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COMBATING ORGANIZED CRIME: THE USA EXPERIENCE

Organized crime is a category of transnational, national, or local groupings of highly centralized enterprises run by criminals who intend to engage in illegal activity, most commonly for profit. Some criminal organizations, such as terrorist groups, are politically motivated. Sometimes criminal organizations force people to do business with them, such as when a gang extorts money from shopkeepers for protection. Gangs may become disciplined enough to be considered organized. In the United States, the Organized Crime Control Act (1970) defines organized crime as the unlawful activities of a highly organized, disciplined association. Structures are formal and rational with allocated tasks, limits on entrance, and influence the rules established for organizational maintenance and sustainability. In this context there is a difference between organized and professional crime; there is well-defined hierarchy of roles for leaders and members, underlying rules and specific goals that determine their behaviour, and these are formed as a social system, one that was rationally designed to maximize profits and to provide forbidden goods.

Transnational organized crime (TOC) groups are self-perpetuating associations of individuals who operate, wholly or in part, by illegal means and irrespective of geography. There is no single structure under which TOC groups function—they vary from hierarchies to clans, networks, and cells, and may evolve into other structures. These groups are typically insular and protect their activities through corruption, violence, international commerce, complex communication mechanisms, and an organizational structure exploiting national boundaries. With few exceptions, TOC groups' primary goal is economic gain and they will employ an array of lawful and illicit schemes to generate profit. Crimes such as drug trafficking, migrant smuggling, human trafficking, money laundering, firearms trafficking, illegal gambling, extortion, counterfeit goods, wildlife and cultural property smuggling, and cyber crime are keystones within TOC enterprises. The vast sums of money involved can compromise legitimate economies and have a direct impact on governments through the corruption of public officials.

With the increase of technology available around the world, TOC groups are more commonly incorporating cyber techniques into their illicit activities, either committing cyber crimes themselves or using cyber tools to facilitate other unlawful acts. Phishing, Internet auction fraud, and advanced fee fraud schemes allow criminals to target the United States without being present in the country. Technology also enables TOC groups to engage in traditional criminal activity, such as illegal gambling, but with a greater reach through use of the Internet and off-shore servers, thus expanding their global impact.

For decades, the USA and other countries have dismantled scores of criminal organizations around the world. The U.S. experiences with La Cosa Nostra, as well as Colombia's experience with the Medellin and Cali Cartels - and even the FARC - prove that it is possible to constrain, shrink, disrupt and dismantle criminal and insurgent groups once considered to be untouchable.

This Strategy sets out five overarching policy objectives that are consistent with the vision and priorities of the National Security Strategy:

- Protect Americans and our partners from the harm, violence, and exploitation of transnational criminal networks. Our priority is the safety, security, and prosperity of American citizens and the citizens of partner nations. We will target the networks that pose the gravest threat to citizen safety and security, including those that traffic illicit drugs, arms, and people—especially women and children; sell and distribute substandard, tainted and counterfeit goods; rob Americans of their prosperity; carry out kidnappings for ransom and extortion; and seek to terrorize and intimidate through acts of torture and murder.

- Help partner countries strengthen governance and transparency, break the corruptive power of transnational criminal networks, and sever state-crime alliances. The United States needs willing, reliable and capable partners to combat the corruption and instability generated by TOC and related threats to governance. We will help international partners develop the sustainable capacities necessary to defeat transnational threats; strengthen legitimate and effective public safety, security, and justice institutions; and promote universal values.

- Break the economic power of transnational criminal networks and protect strategic markets and the U.S. financial system from TOC penetration and abuse. TOC networks—using bribery, fraud, and violence—have the capacity to disrupt economic activity and put legitimate businesses at a distinct competitive disadvantage. We will attack the financial underpinnings of the top transnational criminals; strip them of their illicit wealth; sever their access to the financial system; expose their

criminal activities hidden behind legitimate fronts; and protect strategic markets and the U.S. financial system.

- Defeat transnational criminal networks that pose the greatest threat to national security, by targeting their infrastructures, depriving them of their enabling means, and preventing the criminal facilitation of terrorist activities. We will target, disrupt, and defeat the TOC networks that pose the greatest threat to the safety and security of Americans and U.S. national security interests. These include criminal networks—including transnational criminal gangs—that traffic drugs, bulk cash, arms, people, sensitive documents, or other contraband. Further, we will seek to prevent collaboration between criminal and terrorist networks and deprive them of their critical resources and infrastructure, such as funding, logistical support for transportation, stag-ing, procurement, safe havens for illicit activities.

- Build international consensus, multilateral cooperation, and public-private partnerships to defeat transnational organized crime. We will build new partnerships—with industry, finance, academia, civil society and non-governmental organizations—to combat TOC networks that operate in the illicit and licit worlds. We will also fight criminal networks with an alliance of legitimate networks, and ensure the freedom of the press so that the media and journalists may safely expose the harms inflicted by TOC. We will expand and deepen our understanding, cooperation, and information sharing at home with State and local agencies, with foreign partners, and with multilateral institutions. Internationally, we will further international norms against tolerating or sponsoring crime in all its forms, including in cyberspace.

The FBI which dedicated to eliminating transnational organized crime groups that pose the greatest threat to the national and economic security of the United States participates in selecting TOC groups to appear on the Department of Justice's (DOJ) Top International Criminal Organizations Target (TICOT) List, and contributes to the Treasury Department's Office of Foreign Asset Control (OFAC) efforts to pursue criminal enterprises.

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ANTI-CORRUPTION METHODS OF THE WORLD EXPERIENCE

International legislation and experience of other states on formation and realization of anti-corruption policy in foreign countries are analyzed.

Key words: Corruption, anti-corruption policy, anti-corruption, anti-corruption legislation.

Reducing corruption in Ukraine is possible only if the foreign experience of other developed countries is studied and adapted. The provision of foreign experience in combating corruption, which proved to be effective in practice, represents a huge prospect for borrowing foreign experience, especially in the absence of its own effective mechanism for counteracting corruption.

In 2003, Ukraine ranked 134 out of 180 countries with a score Of The Corruption perceptions Index (ICK) 2.4. In 2018, due to the decline in the effectiveness of anti-corruption activities, Ukraine took 122 positions in the rating of 182 countries, sharing it with Mali, Malawi and Liberia [3].

The Ukrainian authorities lack the political will for rapid and irreversible reforms, besides, the majority of international recommendations for the last year have not been fulfilled - так explain experts Ukrainian positions in the rating [3].

We will analyze the experience of countries that have achieved some success in this field.

In Israel, the anti-corruption mechanism is provided by a "monitoring system" for possible corrupt actions. It is carried out by governmental organizations and special police units, the Office of the State Comptroller, which has independence from ministries and government departments, and public organizations such as the "Office for the purity of the Government". These organizations investigate possible corruption points and, if found, inform the investigation authorities.

The fight against corruption in Germany is based on the task of destroying the material, especially the financial base of criminal groups. This is achieved in two ways: Confiscation (confiscation of property) and