. The grey market resembles the covert nature of the black market. Unlike the black market, grey transactions usually are neither entirely legal not entirely illegal. The grey market represents not policy writ large, but policy in flux as exporting and importing governments experiment with new diplomatic links, cloaking possible policy changes in covert transactions. It is through the use of covert channels that officials on both sides can take greater risks, cultivating new relationships while minimizing the danger and potential embarrassment.¹⁸

Trafficked firearms are most often acquired by individuals with criminal intent and are often recovered in crimes associated with the illegal drug trade and organized crime. In other words trafficking legal movements of firearms, one can be identify those which are illegal. Firearms are also flow across borders. Illegal firearms trafficking affects Australia's national and regional security in a number of ways. Initially, the uncontrolled proliferation and misuse of firearms contributed to the breakdown of civil society in many regions, comprising in the Asia Pacific. In 1994 for example, foreign governments reported 6238 unlawfully acquired US original firearms to the Bureau of Alcohol Tobacco and firearms. Over half of them were discovered in Mexico. Firearms stolen or sold from Russian armoires have been used by criminal elements to eliminate rivals and intimidate business, government and law enforcement officials. In addition, in Lithuania, law enforcement authorities during the mid 1990s reported fifteen international organized criminal groups engaged in the illegal trade of weapons. Other examples of how the proliferation of firearms, and other small arms have contributed in the destruction of a society's infrastructure, government institutions, and political process include Somalia, Albania, and Sierra Leone in West Africa.

Illicit Trafficking of Women

Trafficking in women is one of the worst and most insolent abuses of human rights. It is a violation of numerous human rights, containing the very right to life, the right to liberty, human dignity and security of

person, the right to freedom from torture, the right to health care and everything that makes for a life with dignity.¹⁹ Trafficking in women is a longstanding issue internationally. Trafficking in humans may share common characteristics with alien smuggling and illegal immigration, but it has its own distinctive characteristics and dynamics involving especially terrible human rights abuses. Trafficking in women in the use of force and deceit to transfer women into situations of extreme exploitation. Examples of this may include Latvian women threatened and forced to dance naked in Chicago; Thai women brought to the US for the sex industry, but then forced to be virtual sex slaves; ethnically Korean-Chinese women held as indentured servants in the commonwealth of the Northern Mariana Islands; and hearing-impaired and mute Mexicans brought to the US, beaten, enslaved and forced to peddle trinkets in New York.

Trafficking in persons, particularly children and women, this modern day form of slavery, is prevalent across the globe and likely to increase in the United States. In this post-cold war era, international borders and political entities mean less while economic issues mean more. Today, threats to society such as international organized crime, weapons of mass destruction, terrorism, cyber attacks on our critical communications infrastructure are both unconventional and destabilizing.²⁰ As Attorney General Reno has said repeatedly, "all crime is international in its consequences." Traffickers in children and women, much like narcotics and terrorists traffickers, operate intrepidly across sovereign borders. They have not only capitalized on communications and technological advancements which have facilitated the flow of goods and people but have also exploited the economic crises in Asia and Russia as well as regional conflicts such as Kosovo. The trafficking industry worldwide also is closely intertwined with other related criminal activities, such as money laundering, racketeering, extortion, gambling, drug use and bribery of public officials. For example, INS raids on brothels run by traffickers in Toronto have netted heroin and counterfeit currency. And the Wah Ching, an Asian organized crime group engaged in trafficking and smuggling Asian women, is also involved in drug trafficking, gambling, murder, loan sharking and robbery. The Ching has connections to Asian organized crime groups in Boston, Los Angeles, New York, Vancouver, Toronto, Dallas and Seattle. Trafficking also usually involves document forgery, conspiracy, mail, visa, and wire fraud. Even in the United States, some traffickers have been known to supply the women with fallacious state identification and social security cards. This involvement in a multitude of criminal activities and ties among various criminal associations only serves to increase the burden on local and federal law enforcement agencies. Trafficking into the sex industry has serious societal consequences as it contributes to the spread of HIV and AIDS. Women have also been trafficked to provide maid services at hotels and motels peddle trinkets and buses and beg. The Average age of the trafficking victim in the United States is approximately

20 years old. Some of the Asian women may have been initially trafficked overseas at a much younger age, but then worked in cities such as Bangkok before being trafficked to the US. The trafficking in persons industry typically involves transporters, document forger enforcers, recruiters, brothel owners, employment agencies and brokers. Brokers operate in the source country as well as in the United States. Thailand is one of the primary source countries for the United States. According to the American Embassy in Bangkok, at least four loosely organized groups smuggle and traffic Thai women for delivery to US brothels. They send roughly 20 to 30 women a month to the US and Canada, generally using imposter Thai passports.

People Smuggling

People smuggling, under US law is "the facilitation, transportation, attempted transportation or illegal entry of a person or persons across an international border, in violation of one or more countries laws, either clandestinely or through deception, such as the use of fraudulent documents". The practice of people smuggling has seen a rise over the past few decades and today now accounts for a significant portion of irregular immigration in countries around the world. People smuggling usually takes place with the approval of the person or persons being smuggled, and common reasons for individuals seeking to be smuggled include employment and economic opportunity, personal and familial betterment, and escape from persecution or conflict. People smuggling and trafficking in human beings are now internationally criminal offences and have been defined by the international community through the United Nations as part of the effort to combat them. Trafficking of human beings is defined as: The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat, or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. An immigrant is generally described as someone who moves to another country and becomes resident. There are different legal channels of migration, for example obtaining various visas or residency permits. However, the term is commonly used in the context of illegal immigration, that is, someone who enters a country other than that of which they are a citizen, and however has not taken the proper legal channels to become a permanent or temporary resident as is therefore not able to obtain any of the benefits to which an immigrant may otherwise be entitled. The term "illegal immigration" is used to cover all of these are in a country illegally and generally is used with clear prejudice. Illegal migrants are frequently viewed less than generously by resident populations, and may include people who are subject of the various migration related phenomenon's which we speak. Some may be smuggled, some may be victims of trafficking, some may have overstayed the conditions of their visa or some may have falsely arranged enter

to the country. The subject of consent in trafficking is a difficult one at times. Essentially although, not all trafficking are done without consent. However all trafficking is undertaken without consent. A trafficked person will often consent to the movement, after all this is what they need to do to get to the place of employment promised. This consent is often conditional, that the intending migrant will consent to the facilitation of the smuggler within the scope of the activity. So far example in agreeing to be smuggled across a border, the intending migrant consents to acts that are consistent with getting them across the border.²¹ In human trafficking, the trafficker acquires knowledge of the means and process of the movement. The trafficker has quite absolute ascendance over the victim. The individual, once being lured into going with the traffickers for example have no decision-making power. The victim can neither arbitrate the intention, the conditions, the timings, the process or the means. They also cannot negotiate what job they will do there. Essentially although a victim will often not know that they have no control until it is far too late. It is also the case that the trafficked victim is considered to be and essentially related to as being owned by the trafficker. In people smuggling the customer has both knowledge and control over the situation. The United States foreign ministry estimated the profits from human smuggling amounted to USD 10 billion worldwide. According to a report by Interpol, it is estimated that between 300,000 and 450,000 people are trafficked to Western Europe each year. Illegal migration and human smuggling is a punishable offence in Switzerland according to the Residence and Settlement of Foreign Nationals Act (RSFN). As the statics illustrate, illegal entry into Switzerland is subject to considerable fluctuation. The number of illegal migrants arrested at the border by the Swiss border Guard Corps fluctuated between its highest levels of 8,500 and 15,800 in 1993 and 1998 respectively and its lowest levels of around 5,000 in 1991 and 2001. In 2002, numbers rose sharply again to approx. 7,400. There was also a noticeable shift in activity from the southern to the western border of the country.

Conclusion

International organized crime is a global problem and a serious threat to contemporary society. The main participants are criminal gangs with unique organizational structure, administrative pattern and modus operandi with specific characteristics of members. Countries all over the world are worried about the increase in the level and sophistication of organized crime. Organized crime first developed in rich countries, the phenomenon has now reached universal properties. The rapid growth of organized crime in new regions has been extremely facilitated by weak, even collapsed governments, growing poverty, ethnic conflict, wealth inequality and high levels of corruption. The study of international organized crime is a fairly dynamic field of research, covering a broad range of crimes and criminal structures.

References

1. N.V. Paranjape, "Criminology & Penology with Victimology", 15th Edition, Allahabad: Central Law Publications, 2012, p.111.
2. Gennaro F. Vito, Jeffrey R. Maahs, Ronald M. Holmes, "Criminology: Theory, research and Policy", 2nd Edition, Sudbury, Massachusetts: Jones and Bartlett Publishers, 2007, p.409.
3. C.K. Gandhirajan, "Organized Crime", New Delhi: APH Publishing Corporation, 2012, pp.11-12.
4. Ram Ahuja, "Criminology", Jaipur: Rawat Publications, 2012, p.11.
5. Robert W. Winslow, Sheldon X. Zhang, "Criminology: a Global Perspective", New Jersey: Pearson prentice Hall, 2007, p.437.
6. Jay s. Albanese, "Organized Crime in America", 3^d Edition, Cincinnati: Anderson Publishing, 1996, p.495.
7. President Commission on Organized Crime, Report to the President and the Attorney General, "America's Habit: Drug abuse, Drug Trafficking and Organized Crime", Washington, DC: U.S. Government Printing Office, 1986, pp.5-13.
8. Kadish Sanford H., "Encyclopaedia of Crime and Justice", Vol. 3, London: Collier Macmillan Publishers, 1983, p.1103.
9. Jack Wright, Peter W. Lewis, "Modern Criminal Justice", United States of America: McGraw-Hill, Inc., 1978, p.67.
10. Denny F. Pace, Jimmie C. Styles, "Organized Crime: Concepts and Control", New Jersey: Prentice Hall, Inc., 1975, pp.128-129.
11. Walter C. Reckless, "The Crime Problem", New York: Meridith Publishing company, 1967, p.322.
12. Frank Schmalleger, "Criminal Justice Today", 2nd Edition, New Jersey: Prentice Hall, 1993, pp.575-576.
13. Jack Wright, Peter W. Lewis, "Modern Criminal Justice", United States of America: McGraw-Hill, Inc., 1978, pp.70-71.
14. Michael D. Lyman, "Criminal Investigation: The Art and Science", 2nd Edition, United States of America: Prentice Hall, Inc., 1999, p.441.
15. United States News and World Report, "Story of U. S. Crime Rings: Cartel Rakes in Big Profiles", Vol. 28, 1950, pp.13-15.
16. Walter C. Reckless, "The Crime Problem", New York: Meridith Publishing company, 1967, p.323.
17. Kadish Sanford H., "Encyclopaedia of Crime and Justice", Vol. 3, London: Collier Macmillan Publishers, 1983, p.1103.
18. Prafullah Padhy, "Organised Crime", Delhi: Isha Books, 2006, p.67.
19. P.M. Nair, "Trafficking in Women and Children in India", New Delhi: Orient Logman Private Limited, 2005, p.1.
20. Prafullah Padhy, "Organised Crime", Delhi: Isha Books, 2006, p.126.
21. Prafullah Padhy, "Organised Crime", Delhi: Isha Books, 2006, p.98.