

5. Українська асоціація представниць правоохоронних органів. URL: <https://www.uawle.org/about>

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FRANCE AND THE FIGHT AGAINST ORGANIZED CRIME

Organized crime is a transnational issue and covers all major areas of trafficking: drugs, human beings, arms, stolen vehicles, and wild animals and plants, etc. It is closely tied to corruption and money-laundering.

With the increased mobility of persons, goods and capital, organized crime has changed considerably and draws on new technologies, not only for the purposes of money-laundering but also in order to strengthen its existing activities and create new ones (cybercrime).

Combating organized crime is a major challenge for the international community. Alongside terrorism, it now represents the largest non-military threat to internal security and international economic stability.

Although it is by definition difficult to assess, the overall proceeds of organized crime probably total around €1 trillion per year.

In a context where criminality respects no national border or sovereignty, it is vital to have a comprehensive approach to fighting crime and strengthen international cooperation, particularly between judicial bodies and law enforcement agencies. France therefore plays an active role in multilateral forums dealing with these issues, working to ensure the coherence and effectiveness of the different forums.

France's legal arsenal was strengthened with the adoption of the "Perben II" Act (Act2004-204 of 9March2004) adapting the justice system to developments in crime. This Act strengthened existing provisions for the fight against organized crime, including by providing additional investigative resources.

At European level, France proposes enhanced security cooperation through the creation of common investigative teams and Police and Customs Cooperation Centres (CCPD). There are currently 10CCPDs in France and abroad, in partnership with Belgium, Germany, Italy (2), Spain (4) and Switzerland, and one four-country Centre for France, Germany, Belgium and Luxembourg.

The 2005 Prüm Convention (Austria, Belgium, France, Germany, Luxembourg, the Netherlands and Spain), which provides for the exchange of personal data including genetic profiles and fingerprints, and the organization of joint patrols and the European Arrest Warrant adopted in 2002, are major steps forward in combating organized crime.

The EU Internal Security Strategy (2010-2014), drawn up to enable the European Union to respond to existing and emerging threats to the security of Europe's society and citizens, is currently being reviewed. Five strategic steps were selected for the 2010-2014 Internal Security Strategy:

- 1) The disruption of international criminal networks
- 2) The prevention of terrorism and addressing radicalisation and recruitment
- 3) Raising levels of security for citizens and businesses in cyberspace
- 4) Strengthening security through border management
- 5) Increasing Europe's resilience to crises and disasters. It also laid down guidelines and common principles underpinning, in full respect for fundamental rights, a "European Security Model" and aimed at continuing the development of common instruments and policies through a better integrated approach.

France participates in the work of various international forums, the United Nations being at the forefront. France played a very active role in negotiating a Convention against Transnational Organized Crime (Palermo Convention), with Protocols against trafficking in persons, smuggling of migrants and trafficking in firearms. Those first three instruments were signed by France upon their opening for signature on 12 December 2000 in Palermo. France ratified them on 29 October 2002.

The Palermo Convention contributes to the three following areas:

- Drafting of universal definitions for certain fundamental notions of criminal law in the area of combating organized crime;
- Approximation of criminal laws, by requiring States to criminalize participation in organized criminal groups, money-laundering, obstruction of justice, and corruption;
- Development of international judicial cooperation, by creating mutual legal assistance and extradition procedures in a universal framework.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons requires States to introduce offences to their criminal law enabling prosecution of organized criminal groups engaging in trafficking. It contains a wide definition of human trafficking that encompasses sexual exploitation, forced labour, slavery, servitude and removal of organs.

The Protocol against the Smuggling of Migrants by Land, Sea and Air requires States to prosecute smugglers who procure the illegal entry of immigrants, as well as those enabling their illegal stay in the host territory.

Protocol against the Illicit Manufacturing of and Trafficking in Firearms introduced provisions similar to those of the Protocols against trafficking in persons and smuggling of migrants. France is in the process of adjusting its national law so as to be able to ratify it.

The United Nations Convention against Corruption, signed in Merida in December 2003, establishes a principle of return of the proceeds of the offences of embezzlement of public funds and laundering of that money for the first time. The

implementation of the Merida Convention is also based on a Conference of the States Parties. France participates actively in all negotiations involved in drawing up these international criminal standards, whether they concern recommendations, resolutions or more binding instruments. The most recent Conference of the States Parties to the Merida Convention took place in Panama from 25-29 November 2013.

Although it does not produce standards, the G7 Roma-Lyon Group is a particularly useful forum for reflection and discussion of experiences. Its work focuses on the following themes: Supporting the implementation of the United Nations Conventions against Corruption (Merida Convention) and Transnational Organized Crime (Palermo Convention); Combating child pornography on the Internet; Fighting anti-semitism, racism and xenophobia on the Internet; Improving the traceability of terrorist and criminal assets; Developing biometrics; Eliminating documentary fraud. Development of operational cooperation.

Список використаних джерел:

1. France and the fight against organized crime URL:
<https://www.diplomatie.gouv.fr/en/french-foreign-policy/security-disarmament-and-non-proliferation/fight-against-organized-criminality/>
2. Anne Wyvekens. The evolving story of crime prevention in France. URL:
<https://www.interpol.int/Who-we-are/Member-countries/Europe/FRANCE>