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EXPERIENCE OF COMBATING ORGANISED CRIME IN ITALY

The Italian experience in combating organized crime, notably the Mafia, serves as a compelling case study demonstrating the multifaceted strategies, successes, and challenges involved in eradicating deeply entrenched criminal organizations, highlighting the importance of both legal and societal measures in the fight against organized crime.

Italy has developed policies to combat organized crime which enhance prevention to discourage people from choosing to engage in illegal activities. In particular, the social and institutional reutilization of illicitly accumulated assets has taken on decisive importance: an immense endowment that has grown exponentially over time thanks to the repression of crime by the police and the judiciary through law enforcement operations. Data released recently by the National Agency for the Administration and Assignment of Assets Seized and Confiscated from Organized Crime (Agenzia Nazionale per l'amministrazione e la destinazione dei beni sequestrati e confiscati alla criminalità organizzata. ANSBC), show that over 33,000 properties and 4,000 businesses have been confiscated in Italy. This wealth can be redirected to support healthy development paths in the territories where criminal organizations have long been dominant. The data also show that confiscated assets are found everywhere throughout Italy [1].

Most of this patrimony, however, has not yet found its way to reutilization, for reasons that often depend on complex administrative procedures, producing lengthy delays before assignment to the persons who apply. But the reuse of confiscated assets for social purposes also requires a substantial change in the values of the local population, often subservient to organized crime. The transformation of the "social capital" used by the mafias can be favoured by the activities of non-profit organizations that reuse the criminal assets for social purposes. Analysing the recent experiences in this field serves to strengthen the models of social reuse by emulating the third sector organizations whose results are the most satisfactory and appreciable. The point is to support and disseminate social business models, not only in Italy but

also in other EU member countries, that have proved capable of regenerating social bonds and therefore contributing to a metamorphosis of social capital that can be used to radically counteract the power of organized crime.

There is now broad agreement that organized crime must be combated with synergistic actions of repression and prevention. In fact, the destruction of the mechanisms and the logic imposed by organized crime require the development of anti-crime policies complementary to the traditional ones, with the identification and institution of social alternatives in the territories where criminal organizations are rooted. This strategy could help to remove the social ties that mafias use to infiltrate not only economic activities but also the fabric of social relations. It is therefore a question of developing additional tools to combat the activities of criminal organizations, to drain their lifeblood.

The social and institutional reutilization of confiscated assets can be a useful tool, rebuilding social bonds and increasing trust in public institutions, thus also heightening the effectiveness of the other legal tools available. Confiscated assets can contribute to the strengthening of the social economy by triggering virtuous and healthy growth for those territories that have suffered the domination of organized crime and thus serve as an antidote to mafia domination. Assets confiscated and efficiently reused in models that exploit the potential of the social economy can, in fact, discourage illegal activity, neutralizing, destroying or reconvertng the conduct that opposes civil life and respect for legality, creating new entrepreneurial activities.

Over the years, criminal gangs have extended their tentacles to multiple economic and productive activities, distorting and conditioning the functioning of the markets. Investigations by the police and the judiciary have revealed that criminal organizations act as “economic subjects on the markets, distorting their operating mechanisms, through the use of the enormous economic and financial resources procured through multiple illicit activities – from drug trafficking to smuggling, from real estate speculation to public procurement, racketeering and usury – also carried out beyond national borders, and often in synergy with foreign criminal groups” [1].

The analysis of the operations of criminal organizations has made it possible to devise more effective tools for repression and prevention to protect the economy and the free operation of enterprises, as well as individual freedoms. The key concept is permanently depriving the criminal organizations of the assets

accumulated illicitly. This can help generate healthy development by increasing people's capabilities (Sen, 2001).

The experience gained by Italy over the years has made it possible to develop effective tools of prevention and repression that have been imitated by other countries in Europe and internationally. These actions have increased and improved thanks to the introduction and strengthening, within the Italian legal system, of the measures for attacking illegally accumulated assets. The strategy unfolds essentially in two phases: first the attack on the illicit assets, with investigation to identify, seize and confiscate illicit wealth; and second, the reassignment of the confiscated goods and assets for social and institutional purposes. The principle of social and institutional reuse rests on the awareness that the State, by restoring these assets to the community, can strengthen the trust that feeds the relationships between institutions and citizens. The action of criminals is therefore thwarted thanks to this tool, which discourages criminal behaviour by demonstrating the State's power to regain possession of the resources stolen from the community. The assets taken away from the mafias constitute a precious resource for the local community, an opportunity for development that can sustain social and economic growth, guided by respect for the rules of civil life and law. The literature has also highlighted the possibility of building an alternative, a social economy with particular characteristics that can serve as antidote to the criminal economy.

Список використаних джерел

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LA LUTTE CONTRE LE CRIME ORGANISÉ EN FRANCE

Aux termes du code pénal "le crime organisé est une structure humaine relativement stable de plusieurs personnes respectant les ordres d'un chef ou d'un comité de direction pour faire des profits par des méthodes illégales et dans tous les domaines" [1].