



IntegriTAS Threat Assessment System: Prevention and Mitigation Guide





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1. Introduction



This Guide proposes a series of strategies to prevent and mitigate the influence of organized crime, illicit actors and illicit networks on democratic political systems. It represents an integral component of the IntegriTAS Threat Assessment System, which assists democratic stakeholders to define salient factors that facilitate illicit actors' involvement in political processes and institutions.

While lower-level criminals engaged in activities such as drug trafficking or prostitution rings tend to associate with public officials such as police or customs officers, the nexus between politicians and illicit networks is more likely to produce 'grand corruption' schemes. These relationships, in turn, allow criminals to access and control a broader range of political and state-run institutions, such as local councils, hospitals and schools—which distorts key democratic principles like freedom of expression, responsiveness, accountability and equity (USAID 2013; Reitano and Hunter 2016).

As a result, citizen confidence in democratic institutions and processes can suffer (Della Porta and Vannucci 1999), causing a vicious cycle: 'organized crime negatively impacts on the rule of law, human and economic development creating the conditions for further instability and distorted or weak governance' (GI 2014: 1). Moreover, the presence of organized crime and political corruption have a mutually reinforcing relationship, whereby organized criminals use politics to increase their power and resources, and politicians use criminals to finance their campaigns, intimidate opponents and drain state resources.

In pursuit of their objectives, illicit networks have innovated strategies that operate through a broad range of 'political entry points', including legislatures, political parties, local governments, election commissions and the public administration. Accordingly, this Action Guide includes a background framework that briefly describes the problem. It then provides a selection of prevention and



mitigation strategies based on good practices and lessons learned from around the world, aiming to bolster the integrity of these institutions. Since sustainable reform depends on mobilizing coalitions, these strategies are designed for public officials as well as the media, civil society organizations (CSOs) and the business community.

About this Guide

This Guide provides information on the prevention and mitigation strategies that can be applied to reduce the undue influence of organized crime on democratic processes as identified in IntegriTAS. It complements two other Guides: the *IntegriTAS Process Guide* and the *IntegriTAS Factors Guide*. The IntegriTAS software is also accompanied by a User Manual.

Access the IntegriTAS software and supporting documentation: <<https://www.idea.int/integritas>>.

2. Background framework



In many countries, politics has become part of the organized crime playbook. Illicit actors develop relationships with politicians where they perceive benefits and the space to do so. The political advantages sought by organized crime can include:

- ensuring a ‘blind eye’ or non-enforcement of law, for example a judge not sanctioning a private actor for illegal acts (European University Institute 2015);
- creating opportunities to access state resources below the current market price, such as through licences or concessions to state resources; and
- charging higher than the current market price for public contracts.

While these goals are not necessarily exclusive to organized crime—these corrupt practices may also involve ‘licit’ actors acting illegally—they constitute the typical target for these criminal networks.

Why politicians collude with organized crime

Collusion between politicians and illicit actors is not based on political ideology, but on shared interest, exchanges and reciprocity. Politicians have as much to gain as organized crime from these joint ventures. In countries such as Italy, Guyana, Jamaica and Nepal, politicians have used gangs as ‘muscle’ to support their election campaigns through intimidation (Kavanagh 2013). In other cases, politicians receive resources in the form of campaign contributions or bribes. In this sense, the politician–illicit actor nexus, or what Godson (2003) calls the

‘political–crime nexus’, is a ‘win-win’ arrangement—except for the citizenry, which sees their political voice diminished and institutions corrupted (Sample 2014a). These links often lead to deep and enduring relationships based on long-standing trust and covering multiple incidents of cooperation (Villaveces-Izquierdo and Uribe Burcher 2013).

Where the organized crime and politics nexus happens

No country is immune from the political influence of illicit networks. In Western Europe, these networks have influenced local politics in Italy and France (Squires 2014; Howden and Parodi 2015; Center for the Study of Democracy 2010: 247–267), among other countries. The same is true of East Europe; International IDEA, for example, conducted a study on the political activities of transnational organized crime in Estonia, Latvia and Lithuania (Villaveces-Izquierdo and Uribe Burcher 2013), showing similar patterns of criminal influence over politics.

Within Africa, the threat extends even to consolidated democracies such as Ghana, where ‘political parties are suspected of using the spoils of drug trafficking to support electoral campaigns and to underwrite voter turnout’ (Kavanagh 2013: 18). This is similar to the situation in Latin America, where many countries, including Colombia, Ecuador, Guatemala, Mexico and Peru have suffered from the corrupt influence of organized crime in politics at both the national and local levels, and where criminal groups and networks have funded candidacies, murdered elected officials and established parties to build a political arm to protect their interests (Briscoe, Perdomo and Uribe Burcher 2014; Briscoe and Goff 2016a, 2016b; Reitano and Hunter 2016; Uribe Burcher and Perdomo 2016). Also, in the United States some local mayors have been linked to organized crime operations for several decades (*New York Times* 1970).

That said, vulnerability to the nexus between organized crime and politics is particularly acute in states characterized by poor governance or fragility. In contexts of ‘weak enforcement mechanisms, low levels of economic well-being, insufficient government capacity and significant societal divisions... transnational criminal networks further erode state legitimacy by incentivizing corruption, infiltrating state structures and competing with the state in the provision of services’ (Locke 2012: 179). In democratizing regimes or those undergoing political transitions or state formation, the country’s security forces may also experience an institutional vacuum that increases the threat level: ‘Where conflict has ended, recovery and the creation of resilient institutions takes time; and the weakness of governance in post-conflict environments attracts transnational criminal networks’ (World Bank 2011: 56). In both situations, there are power and institutional vacuums that allow organized criminal interests to penetrate the state.

Vulnerability can also vary within countries. Local governments tend to face the highest risk of infiltration by criminal networks where powerful and influential figures may live close to each other and be connected through social or kinship ties, and where there is diffusion of power and responsibilities to non-elected officials. In such communities, ‘local politicians or bureaucrats may find it difficult to extricate themselves from undue influence by local powerbrokers’ (Chene 2012: 2). Additionally, even transnational networks tend to depend on local operation centres for economic activities such as drug production, smuggling or mining (European Parliament 2012; Allum 2016). Most importantly, the broad trend towards decentralization has also put additional pressure on the local level to control corruption and security, despite typically having less scrutiny from public and oversight institutions (Uribe Burcher and Perdomo 2016).

Natural resource wealth—particularly those of interest to the extractive industries—can also be seen as an enormous, concentrated ‘prize’, thus making it particularly attractive and vulnerable to illicit actors. Organized crime may seek to influence several stages of the extractive industry value chain, including the decision to extract, the negotiation of terms and decision-making on the revenues. For instance, in 2008 an Indonesian parliamentarian was sentenced to eight years in prison for accepting bribes regarding the decision to extract timber, specifically through the approval of forest conversion in designated ‘protected’ zones (UNODC 2013: 93). Likewise, in Guinea questions were raised regarding the terms negotiated for oil exploitation. During the 2010 presidential election, campaign donations from South African businesses allegedly supported the incumbent’s re-election and produced a deal seen as so disadvantageous to the public interest that good governance advocate Mo Ibrahim asked: ‘are the Guineans who did that deal idiots or criminals, or both?’ (Menzi News Blog 2014). While these examples involve broader corruption schemes that are not restricted to organized crime, they reflect the weaknesses in these sectors in relation to these types of interests.

Other industries are similarly vulnerable to organized crime. The construction and building businesses, waste disposal and the financial sector are all notoriously prone to attract illicit interests (Borghesio 2013; Cleveland 2015; D’Amato, Mazzanti and Nicolli 2015; de Koker and Turkington 2016: 241–63; Gabor et al. 2011; IMF 2001; Kitten 2012; Paulose 2017; PwC 2014; Chartered Institute of Building n.d.; Thomas 1977; Tsai 2008; US Department of State 2001).

3. Strategies to reduce vulnerabilities and empower reformers



The strategies proposed in this Guide are structured according to the 10 factors related to democratic vulnerabilities as described in the *IntegriTAS Factors Guide* (Uribe Burcher and Perotti 2018), which are clustered under three distinct types:

1. *Foundational factors* refer to the wider context and include socio-economic conditions, political transition processes and geostrategic conditions.
2. *Institutional factors* refer to the processes and actors directly and officially involved in democratic life and include rule of law and access to justice, political parties, legislature, public administration and electoral system.
3. *Associated factors* refer to other institutions and systems that have a stake in (and impact on) democratic life and include media and civil society watchdogs, and the financial system.

This Guide draws on cross-country research and national experiences to provide insights on strategies to prevent and mitigate illicit influence on political processes and institutions. Recognizing the multi-faceted nature of these challenges, it combines measures designed to identify and correct democratic vulnerabilities with steps to protect and empower anti-corruption reformers (see Box 3.1).

Box 3.1. The need for an anti-corruption strategy

In line with the complexities mentioned above, Mungiu-Pippidi et al. (2011) outline the need for an anti-corruption strategy that is multi-faceted, appropriately sequenced and supported by a non-partisan coalition of stakeholders. First, a non-partisan coalition should be built from ‘the groups who stand the most to lose from corruption’. This alliance should include civil society broadly defined, including media, unions, religious associations, social movements and non-governmental organizations. Second, institutional ‘weapons’—such as freedom of information acts, asset disclosure and political finance regulations—should be put in place as the new norms of behaviour. Third, monitoring processes must be instituted to ensure compliance with the new institutional measures and widely disseminate their results. Finally, a ‘market for integrity’ creates incentives for behaviour change when broad-based coalitions can influence electoral processes such that parties compete on anti-corruption issues. This formula was put in place in 2004 in Romania, when parties agreed to screen candidate lists by the Romanian Coalition for a Clean Parliament (Mungui-Pippidi and Dusu 2011).

When reviewing the strategies included in this Guide, it is important to keep some key caveats in mind:

- *Decisions related to democratic processes are political—not technical.* Lessons learned are only useful to the extent that key stakeholders listen, engage in dialogue and make concessions. Change depends on political will. In this regard, a political economy analysis that is ‘organized crime sensitive’ can provide a deeper understanding of the incentives that shape behaviour, and thus improve the selection of policy instruments that are appropriate and politically feasible (Kavanagh 2013).
- *Success stories may not translate to other localities.* Even when political will is strong, a reform or safeguard that works well in one context cannot be exported to another due to a myriad of national factors including history, culture, geography, economic development and institutional consolidation.
- *Contexts are fluid.* A reform that makes a difference today may fall short tomorrow. Windows of opportunity continually open and close depending on factors such as conflict dynamics, resource booms and busts, constitutional or legislative reforms, leadership shifts or ‘balloon effect’ spillovers, where progress in one country simply pushes the problem elsewhere. Furthermore, when faced with new anti-corruption measures, illicit networks have a seemingly unlimited capacity to adapt by creating new schemes, routes or entry points.

- *No actor is an island.* The multi-dimensional nature of the nexus between organized crime and political corruption demands a ‘whole-of-government’ response across government agencies, as well as coordination with a broad-based coalition of CSOs, the business community and the media, as well as the support of the international community. At times this may even require cooperation between non-traditional allies. For instance, in many contexts there is considerable distrust between law enforcement on the one side, and civil society and media on the other. Yet experience has shown that a narrow security approach does not work (GI 2014: 1).
- *There is no silver bullet.* A single measure adopted in isolation cannot effectively prevent or eliminate organized crime’s influence on politics. Rather, stakeholders must consider all parts of the system and how they work—from the national level down to the local level. Relationships among multiple levels of government are particularly important, as even a seemingly minor amendment to one aspect of the political process can trigger a ripple effect that impacts other dimensions. At times, the effects of a reform may not be immediately apparent, but unexpected consequences may emerge over time. Stakeholders need to abandon the quest for a ‘silver bullet’ measure and consider more integrated reform packages.

Foundational factors

1. Socio-economic conditions

A myriad of examples can be used to illustrate the various social and economic services that organized crime actors can provide to the population when these services are not guaranteed by a state authority. Diverse actors can either fully or partially provide the conditions necessary for a minimum level of socio-economic development such as security, justice and livelihoods. Examples include the Fuerzas Armadas Revolucionarias de Colombia (FARC, Revolutionary Armed Forces of Colombia) in some parts of Colombia, Hezbollah in some parts of Lebanon and the Taliban in some parts of Afghanistan (Reitano and Hunter 2016: 18). These services encourage long-standing ties between citizens and these alternative service providers. However, numerous seminal international documents have highlighted the devastating impact that organized crime can have on national development. For example, a 2005 report by the UN Secretary General identified organized crime as a key challenge to preventing the achievement of the Millennium Development Goals (United Nations 2005). The result is a vicious cycle, as organized crime exploits and exacerbates conditions that allow it to thrive (GI 2014, 2015).

Open the space for legitimate service providers

Economic policies that incentivize legitimate service providers in areas traditionally controlled by criminal networks can, over time, decrease the influence of illicit actors. For example, in Ciudad Juárez and Monterrey in Mexico, the private sector forged alliances with CSOs to invest in urban programmes, promote citizen reporting and pressure for reform (Conger 2014). Private sector support can also be leveraged to provide training and employment in order to reduce youth recidivism rates, as demonstrated by the experience of the Jesus Light of Opportunities Foundation and the Pacora Center of Achievement in Panama (Dostoyevski 2016). Likewise, the city of Medellín transformed itself after the period of violence and cartel influence of the 1980s and 1990s, with homicide rates that by 2014 had dropped to one-sixth of the 1991 level (*The Economist* 2014). A key part of this transformation was linked to the service delivery revolution that took place in the city, chiefly during the administration of Mayor Sergio Fajardo (2004–2007). Prioritizing quick and tangible improvements in the city's poorer districts, Fajardo's strategy included dismantling the city's clientelistic networks, increasing taxes, promoting transparency fairs, building alliances with civil society and the private sector, and providing universal access to basic public services (Guerrero 2011; *The Economist* 2014).

Understand the local context

In pursuit of the dual objectives of strengthening service delivery and reducing the influence of illicit actors in politics, community perception surveys can be a useful starting point. Understanding public opinion can inform decision-making and raise public awareness. This was the case in the northern border area of Mexico, where public opinion polling highlighted the links between organized crime's presence and an increase in criminality (Wilson Center 2010). Yet public perceptions are also affected by biases and stereotypes. While public opinion should inform policy development, a technical understanding of the evidence should remain the driving force.

Introduce programmes for alternative livelihoods

Important elements of policies to de-legitimize long-term criminalization include encouraging smooth transitions to alternative livelihoods and promoting diversification in income. The sequencing of these initiatives, and how to prioritize tangible improvements in the poorest sectors, are important to consider in efforts to kick-start the long process of building legitimacy and public trust.

For example, in 1989 the United Nations International Drug Control Programme partnered with the Government of Laos and local villagers in Palavek. The alliance introduced new crops such as asparagus and coffee to encourage

farmers in the opium-dominated region to develop alternative livelihoods. New irrigation systems were also created to make rice production more efficient. This project, which included educational efforts, increased the licit revenues of local farmers. By 1995 the number of drug abusers had decreased by 50 per cent (UN General Assembly 1998), and opium poppy cultivation decreased by 96 per cent between 1998 and 2007 (US State Department 2015).

Target recreational, education and religious programmes to youth at risk

A cornerstone of curbing political violence linked to organized crime can be promoting state-led, CSO and religious centre initiatives to steer younger generations towards livelihoods that are not dependent on organized criminal activities. CSOs and religious centres can often get closer to vulnerable communities, where the state presence and legitimacy is weak.

The multi-actor-funded Vencer sports and education programme provides aid to at-risk young people in Brazilian favelas. The programme acknowledges the difficulty of targeting young adults who already have strong social and financial ties to the drug trades. Instead of attempting to break these links, efforts are directed towards creating viable options for younger children who are not yet entrenched in the social and economic fabric of the favela drug cartels. They replace and connect the youth's social capital to a more legitimate kind of organization by developing skills that are generally required in the job market outside the favela, such as cooperation, computer skills, goal orientation and communication skills. The programme has managed to build credibility, as many drug dealers do not wish to see their own children advance in the drug trade (Spaaij 2011: 127, 130).

2. Political transition processes

The state apparatus is particularly fragile when countries or regions are transitioning from one type of governance system to another, or experience a substantial political transformation. In such settings, it may be challenging to distinguish between legitimate and illegitimate actors. The influence of organized crime may therefore increase as state authority is not immediately established, or may be particularly fragile in these transition regimes (Briscoe and Goff 2016a: 21).

Calibrate the priorities and sequence of key political milestones

The focus on, and the order in which key political milestones are reached—such as peace agreements, constitution-building processes, decentralization processes and security sector reforms—may increase the capacity of new institutions to deter illicit interests from meddling in politics. Making sure each step is resilient enough to support the next is vital to creating a system that reinforces integrity from the onset (Bell and Zulueta-Fülscher 2016: 7–8).

The case of Niger provides insights concerning the pitfalls and opportunities generated by the prioritization of various political arrangements. The emergence of violence in that country in 1990 and 2007, driven largely by the marginalization of the Tuareg community in the government, eventually forced the creation of a government power-sharing structure. While far from stable, the Niger transition has focused on the political inclusion of some protracted marginalized communities. So far, this has contributed to the relative resilience of these communities to the influence of large-scale political corruption linked to organized crime (Uribe Burcher and Perdomo 2016: 45–50).

Empower local CSOs to act as special watchdogs during the transition process

When difficult transition processes challenge the capacity of state authorities to oversee each other and prevent corruption, local CSOs with technical expertise and political credibility can provide temporary or long-term support while other layers of the state apparatus consolidate. For example, in Tunisia the broad CSO alliance known as ‘the Tunisian Quartet’ facilitated dialogue during the transition process in 2013. The quartet, which benefited from international backing and popular support representing different interests, played a key role in drafting a new constitution and creating an independent election commission (Stephen 2015).

Establish international mechanisms to support the transition process

International organizations can support transition processes if they do so in close coordination with local actors, and can provide the required muscle to shield newly created institutions from political corruption and illicit interests. The Organisation for Security and Co-operation in Europe had an important role in monitoring political developments in Georgia, creating a system of external checks on the government and reporting on instances of political manipulation of the judiciary (Briscoe and Goff 2016a: 54). The EU had a similar role in former accession states, particularly in relation to promoting security sector reform, focused especially on the police; this has been a key anti-corruption instrument in those countries.

Focus on local institutional capacity

During political transitions, in an effort to create stability and security in the short term, extreme attention is often given to building the capacity and transparency of national institutions. This focus sometimes comes at the expense of local governance structures, which are particularly vulnerable to illicit interests, as the case of Afghanistan reflects. That country’s 2004 Constitution established a centralized system that as of 2016 had failed to reach most regions outside of Kabul. This created important spaces for organized criminal actors to gain political and territorial control in some of those remote localities (Uribe Burcher

and Perdomo 2016: 30–35). Likewise, efforts to decentralize a country's administrative system, or otherwise devolve power to the subnational level, can expose localities with weak capacity and service delivery to alternative (non-state) power structures. For example, after a steep decentralization process in 1991, some localities in Colombia thrived but criminal actors entrenched their grip on power in some of the most isolated communities (Uribe Burcher and Perdomo 2016: 36–42).

3. Geostrategic conditions

Location is key to the development of transit hubs or illegal markets, such as drugs or human trafficking. Depending on the illicit activity, developed or underdeveloped infrastructures can facilitate the emergence or sustainability of such markets. For instance, large harbours or airports can serve as key entry and exit points for illicit goods (OECD CCN 2016: 31), as is the case in Spain, the Netherlands and Italy. Likewise, Colombia's Buenaventura region, which has a Pacific-coast port, is an important hub for the transit of drugs outside the country (Romero 2014: 93–104).

The isolation and climate of some communities can make them suitable for growing drugs or exploiting natural resources. For example, the inaccessibility of Manabi province in Ecuador has facilitated coca leaf cultivation, since it is isolated from the control of law enforcement agencies (Uribe Burcher 2014: 167–76). Most importantly, localities situated near important markets can create incentives for people in that area to engage with organized crime networks. Mexico's proximity to the North American drug market has made it an important hub for drug production and distribution (Briscoe 2016).

Develop comprehensive regional and global binding mechanisms to address corruption and organized crime

Given the transnational nature of many of the illicit markets involving organized crime, disrupting key components of the criminal chain can have a snowball effect in other locations affected by their connection with the trade route and related political corruption. In that respect, promoting the signing and implementation of international anti-corruption conventions is an important step. The 2003 UN Convention against Corruption (UNCAC) is the first global legally binding international anti-corruption instrument, requiring various forms of international cooperation such as mutual legal assistance in the collection and transfer of evidence and extradition. UNCAC also emphasizes the importance of cooperation in asset recovery cases and requires state parties to return illicit gains to the country of origin. By providing common definitions and instruments, UNCAC helps states move towards norm harmonization, facilitating operational coordination and incentivizing the development of common assessment frameworks (Cockayne 2007). Without such harmonization, states are often

unable to work together on cases, as the techniques used in the court of one cooperating country may not be allowed in another (UNODC 2012). It is therefore essential for national governments to effectively implement the UNCAC provisions.

Also important in this regard is the United Nations Treaty on Organized Crime (UNTOC), adopted in 2000, the principal global legal instrument for addressing illicit networks. Despite limitations, it is particularly relevant to the transnational cooperation that the treaty covers; it includes mutual legal assistance, and asserts that ‘States Parties shall afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by this Convention’.

Incentivize the adoption and monitoring of global and regional standards and measurements to tackle illicit activities and political corruption

Of the 17 UN Sustainable Development Goals (SDGs) adopted in 2015, SDG 16—‘Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels’—is particularly relevant to political corruption and organized crime: Targets included within the goal address challenges such as human trafficking, rule of law, illicit financial flows, stolen assets, corruption and bribery (‘in all its forms’), and accountable institutions.

Other voluntary global standards have been put in place in some sectors related to organized crime and politics, including the Kimberly Process for certifying diamonds and the Extractive Industries Transparency Initiative (EITI). Both initiatives aim to raise awareness about, and increase monitoring of, the risks of criminal capture of key state resources among policymakers and within civil society. The EITI process, for example, has demonstrated global progress, particularly in revenue transparency. For instance, Nigeria’s first comprehensive audit of the oil and gas industry resulted in reforms to relevant regulations and the setting up of the Nigeria EITI National Stakeholders Working Group as a statutory body. As is the case more generally for EITI, these advances in transparency have yet to be matched in terms of accountability in the fight against corruption (Ocheje 2006).

The Financial Action Task Force (FATF) initiative, sponsored by the Organization for Economic Security and Development (OECD), sets standards and promotes the implementation of measures to combat financial crimes—particularly money laundering and terrorist financing. The FATF’s widely accepted 40 recommendations serve as the international standard for anti-money laundering compliance and include specific measures regarding politically exposed persons (PEPs). This initiative has spawned eight FATF-style regional bodies that coordinate with Financial Intelligence Units (FIUs) in their respective regions and provide guidance at the national level. Compliance reviews of the FATF standards

have revealed areas that require improvement. One such report found that advanced economies were achieving rates of international cooperation of around 70 per cent, while the international cooperative efforts of developing economies stood at just 50 per cent (Verdugo Yepes 2011).

Combine multilateral strategies with bilateral cooperation

National agencies seeking to make use of international standards and cooperation treaties face a number of challenges. Accessing information related to corruption and money laundering is particularly difficult. For instance, the FIU in Tanzania detected large-volume cash transactions between the country's nationals and businesses in Dubai, but has been unable to obtain the necessary information on the names of the involved actors, the amounts spent and the origin of the funds (Goredema 2011: 21). Some of the barriers include differences in legal traditions, procedures and confiscation systems and the potential for leaks. In some cases, a request for information may motivate the foreign jurisdiction to initiate its own investigation, and therefore refuse to provide assistance while the case is on-going.

Additionally, global comparative experience has shown that effective international cooperation depends on the establishment of longer-term interstate relationships, rather than one-off instances of mutual assistance. According to the United Nations Office on Drugs and Crime, prolonged cooperation can imply 'coordination of investigative initiatives, including their programming, timing and distribution, and the development of the new concept of co-management of investigation and prosecution', as well as the creation of bilateral or international structures, such as 'joint law enforcement offices' and 'joint investigative teams' (UNODC 2012). In addition, in the struggle against organized crime, effective cross-border police cooperation requires joint targeting of suspects, sharing intelligence and coordinating operations, securing evidence and targeting suspects. One model that can facilitate enhanced collaboration is the establishment of joint centres established in the border areas of the territory of one or more of the cooperating countries. In these joint centres, police authorities work together on the 'exchange, analysis and transmission of information in cases concerning border areas' (UNODC 2012). In 2014, Panama and Colombia established a joint centre using this model on their common border, and the following year Panama and Costa Rica signed a similar agreement.

Another potential area for international cooperation is information exchange and joint learning. For instance, the experience of Guatemala's *Secretaría Nacional de Administración de Bienes en Extinción de Dominio* [National Secretariat for the Administration of Seized Assets] has been used to inform El Salvador's legislative development and administrative procedures. Following a series of exchanges, the two countries are now working on a mechanism to enable the sharing of seized assets that result from coordinated intelligence.

Stress efforts to enforce international standards at the national level

Effective international cooperation also depends on reforming the rules in the host jurisdiction. For example, Switzerland in recent years has improved its mechanisms to facilitate the identification, freezing and recovery of stolen state funds. The legislation, known as the ‘Lex Duvalier’ after the deposed Haitian dictator, has allowed the Swiss Government to assist, for example, in the recovery of private accounts belonging to former President Mubarak of Egypt.

Consider implementing review mechanisms to bolster compliance

Under certain circumstances, international review mechanisms can help promote domestic enforcement. For instance, the Group of States against Corruption (GRECO), an official Council of Europe agency, is charged with monitoring the compliance of its 47 member states with anti-corruption instruments, including on the issue of political finance. According to one EU report, ‘GRECO evaluations on party funding have had a visible impact on the reform of the legal and, to some extent, institutional framework in this area’ (European Commission 2014).

Institutional factors

1. Rule of law and access to justice

Rule of law means access to justice for all people in a society, as well as full accountability for all institutions and people. When it is weak, law enforcement is particularly vulnerable to the organized crime and politics nexus. Varying forms of corruption may subsequently ensue, such as influence over judicial decisions, information leaks to illicit networks regarding cases under investigation, or protection for criminal gangs operating from prisons.

Ensure that there are robust legal frameworks to effectively tackle corruption related to organized crime

Legislation should be developed based on comprehensive assessments of the political and legal dimensions of illicit networks. Laws should include definitions of organized crime, the scope of their activities, as well as penalties for any transgressions that are clear and enforceable. Legal instruments such as protection and plea bargaining for witnesses and collaborators should also be included in order to use lower-level arrests to snare high-level targets.

The importance of a favourable legal framework that includes special investigative techniques is illustrated by the case of Pavlo Lazarenko, former prime minister of Ukraine, who was convicted of money laundering, wire fraud and extortion for a combined looting of more than USD 200 million in public resources. Lazarenko’s conviction in the USA was made possible thanks to a

search of discarded trash from the office of an accomplice. Under US law, a search warrant is not necessary if there is no physical entry of property (UNODC 2012).

Develop specific organized crime-sensitive investigations

Unlike most forms of crime, which involve collecting evidence of an offence in order to prosecute, organized crime investigations are generally focused on persons or illicit networks rather on solving a particular crime. Organized crime investigations must be intelligence led to ensure a full understanding of the history, objectives and modus operandi of the illicit networks, as well as expansive in scope to ensure coverage of all the actors. Special techniques such as undercover operations, surveillance and interception of communications can also be crucial tools to follow the interactions between suspects and build a case for eventual prosecution (UNODC 2012). Each of these techniques must be regulated at the national level to ensure their effective use in court and to prevent their abuse. It is important to avoid *mano dura* or ‘iron fist’ populism that relies on mass arrests or harsher sentencing rather than meaningful justice reform.

Foster a system for law enforcement cooperation and information sharing

Attempts to address political corruption must consider the relationships and inter-dependence between all parts of the criminal justice system. For example, a well-functioning police force cannot combat organized crime without the committed support of prosecutors and judges. Accordingly, mechanisms for enhanced interagency coordination between police, prosecutors and judges must be developed. Options can include multi-agency training processes, the joint development of manuals and protocols, and the integration of inter-institutional teams, such as embedding a prosecutor in a specialized police unit. The experience of Ghana provides a case in point. Although Ghanaian security forces arrested several individuals, including members of the Narcotics Control Board, for allegedly colluding with an international drug trafficking ring, the case was adjourned more than 20 times, and was ultimately dismissed (Ghana Web 2012).

Translate law into action by enhancing the capacity of law enforcement agencies

In many countries there is a gap between the legal framework and law enforcement. This may be due to capacity challenges such as inadequate equipment, limited knowledge, low salaries and under-staffing. Capacity development often includes training law enforcement and judicial personnel, and providing equipment and advisory and technical assistance for enhanced administration. To ensure the appropriate prioritization of interventions, efforts must begin with a detailed assessment of institutional and operational capacity gaps, as well as the inter-dependencies between agencies and the political incentives that shape behaviour.

Strengthen the judiciary's capacity

Effective corruption control also depends on an efficient and independent judiciary with well-trained and well-paid judges, clerks, prosecutors and defence attorneys. Hence, bolstering the independence of the judicial system involves exploring alternative appointment mechanisms, fixed terms and limited liability for decisions. Unfortunately, cases of judicial complicity in organized crime abound. A federal judge in Argentina, for instance, was accused in 2015 of heading an organization that accepted bribes in exchange for freeing prisoners held on drug offences, including a payment of USD 350,000 to free a Bolivian businessman accused of trafficking (Yagoub 2015).

Reinforce police–community linkages

Interactions between police and local communities represent an essential element of effective law enforcement. However, instances of corruption and the abuse of power by the police undermine public confidence, and reduce the likelihood of citizen cooperation. In these contexts, strategies are needed to promote law enforcement accountability—such as internal auditing and early warning systems to identify officers at risk of corruption—and to support community policing models that build trust and citizen engagement (IDB 2014). Since promoting law enforcement methods is more likely to elicit citizen support, collaboration represents an important way to engage citizens. This may include community and local policing that emphasizes the importance of ongoing partnerships as well as problem solving to proactively address crime and the fear of crime.

The Honduran CSO Association for a More Just Society (Asociación para una Sociedad Más Justa, ASJ) helps bridge the gap between the national police and local communities. ASJ solves homicide investigations by finding murder witnesses, encouraging them to testify anonymously, putting them in touch with trustworthy police and seeking protection for them.

Consider that organized crime affects women and men in different ways

While men suffer higher rates of homicide, women are more likely to be victims of human trafficking for the sex trade, forced labour and domestic work. Worldwide, women make up 98 per cent of all victims of commercial sexual exploitation (USAID 2015). In the Middle East and Gulf region women are more likely to be sexually assaulted by human traffickers and by gangs or armed groups, and in most countries sexual assault crimes are underreported and unpunished (Anti-Slavery International 2006). In Honduras, for instance, one study found that the impunity rate for sexual violence is 94.5 per cent (Centro de Derechos de las Mujeres 2014).

Gender sensitivity can be introduced into efforts to prevent or mitigate the nexus between organized crime and political corruption in several ways. The first

is to ensure that data are collected, and that research is conducted on the gendered differences in victimization rates and types. Additionally, it is necessary to ensure that awareness-raising campaigns are tailored such to reach women and reflect their needs and priorities. For instance, a UNODC anti-corruption project in Albania focused on helping women identify corruption and raising awareness of the legal framework and available reporting mechanisms (UNODC 2013). Moreover, there is a need to examine the extent to which policing and investigative techniques employ a gendered approach, including adequate training in implementing the appropriate techniques to collect evidence from a victim of human trafficking—who is likely to have suffered sexual assault—without ‘re-victimizing’ them. Most importantly, diverse gender staffing in law enforcement agencies may help fight organized crime: the presence of female police officers has been shown to improve law enforcement response to sexual crimes and certain types of physical violence (UNODC 2013).

Create ad hoc, specialized investigative units

Given the complexity and time involved in undertaking a comprehensive overhaul of corrupt criminal justice systems, some decision-makers have opted to complement long-term institutional reform processes with more immediate tangible successes. This is sometimes offered by specialized units that undergo extensive background checks, as well as ‘post assignment incentives and disincentives for operatives and family members’ (Kavanagh 2013: 25). Seen by some as a ‘corruption-free zone’, these vetted units are often used to avoid leaks on sensitive cases involving high-value targets. US Assistant Secretary for International Narcotics and Law Enforcement William Brownfield has described US-supported vetted units as ‘short-term solutions’ that are used ‘to do basic, specialized law enforcement while waiting for the larger institution to improve’ (Brownfield 2013).

The International Commission against Impunity in Guatemala (Comisión Internacional contra la Impunidad en Guatemala, CICIG) is considered a particularly successful independent body created to investigate a limited number of sensitive and difficult cases. Though it operates under national law and supports the work of the national Public Prosecutor’s Office, CICIG represents a unique model given its mandate as an international prosecutor. Its accomplishments include the passage and implementation of legislative reforms; the provision of tools to investigate and prosecute organized crime; and the removal of politicians with links to organized crime—including, most notably, the 2015 resignations of Guatemala’s president and vice president. According to one report, ‘through emblematic cases, the Commission has demonstrated that with the necessary political and technical support, the Guatemalan justice system can investigate complex cases and bring to justice actors once considered untouchable’ (WOLA 2015: 2). The CICIG also acted boldly in 2017 by

investigating President Morales for alleged illegal campaign financing (Escobar 2017).

However, critics charge that these specialized units may unintentionally debilitate the broader police force by removing the best officers from the rest of the force, disrupting the chain of command, generating difficult-to-manage inequities between vetted and non-vetted units in terms of caseloads, training, resources and publicity, and causing resentment among non-vetted teams.

Consider the potential risks of deploying the military where the police lack capacity

When citizens perceive rising levels of crime but do not trust in the ability of law enforcement, frustration may reach a point where the military is seen as the ‘solution’. However, clearly separating the functions of the military, intelligence services and the police is critical for maintaining long-term security. This also includes reasserting civilian oversight through reforms that emphasize police ownership of public security.

The risk of relying on the military to provide domestic security is exemplified in Central America, particularly El Salvador and Honduras. To combat the rising threats posed by criminal gangs, in April 2015 the government of El Salvador created quick-response battalions comprising soldiers to combat gangs (Wright 2015) and deployed 7,000 soldiers to urban areas to support policing (Reisenfeld 2015). Meanwhile, in 2015 the government of Honduras created the Military Police of Public Order (*Policía Militar del Orden Público*) for urban security (Lohmuller 2015). This increased reliance on the military for public security has raised human rights concerns. For example, although the period of 2010–11 saw no reported cases of human rights abuse, between 2012 and 2014 Honduran Government soldiers were accused of involvement in at least nine murders, over 20 cases of torture and about 30 illegal detentions (Stargardter and Pretel 2015).

Engage in a security sector reform process

Rather than relying on the standard menu of criminal justice technical trainings and equipment support, reforms should engage in deeper assessments of institutional processes and accountability systems. These reforms should prioritize ensuring transparency among law enforcement institutions through solid internal affairs protocols, transparent crime tracking and civil society engagement in dialogue, monitoring and reform processes. For instance, a police reform process supported by the United Kingdom’s Department for International Development (DFID) saw the need to shift its framework from equipment and training when anti-corruption efforts were blocked by ‘criminal dons’. DFID’s support was restructured to focus on accountability by dismissing corrupt officers, enhancing community policing and increased civil society involvement in police oversight (ICAI 2015).



2. Political parties

No region is immune to illicit actors' penetration of political parties. In Latin America, cases of political party collusion with criminals have come to light—even at the presidential level—since at least the 1970s (Casas-Zamora 2010). In Africa, allegations are also emerging of organized crime profits—particularly from narcotics trafficking—funding electoral campaigns (BBC News 2008; New York University Center on International Cooperation 2012).

Political parties and candidates enjoy a privileged position in relation to oversight authorities, which often shy away from investigating these people and entities to avoid accusations of political partisanship. Most worryingly, political finance corruption puts policies in the hands of a small number of wealthy people who manage to capture these areas. It also tilts the electoral playing field and subverts the will of the people by undermining the principles of fair competition and the fundamental concept of 'one person one vote' (Jones 2017).

Bolster the design of effective political party finance regulations

The effective implementation of political finance transparency (defined here as expenditure disclosure by parties and contribution disclosure by donors and parties) beyond mere regulations seems to have a positive effect in reducing the perceived level of political corruption (Ben-Bassat and Dahan 2014).

According to the International IDEA Political Finance Database, as of 2017, 90.6 per cent of democracies had banned vote buying (International IDEA 2017). However, some of those bans are more general than others. In Italy, for example, where the Interior Ministry reported that between 1991 and June 2017 at least 266 city councils were dissolved following the detection of mafia infiltration, legislation on vote buying was amended in 2015 to encompass any benefit generated by these exchanges. Previously, the ban only focused on the exchange or promise of money, and excluded the exchange of information and favours, which might be more beneficial than financial support (Xinhua/KG 2014). The database also shows that more than 50 per cent of countries ban anonymous donations to parties, while more than 70 per cent require political parties to regularly report on their finances, and more than 60 per cent require parties or candidates to make those reports public. Also, 66 per cent provide direct public funding to political parties (International IDEA 2014), including 15 Latin American countries that have passed legislation providing some level of free airtime to parties during campaign periods in order to reduce candidates' reliance on private contributors. Four of these countries (Argentina, Brazil, Chile and Mexico) prohibit parties from buying television time. Seen as particularly far-reaching, Mexico's political finance reforms of 2007–08 included a prohibition on all private advertising for radio and TV and the establishment of specific criteria to distribute airtime.

Focus on the enforcement of political finance regulations

The real challenge to closing loopholes that organized crime exploits in the political finance system is ensuring the full enforcement of laws. In Africa, for example, most parties ‘submitted financial reports [that] are not scrutinized and no sanctions are imposed on violators’ (Öhman 2014a). In Argentina, multiple political finance scandals have come to light, yet there have been no convictions to date. Crimes involving politicians in Argentina can experience an average 14-year delay in sentencing (Londoño and Zovatto 2014).

New regulations must be realistic in terms of ‘enforceability’, specifically regarding the necessary mandate, resources and sanctions (Dahl 2014). In some cases a long-term strengthening process may be required, which includes new political finance regulations ratcheted up over time, in sync with investments in party compliance strengthening (Öhman 2014a). It may also make sense to focus regulations on issues that are easier to verify, such as advertising limits.

Improve transparency of political party finance data

A key element of effective oversight of political finance data is transparency and accessibility of that information. This allows designated entities and civil society to verify the accuracy of the reports. Yet, despite the Freedom of Information (FOI) and Open Data movements, there is significant room for improvement in political party transparency. The international Open Government Partnership (OGP) has focused generally on transparency, but not directly on the issue of political finance integrity. Of the ten open government projects recognized in 2014 for effective citizen engagement, none involved transparency of funding for parties and candidates (Open Government Partnership 2014). Additionally, few countries have electronic platforms with reliable and user-friendly access to party financial information. In Latin America, for instance, only Costa Rica presents data in a uniform format that permits data software management (Londoño and Zovatto 2014).

In some cases, parties do not need to be compelled toward transparency, but rather choose to voluntarily provide information on their finances beyond what is legally required. The Podemos party in Spain, for instance, has made financial transparency a cornerstone of its image. Accordingly, it opened its accounts to public scrutiny through its Transparency Platform that included all expenses and donations made to the party accompanied by their corresponding invoices, lists of staff contracted by the party and the asset disclosures of its Members of the European Parliament (Transparencia Podemos n.d.). In other cases, civil society or international organizations can work to strengthen the party’s capacity for financial transparency. Organized by the Colombian chapter of Transparency International and the National Democratic Institute, the *Cuentas Claras* (Clear Accounts) programme provides parties with technology-based tools and training

for accounting and reporting, in line with new financial requirements passed in 2010. In the 2014 legislative elections, 92 per cent of the candidates submitted reports—even though the quality of reporting fell short, only 32.7 per cent of public funds could be accounted for by the parties (*La Nación* 2015).

Strengthen the monitoring capacity of CSOs in relation to political finance

Along with party strengthening, civil society plays a critical role in monitoring political finance, primarily during election campaigns. Advertising expenses is usually a good place to start, as expenses can be objectively verified through detailed media and publicity tracking. Where regulatory agencies do not catch under-reporting, it has been up to media, CSOs and international election observers to build pressure for stronger enforcement by pointing out gaps or inconsistencies. One example is the work carried out by Transparency International Hungary, K-Monitor and Atlatzo.hu, which partnered on a parallel expenditure tracking exercise through their website *kepmutatas.hu* (Hungarian for ‘hypocrisy’). This brought to light the large discrepancies between real expenditures and party declarations.

When governments do not give citizens easy access to political finance information, however, CSOs often step in to request, review, reformat and present the data. *Excelências* in Brazil has systematized political finance declarations into a user-friendly website with information on donations and donors, as well as profile information, personal patrimony and legislative voting patterns (*Transparencia Brasil* 2010).

Consider increasing political party and candidate responsibility

Political parties are at the forefront of vetting their members and candidates, and identifying their potential linkages with illicit actors. In Colombia, for example, following a political finance scandal that erupted in 2006, which implicated one-third of the national legislature for links with crime groups, Congress passed a series of far-reaching political party reforms. Most importantly, the *silla vacia* (empty chair) reform was designed to incentivize more rigorous candidate selection by political parties. Under this measure, a party loses its legislative seat if one of its elected officials is convicted of drug trafficking or ties with guerrilla or paramilitary groups. Furthermore, any parties or political movements that endorse politicians who have connections to illegal armed groups, or have been sentenced for drug trafficking, electoral offences or crimes against humanity, jeopardize their legal status or can be forced to pay back public money received for campaign financing (Sample 2014b).

Similarly, in 2010 the Brazilian legislature passed the Clean Record Law, which prohibits candidates who have been sentenced for crimes or violations of electoral statutes from running for office for eight years. Under the regulation, 868 would-be candidates were barred from the 2012 electoral campaign (*Consultor Juridico*

2014), while 250 were prohibited from running in the 2014 general elections (Bandeira 2014). Drawing on the principle of institutional multiplicity—by which more than one institution is charged with a determined responsibility—the law authorizes the electoral courts to bar someone from running in the next election based on a decision imposed by a regular court for a criminal offence. Even if the sanction is eventually nullified through regular court proceedings, the Clean Record Law allows sanctioning by another institution (Prado and Carson 2014).

Enhance political party integrity at the local level

Political party integrity seems to be particularly vulnerable at the subnational level (Uribe Burcher and Perdomo 2016). Candidates for local office generally receive less support from national party structures or public funding. As a result, they must find alternative sources of funding, which may include illicit networks. In this context, would-be honest local politicians are often isolated and may eventually be ‘crowded out’ at the local level as they cannot compete with the deeper pockets of their illicitly financed competitors, or due to threats and intimidation. As one Guatemalan legislator remarked, local politicians receive little or no institutional and party backing: ‘they only have the support of their families and moral values’ (Briscoe, Perdomo and Uribe Burcher 2014: 44).

Though the need may be greatest at the subnational level, there are fewer ‘eyes’ on these local municipal processes. In some countries, the proliferation of local parties makes effective monitoring virtually impossible. For instance, in 2010 in Peru, 179 political organizations presented candidate lists in the subnational elections, while there were 253 and 556 at the provincial and district levels, respectively (ONPE 2010).

Protect party candidates from targeted political violence

Political actors not always engaged voluntarily in corruption. Organized crime networks often use violence, or the threat of violence, to intimidate parties and candidates and force them to collaborate with them. It is therefore critical to ensure the safety and wellbeing of political actors as a basic principle to avoid political corruption at a later stage (Alihodžić and Uribe Burcher 2013: 24).

For example, in the run-up to the 2011 local elections in Colombia, more than 35 candidates for mayor and town councils were assassinated. In response, the Colombian Government took several measures to mitigate the threat of violence. First, the Ministry of Defence used targeted statistical data to prioritize 72 high-risk areas (due to the presence of organized crime or non-state armed actors) for the provision of security protocols and protection for candidates. On election day, the military and police mobilized 300,000 service people as part of Operation Democracy to ‘protect the right to elect and be elected’. As part of these efforts,

the Strategic Police Information Centre was created to coordinate security agencies and provide public information (International IDEA 2013).

3. The legislature

The legislature holds the power to interpret justice in a country. If organized criminal actors and interests influence the legislature, this ultimately undermines rule of law and democracy as a whole. In countries experiencing comprehensive political transitions, the potential for criminal actors to assume important positions in the legislature might be more pervasive (Shelley 1995). Since most legislators are experienced politicians with connections in the judiciary and law enforcement, cooperation between organized criminal actors and the legislature often proves fruitful, especially for the former.

Consider legal measures that ban or limit the political participation of people with links to organized crime

A potentially important tool to limit organized criminal groups' capacity to influence lawmakers at the national and local levels is to prevent people with proven links to these groups from accessing elected office in the legislature. In Taiwan, for example, where senior government officials have acknowledged organized crime's infiltration of the legislature—reporting that many elected officials in the Law and Order Committees had colluded with illicit actors (Lo 2016)—the government pushed for the legislative body, the Yuan, to enforce the 'black gold exclusion clause'. This regulation excluded people who were convicted under a certain anti-organized crime act from participating in elections for 10 years.

Provide robust regulations for lobbying activities and conflicts of interest, as well as effective enforcement

Regulations that prevent and tackle conflicts of interest and regulate lobbying are essential to curb illicit actors' potential influence on the legislature. Such was the case in Ecuador, where the Civil Service and Administrative Career Law does not provide appropriate instruments to deal with conflicts of interest. In the past, this loophole 'facilitated the establishment of relationships between organized crime and politicians after they have left office' (Perdomo 2014: 227). In this respect, these regulations should be 'sufficiently broad to cover conflicts of interest that arise after the individual has left public employment... [and] all ranks of public servants should be covered by the rules' (Briscoe, Perdomo and Uribe Burcher 2014: 260).

Equally important is the regulation and control of lobbying. In Latvia, for instance, research indicated the pervasive effects of the lack of norms in this area, which contributed to 'undermining a transparent and accountable exercise of political deliberation and decision making' (Villaveces-Izquierdo and Uribe

Burcher 2013: 19). And while other countries do provide such regulations, their implementation is sometimes weak. Indeed, Peru's 2003 Lobbying Law was established to enhance transparency, but few people even know about the law, and its application has not been widespread (Briscoe, Perdomo and Uribe Burcher 2014: 110).

Limit the provisions granting immunity and indemnity to members of parliament

While immunities and indemnities have an important role in protecting legislators from undue pressure from other state branches (mostly the judicial branch), in order to deter illicit influence on these institutions, law enforcement agencies must have the capacity to go after corrupt politicians—chiefly parliamentarians and other legislators. A good example is Estonia, where 'the Security Police Board and the Prosecutor General's Office can conduct searches against public figures, without the prior consent of parliament, the Ministry of Justice or the president, thus protecting criminal investigations from political tampering and effectively upholding the criminal liability of politicians' (Villaveces-Izquierdo and Uribe Burcher 2013: 17).

4. Public administration

The global push towards greater transparency in the public sector represents an important opportunity to curb the influence of organized crime on political institutions. Information that is both timely and easy to locate is particularly useful for journalists and civil society activities aiming to detect and expose acts of public corruption.

Ensure the effective implementation of FOI legislation

Within the broader transparency movement, FOI laws regulate the disclosure of public information. To date, more than 100 countries have passed FOI legislation. In Brazil, the Office of the Comptroller General conducted a survey prior to the enactment of the FOI law to canvass officials' views regarding access to information. The survey results were used to inform effective implementation of the law and develop online courses ('towards a culture of access to information') for public officials at all levels. The consultation and training processes have been successful: during the first six months of FOI implementation, more than 460,000 requests were made to federal bodies; of these, 85 per cent received positive responses (Martini 2014).

FOI laws have become the norm in Latin America, with national legislation approved in 18 countries (UNESCO 2014). Many countries, however, have a gap between the FOI laws and their implementation. Governments may adopt FOI legislation—sometimes under civil society pressure—but later weaken the measures or delay their implementation. For instance, one study in South Africa found that more than 40 per cent of requests to access information were ignored

by public authorities (Freedom of Information Advocates Network 2013). Another study in Spain showed that Spanish institutions ignored 57 per cent of access to information requests in 2013 (Access Info Europe 2014). Global comparative experience demonstrates that effective FOI application depends on a series of conditions, including the development of a solid and detailed legislative framework, sufficient state resources and capacity, strong civil society and media, performance monitoring, and checks and balances within the government (Martini 2014).

An interesting example of efforts to ensure that implementation keeps pace with regulation took place in Colombia, where a network of CSOs developed an innovative 42-variable Index of Freedom of Expression and Access to Information. This was designed to rate state response along the four variables of access to information: the environment for freedom of expression and access to information, direct aggression, and impunity (Proyecto Antonio Nariño 2012).

Promote adherence to OGP

The Open Data movement represents an opportunity for governments to take proactive responsibility for providing information to their citizens. One of the key initiatives within the movement is the OGP, launched in 2011. The 69 Member States have committed to upholding the principles of open and transparent government as enshrined in the Open Government Declaration (Open Government Partnership 2011).

Though OGP progress is widely celebrated for putting transparency on the global agenda, the initiative also faces three main challenges. First, OGP is almost exclusively focused on the executive branch. Of the 43 countries reviewed thus far by an Independent Reporting Mechanism, only five have seen spillover into the legislative or judicial branches (Barr 2014). Second, analysts have faulted the framing and application of the commitments; 79 per cent have been assessed as not meeting the criteria of ‘being relevant, having the potential to have a major impact, and being implemented’ (Hudson 2014). Finally, not all members act in a manner consistent with OGP principles. Member State Azerbaijan is a case in point, given its reputation for arresting civil society activists and journalists (HRW 2013b).

Prioritize transparency in the procurement system

Public procurement is a public sector function that benefits from transparency. Considerable investments are at stake. OECD states and many lower-income countries procure goods and services amounting to around 15 per cent of GDP (Center for Global Development 2014). Contracts involving extractive industries such as oil, gas and mining may involve billions of dollars in a single sector (Center for Global Development 2014).

At the same time, the potential for pitfalls is great. Procurement process challenges may include poor pricing, limited competition and poorly designed tenders, as well as fraud and corruption. Similarly, bidding procedures for licensing may fall short due to poor market knowledge, weak environmental and social controls, and (again) corruption (Center for Global Development 2014). Illicit groups are quick to seize on any potential weaknesses as opportunities, using tactics such as bribery or intimidation of potential competitors to secure contracts and licences (European University Institute 2015).

Global comparative experiences have shown that transparency is a strong antidote to organized crime infiltration (and corruption more generally) of public contracting processes. In many countries, FOI laws include the opportunity to request access to contracts. Many countries, including Colombia, the UK, Slovakia and Georgia even publish their contracts proactively. This has proven to help increase fair and equal competition among firms and value-for-money monitoring by civil society (Center for Global Development 2014). Indeed, the Slovakian Government publishes all procurement documents. This level of openness enabled Transparency International (TI) Slovakia to detect inefficiencies in hospital administration, and conclude that competitive processes yielded a price that was 20 per cent lower than single-bid processes (Kenny 2014). Similarly, in Georgia, through the comprehensive procurement platform created by the Georgian Government, TI Georgia could cross-reference 430,000 purchases awarded without tender to the declarations of public officials (Kenny 2014). Through painstaking analysis, TI Georgia found that at least USD 150,000 million in single-sourced purchases were linked to companies owned by legislators, public officials or their families (Kenny 2014).

In addition, and given the lack of reliable data on indicators of corruption in the granting of contracts and licences, context-specific ‘red flags’ can be identified for monitoring, including single bidding in competitive markets, no publication of the call for tenders and high short advertisement periods (Fazekas and Kocsis 2015).

Reinforce the asset declaration system (ADS)

Asset declaration systems (ADS) can contribute to identifying and prosecuting cases of illicit enrichment by public officials. Given the threat posed by PEPs, the UNCAC focuses an article on this issue, requiring state parties ‘to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public function and their family members and close associates’. ADS should require officials from all branches of government to specify all assets and income, including homes, financial portfolio, sources of income, investments and gifts, as well as any liabilities in the form of debts or mortgages. ADS should also provide for an

independent monitoring process and agency, as well as sanctions in the case of non-compliance (Transparency International 2013a).

Protect whistle-blowers

Whistle-blowing is defined as the disclosure or reporting of wrongdoing, which includes corruption, criminal offences, breaches of legal obligation, miscarriages of justice, specific dangers to public health, safety or the environment, abuse of authority, unauthorized use of public funds or property, gross waste or mismanagement, conflicts of interest, and acts to cover up any of the above (Transparency International 2013c: 4). Protecting whistle-blowers represents a key component of public administration integrity; without sufficient safeguards, employees who come forward to report corruption risk being fired, demoted or harassed. The UNCAC therefore requires countries to consider adopting whistle-blower protections. Yet, a study of 23 EU countries found that only four had legal frameworks that qualified as comprehensive (Transparency International 2013b).

Whistle-blower protections have been instituted in many countries. In 2004, Romania passed its Whistle Blower Protection Law, which covers government employees and provides equal protection to disclosures made to journalists, activists and others—meaning that whistle-blowers can bypass their employers and share information directly with external groups (Transparency International 2013b). This addition is critical, as ‘external’ cases of whistle-blowing have been found to be more effective than internal cases, yet they tend to result in harsher retaliation (Apaza and Chang 2011).

Increase transparency among local governments

Vulnerability to corruption varies greatly both between and within countries. The trend toward decentralization in recent decades has led to the establishment of new subnational governments and an associated increase in the flow of resources. These local governments face unique challenges. For example, the interests of political and illicit actors are often most entwined at the level at which ‘powerful and influential local figures live in close proximity and find it easy to maintain close personal relations. As a result local politicians or bureaucrats may find it particularly difficult to extricate themselves from undue influence by local powerbrokers’ (Chene 2012: 2). Business ties may also have a disproportionate impact at the local level, particularly when organized crime figures invest their illicit proceeds in legitimate businesses. Even though illicit networks may be transnational, they are dependent on local operations centres for drug cultivation, transport points, smuggling border regions and mining centres, among others (Uribe Burcher and Perdomo 2016). At the same time, defenders of political integrity—such as investigative journalists and civil society—tend to be more

vulnerable at the subnational level, and are likely to have few resources and less capacity than their national counterparts (UNESCO 2013).

Several studies have confirmed the tendency for local governance to be less transparent (UNESCO 2013) and more vulnerable to organized crime (European University Institute 2015). According to the Mexican National Confederation of Municipalities, about 40 per cent of local governments are under constant threat from organized crime. Analysis by Insight Crime (2013) asserted that ‘the gangs dictate whom the mayors hire as police chiefs, levy as much as a 10 per cent tax on local government spending, and insist that their favoured companies be given contracts’. In the European Union, the highest risk for organized crime’s influence in politics has been found to take place in areas that are ‘economically dependent on illegal markets (e.g. along EU’s eastern land borders), the grey economy (tourist areas / booming real estate areas such as Costa del Sol in Spain) and areas with a strong presence of organized-crime controlled businesses (Corsica, Greece, Southern Italy, and various small towns in EU-10E countries). In these regions, organized and white-collar criminals use their legitimate face to finance and support politicians or even directly participate in local politics’ (European Commission 2014).

Seeking to remedy the serious challenges related to corruption in public contracts and licences at the local level, the Colombian legislature approved the Efficiency and Justice Law, which established monitoring mechanisms to oversee local government budgeting and spending. Monitoring is carried out by a team comprised of multiple ministries and the Comptroller’s Office, which has the authority to suspend contract implementation if any diversion of public resources to organized crime is suspected (Uribe Burcher and Perdomo 2016). In addition, Colombia has developed a sophisticated e-procurement system that publishes full contracts and documents related to the procurement process (Colombia Compra Eficiente n.d.).

At the local level, Brazil has instituted an innovative practice through the Comptroller General of Brazil (Controladoria-Geral da Uniao, CGU), which carries out audits in municipalities around the country. The secret of these ‘audit SWAT teams’ is that local governments are chosen at random—through a public national lottery scheme—so local officials know they can be selected in any round and do not have time to ‘prepare’ their account books (Petherick 2015). During their two-week assignment within a municipality, the team is ‘travel[ing] far and wide within each municipality, measuring, counting, and interviewing to verify that federal records align with public goods on the ground’ (Petherick 2015).

Build up CSOs’ capacity to detect abuses of state resources

CSOs play an important role in monitoring public administration activities, most importantly potential cases of abuse of state resources in which organized criminals may be involved. Around the world various organizations have

developed a myriad of tools to detect various dimensions of the abuse of state resources. These include: (a) the ‘clientelism index’ developed by the Expert Forum in Romania; (b) detection of security sector abuse by TI Georgia; (c) social expenditure tracking by TI Georgia and *Fundar* in Mexico; (d) procurement monitoring before and during campaign periods by the Philippines Centre for Investigative Journalism (2013); (e) publicity tracking by Poder Ciudadano in Argentina, TI Czech and Fundar in Mexico; and (f) the use of surveys to monitor abuse of state resources in Kenya by the Coalition for Accountable Political Financing.

5. Electoral system

Elections are vulnerable to a variety of activities ranging from fraud to intimidation. The importance of controlling the electoral process stems from their power to allocate influence and state resources, which is particularly valuable to organized crime networks. Accordingly, some of these crime groups have been linked to infamous cases of illicit campaign financing and support to candidates with criminal linkages, as well as mobilizing and intimidating voters on election day, and even fuelling electoral violence (Briscoe and Goff 2016a).

Promote democratic turnover

Alternation of power is an essential ingredient of democratic governance; it has benefits for political rights and civil liberties, an independent judiciary and the weakening of patronage networks and clientelistic relationships (Maltz 2007). Most importantly, by reducing electoral ‘predictability’, democratic turnover may help to prevent the political involvement of illicit actors, as it lowers corruption’s ‘return on investment’. Research in post-communist countries has demonstrated, for example, that ‘democracy and political turnover...play a key role in creating a situation in which the implicit contract (between the private sector and incumbent) cannot be executed’ (Milanovic, Hoff and Horowitz 2010: 19); power alternation was, consequently, associated with better governance indicators.

By contrast, where incumbents are not term limited, a sitting executive may seek to tilt the electoral playing field in their favour. The advantage of incumbency provides numerous options for foul play, including the misuse of public resources, intimidation via security forces, media manipulation, changing the regulatory rules of the game, or simply refusing to accept defeat.

One method of promoting democratic turnover is through the passage and application of term limits. A key rationale for term limits is that they facilitate fairer political contests, as incumbents have a strong advantage in terms of access to information, name-recognition, status quo biases (‘better the devil you know’) and, in some cases, access to state media and financing resources. In the US Congress, incumbents win re-election more than 80 per cent of the time (OpenSecrets.org n.d.). In the last 35 years in Latin America, only two

incumbents—President Ortega in Nicaragua in 1990 and President Mejia in the Dominican Republic in 2004—lost re-election bids (Zovatto 2013).

Create a credible and independent electoral management system

A credible electoral management body (EMB) requires a clear mandate, resources and sanction authority, as well as mechanisms for independence from political pressure. Bolivia's experience demonstrates that it is possible to overhaul a discredited EMB. An incident of fraud in 1989 led to deep citizen distrust in the National Electoral Council (Consejo Nacional Electoral). A new electoral law replaced the party-based commissioner framework with an expert model with members chosen by a two-thirds vote in the legislature, as well as one member designated directly by the executive. Civil society pressure and cross-party consensus ensured that eminent public figures were named to the Court of the Notables (Corte de los Notables). The reform also eliminated the EMB's authority to modify or annul the electoral results of a polling station, as had happened in 1989. These far-reaching reforms enabled the creation of a non-partisan elections management framework that enjoyed unquestioned credibility for more than two decades (Sample 2014b).

Effective enforcement depends on the independence of the regulatory body as well as protection from political pressure—such as firing or demotions. Some countries have experimented with enforcement 'firewalls'. This includes providing special powers for the EMB—as in the case of Mexico—or collaboration with other government oversight bodies—as in the case of Peru (Londoño and Zovatto 2014).

Build EMBs' capacity to monitor threats on a regular basis

Close collaboration between elections and security sector authorities is necessary during electoral periods to avoid violence and establish mechanisms to prevent organized crime groups from engaging in electoral fraud (Briscoe and Goff 2016a). This can be achieved by undertaking joint threat assessments and coordinating candidate protection and extra security at polling stations, as necessary. The Mexican EMB, the National Electoral Institute (Instituto Nacional Electoral, INE), developed a robust threat data analysis system to improve election-related decision-making. In the context of a dramatic increase in public insecurity and an onslaught of organized crime, the INE (then known as the Instituto Federal Electoral, or IFE) developed a strategy to prevent attacks on citizens and political actors. Two of its principal instruments—the 'political-electoral information system' and the 'scenario analysis programme'—enhanced the INE's capacity to assess threats related to crimes, such as narcotics trafficking, homicides, robbery and kidnapping. Additionally, the 'state risk index' drew on data provided by a task force made up of local state governments and security sector, communication and infrastructure agencies (International IDEA 2013).



Associated factors

1. Media and civil society watchdogs

High-quality, in-depth investigative journalism is indispensable for shedding light on the nexus between politicians and organized crime. Likewise, CSOs have a vital role to play in raising awareness, pushing for institutional reform and monitoring state compliance. Particularly in contexts of weak horizontal accountability—internal government mechanisms—an independent media and CSOs can become the most salient deterrents against political corruption. Combined, these efforts can serve to create a ‘market for integrity’ that influences politicians’ incentives and behaviour.

The case of Peru in the 1990s provides a clear demonstration of the high ‘value’ of an independent media when meticulous bribery records came to light, revealing that television station owners received bribes 100 times as high as those of judges, opposition Members of Parliament and other government officials (McMillan and Zoido 2004). Similarly, the news site ‘El Faro’ in El Salvador has a proven track record of detecting and reporting on links between criminal gangs and political actors. A detailed report on the ‘Taxis Cartel’ in 2011 revealed how illicit networks supported by businessmen and politicians—including mayors and legislators—operated in the northeast of the country with impunity for more than a decade (Uribe Burcher and Perotti 2017). Thanks in large part to El Faro’s investigations, a number of ringleaders and drug traffickers were convicted in 2014 (Lohmuller 2014). Nonetheless, the media is at great risk, either due to a lack of capacity or because journalists themselves are targeted by organized crime with threats or corruption.

In 2011, the Bello citizen movement in Colombia organized a courageous campaign against the candidate for mayor, German Londoño, who was running unopposed and suspected of connections to *parapolitica* networks (Sample 2014a). Thanks to Bello’s call for voters to cast blank ballots, the choice ‘none of the above’ beat the candidate 57 per cent to 43 per cent (Emol.mundo 2011). Londoño was declared ineligible to compete in the follow-up election, which saw an increase in the candidate slate from one to seven. In Mexico, grassroots organizations such as the Movement for Peace with Justice and Dignity (Movimiento por la Paz con Justicia y Dignidad) have been credited with raising awareness, pressuring political leaders and calling the public security model into question. Nigeria’s Women Trafficking and Child Labour Eradication Foundation raised awareness and pushed the national government to respond to the wave of trafficking in persons. As a result of the group’s advocacy, in 2003 the Nigerian Government enacted the Trafficking in Persons Law Enforcement and Administration Act to prohibit all forms of human trafficking, and established the National Agency for the Prohibition of Trafficking in Persons (Banfield 2015).

Civil society was also mobilized in India, where the Association for Democratic Reform (ADR) compiled extensive data on more than 62,000 candidates between 2004 and 2013. This allowed them to identify how many candidates had criminal cases pending (11,000) and then show a correlation with assets declared and their likelihood of winning the election. Among candidates who stood for re-election, the ADR also demonstrated that parties were more likely to include candidates with criminal cases on their lists.

Support the financial muscle of investigative journalists

The media's deep transformation over the last 10 years has jeopardized investigative journalism around the world. In many countries, budget cuts have limited the number of professional reporters assigned to cover complex cross-border issues. Furthermore, in developing countries relatively few for-profit newspapers are capable of funding multiple in-depth investigative pieces. At the same time, media dependency on advertisers—or outright ownership by elites—may result in self-censorship and influence the coverage of powerful interests (Villaveces-Izquierdo and Uribe Burcher 2013). This is why entrepreneurial investment in the media as an independent avenue for investigating organized crime and corruption is a crucial element of fighting these threats.

Protect the physical well-being of journalists and activists

Investigative journalists and CSOs face grave threats when reporting on organized crime and political influence. According to one report, 'mafias and cartels today pose the biggest threat to media freedom worldwide' and were responsible for the murders of 141 journalists during the 2000s (Reporters without Borders 2011). The level of threat in Mexico, for instance, has increased so dramatically that 'the... main media outlets have largely ceased covering "drug-war stories" and have been largely replaced by bloggers who face enormous risks' (Kavanagh 2013). Accordingly, efforts to provide protection to journalists should be a top priority.

Thus it is crucial to provide journalists and activists with security safety nets such as asylum when targeted by criminals or state actors. Engaging the private sector in the development of technologies—such as panic buttons on mobile phones and circumvention technologies to avoid censorship—can also provide journalists with some level of protection against criminal networks or corrupt governments.

In Colombia, for example, the government created the Journalist Protection Program in 2000 that includes economic support and state-provided security. Though implementation has been uneven over the last 15 years, an independent review by the Press Freedom Foundation concluded that the programme's impact has been positive overall in terms of affirming state responsibility for journalist security, contributing to a decrease in the number of reporter homicides and

providing journalists with a greater sense of safety overall (Fundación para la Libertad de Prensa 2015). Additionally, impunity levels in Colombia have appeared to decline as prosecutors have successfully filed charges on previously closed investigations (UNESCO 2014). Similarly, in 2012, Mexico passed a constitutional amendment and legal reform aimed at protecting journalists.

Support networks organized by civil society can also provide much-needed assistance in terms of physical security and legal counsel. The Journalists Alert and Protection Network created by the Press Freedom Foundation in Colombia has helped more than 1,200 journalists in the past 15 years. Through the EU-funded 12-month initiative Safety Net for European Journalists, the Osservatorio Balcani e Caucaso is coordinating a European network monitoring, documenting and reporting of violations of media freedom in Italy, Southeast Europe and Turkey; creating a crowd-sourced platform for geo-localizing media freedom violations; and developing a manual for journalists on protection measures (European Commission 2015).

Promote the independence and transparency of the media and CSOs

While journalists and activists are key actors in unveiling cases of political corruption, they can become the targets of corruption themselves. Research in Nigeria, for example, concluded that journalistic corruption is ‘ultimately condoned by media proprietors, who sometimes encourage reporters to extort money from news sources in lieu of salaries’ (Friedrich Ebert Stiftung 2011). Additionally, a ‘media capture’ scheme was uncovered in Latvia in which businessmen linked to organized crime and politicians influence media coverage by becoming majority shareholders (Villaveces-Izquierdo and Uribe Burcher 2013).

Remove unnecessary legal burdens journalists and activists may face

It is important to bolster freedom of the press guarantees and to prevent state and political interference. This includes limiting penalties for libel such that the threat of civil and criminal prosecutions does not preclude media coverage of sensitive issues. In countries where defamation is considered a criminal offence, journalists may face criminal charges. In some cases, aggrieved public officials have leveraged support from the state prosecutor, in addition to resources and the courts, to investigate and prosecute the complaint. Though four Latin American countries—Cuba, Venezuela, Ecuador and Brazil—continue to pursue criminal prosecution for acts of defamation, the overall trend in the region has been towards decriminalizing defamation. Three of the seven countries that have fully or partially decriminalized defamation in recent years are in the Caribbean. There is also a growing movement to abolish *desacato* (disobedience) laws, which cover the defamation of public officials (UNESCO 2014). Another important advance in the region has been introducing the constitutional protection of sources in at

least six countries and in the Inter-American Commission on Human Rights' Declaration of Principles on Freedom of Expression and the Inter American Press Association's Chapultepec Declaration (UNESCO 2014).

Similar to the situation of investigative journalists, anti-corruption civil society actors are also often subject to reprisals. Examples of anti-CSO crackdowns can be found in all regions; governments take a wide variety of approaches including funding reduction or elimination, intimidation, ratcheting up of the administrative and reporting burden, tax raids, attacks through the media, CSO dissolution and even arrest (Carothers and Brechenmacher 2014). Carothers and Brechenmacher (2014) document the emerging phenomenon by which 'governments are erecting legal and logistical barriers to externally sponsored democracy and rights programs they deem too politically intrusive, publicly vilifying international aid groups engaged in democracy and rights work as well as their local partners'.

Channel the capacity of social media and new technologies to report on cases of corruption linked to organized crime activities

Social media's potential to fill the gaps left by the struggling mainstream media should be further exploited and capitalized. At a minimum, social media can provide a channel for stakeholders to disseminate reports of corruption. Additionally, crowdsourcing platforms have often proven useful for processing and systematizing numerous individual experiences into a collective analysis. For instance, in Argentina the interactive database *Dineropolitica.com* aggregates political finance information based on a wiki platform that allows users to collaboratively create content. Also on a wiki basis, 'CorrupediA' so far has spotlighted 217 politicians accused of corruption in Colombia. CSOs also used crowdsourcing during the 2014 elections in Hungary to highlight spending patterns that violated official limits (Keseru 2014). This included the Corruption Research Centre in Budapest, which analyses advertising expenses by state institutions and state-owned corporations to identify possible signs of political influence. Another example is New Zealand's 2014 scandal in which Nicky Hager hacked email accounts and blog posts to uncover the favourable relationships between the prime minister, key politicians and the media; his book *Dirty Politics* prompted the investigation and resignation of several officials (Loewenstein 2014).

New technologies can also facilitate journalists' investigative capacity concerning the nexus between illicit networks and political actors, as these investigations often require accessing data and a better understanding of complex financial processes. In Colombia, the *Consejo de Redacción* (Writing board) developed 'ZoomOnLine', a comprehensive database for journalists that covers a wide range of information, including political finance data. Also, in 2014 the Organized Crime and Corruption Reporting Project (OCCRP) partnered with

Google Ideas to organize ‘Investigathons’. It provided journalists, researchers and activists with training and access to new technologies, while collectively working through an investigation into a UK-based company’s potential involvement in billions of dollars worth of money laundering activities (OCCRP 2014). The OCCRP also created the Investigative Dashboard to help journalists expose organized crime and corruption with the help of three tools: a crowd-sourced database of documents on persons of interest and their business connections; a list of more than 400 online databases and business registries in various jurisdictions; and a help desk for journalists looking for hard-to-find data. Similarly, the African Network of Centres for Investigative Reporting provides its members with encryption and semantic analysis technologies, forensic research support services and seed grants for cross-border cooperation.

2. Financial system

As a means of disguising the illegal sources of their income, money laundering has become an indispensable enabler of organized crime. Corrupt politicians take advantage of opaque financial systems to launder the proceeds from their bribes, kickbacks and plundered state coffers. According to one UN report, in 2009 criminals laundered around USD 1.6 trillion, or about 2.7 per cent of the global GDP (UNODC 2011). While global figures are difficult to confirm, a seemingly endless spate of recent scandals highlights the dimensions, scope and impact of this problem (IMF 2012). In Afghanistan, for instance, approximately USD 900 million, or 5 per cent of the national GDP, was diverted from Kabul Bank to bank insiders and politically connected parties. The resulting banking sector bail out cost the country USD 825 million. Similarly, a financial services-related corruption scandal in the Dominican Republic led to a bail out that cost 21 per cent of the country’s GDP and led to a currency depreciation of 65 per cent (IMF 2012).

UNODC (2011) estimates the ‘success rate’ for seizing and freezing assets at a dismal 1 per cent. Furthermore, the contacts between criminals and those who launder money have become infrequent and convoluted (Briscoe, Perdomo and Uribe Burcher 2014). Illicit networks and corrupt politicians rely on shadowy transfer structures specifically designed to elude detection. Unfortunately, banks are often reluctant to carry out the necessary reviews of accounts linked to powerful political figures. For instance, a review of the 17 country members of the Eastern and Southern Africa Anti-Money Laundering Group found that only one—Tanzania—required enhanced due diligence of PEPs (Goredema 2011).

Moreover, once illegal assets are detected, there are a number of obstacles to recovering them. Despite international initiatives such as the FATF, the host jurisdiction’s legal framework may disqualify fund repatriation without account holder authorization. Additionally, in many countries it is necessary to prove that the detected assets were secured through a criminal act such as corruption. Due to

the complexities associated with this level of burden of proof, legal proceedings may be delayed for decades.

As outlined in Figure 3.1, effective anti-money laundering (AML) programmes depend on close collaboration between and among state and non-state actors. Steps 3 to 8 hinge on state capacity and the political will to set up and manage the necessary regulatory and supervisory structures, while steps 9 to 12 require state knowledge, documentation, and the cooperation of transnational economic crimes and financial flows.

Figure 3.1. A 12-step framework for anti-money-laundering measures

Prevention/detection of money laundering	Enforcement of anti-money-laundering regulations	Transnational cooperation
1. Customer due diligence	5. Criminalization of predicate acts and money laundering	9. Awareness of relevant transnational trends
2. Reporting obligation	6. Optimal money-laundering investigation model	10. Cooperation with relevant foreign counterparts
3. Regulation and supervision of compliance	7. Protection and punishment of money laundering	11. Effective mutual assistance
4. Sanctions for non-compliance	8. Tracking and confiscating proceeds	12. Effective structures for cross-border tracking and confiscation of proceeds

Sources: Goredema (2011); Reuter and Truman (2004).

Comply with the international standards regarding anti-money laundering measures

Seeking compliance with the UNCAC and FATF guidelines is one of the most important ways to curb the money flow that funds criminals and corrupt politicians. Equally important is to harmonize these frameworks with other states whenever possible.

In an attempt to stem the estimated USD 70 billion that flows illegally into or out of emerging EU economies annually, the EU recently strengthened its Anti-Money Laundering Directive. It now requires companies and trusts formed in every EU country to disclose their ‘beneficial owners’—the natural persons who ultimately own or control them—to a central authority (Simmons 2014). Registries will be made accessible to ‘obliged entities’ such as banks performing due diligence on customers, as well as to others, such as investigative journalists who can demonstrate a ‘legitimate interest’ in the data (Out-Law.com 2015).

Likewise, Ghana has effectively strengthened its AML system. Following a negative assessment of its compliance with FATF standards in 2009, the country began working with the Inter-governmental Action Group against Money

Laundering in West Africa to implement a series of measures aimed at addressing these challenges, including the passage of the AML regulation; the ratification of the UN Convention against Transnational Organized Crime; the enactment of the Criminal Offences Act; issuance of anti-terrorism regulation; and the establishment of a fully operational Financial Intelligence Centre. As a result of these demonstrations of political commitment and institutional capacity, the FATF concluded that Ghana was no longer subject to FATF monitoring (*Modern Ghana* 2013). Also, in Peru the corruption scandal surrounding President Alberto Fujimori's advisor, Vladimiro Montesinos, led to the effective recovery of approximately USD 250 million in stolen assets from local banks and international jurisdictions such as Switzerland and the USA. Key factors underlying this success included the passage of the Efficient Collaboration Act, which allowed plea agreements for information on foreign accounts, as well as waivers authorizing foreign banks to transfer defendants' funds to Peruvian Government accounts. Additionally, proactive efforts on the part of the Peruvian prosecutor to contact and coordinate with the Swiss investigating magistrate are credited with informing key strategic decisions, clarifying Swiss requirements, and developing trust and political will on both sides (Brun et al. 2011).

Focus on enforcing the mechanisms for due diligence in relation to PEPs

Encourage banks to carry out robust due diligence on PEPs and develop processes that consider PEPs as higher-risk cases and trigger additional actions such as approval by senior management to establish or continue business relationships, measures to establish the source of wealth and source of funds, and enhanced ongoing reviews of the business relationship (FATF 2015).

Organizations like Global Financial Integrity advocate measures to curb money laundering and other forms of illicit financial flows by eliminating anonymous shell companies and strengthening AML measures. In order to address the nexus between organized crime and corrupt politicians, stringent mechanisms for the due diligence of PEPs are of particular importance. Similar to the measures currently in place for the comprehensive financial review of potential links with terrorists, scrutiny is needed to identify corrupt politicians—and the international economic networks that enable them—who loot their countries' natural resources.

Invest in improving the capacity of the FIU

FIUs have a key role in curbing money laundering in national centres, specifically for the receipt and analysis of suspicious transaction reports. Ensuring an FIU's independence from the executive and legislative branches is thus particularly important to maintain their capacity to track cases involving PEPs. FIUs also require clear mandates to investigate and impose effective penalties, and their roles should be clarified in relation to those of national anti-corruption agencies.

Also, it is essential to guarantee their access to the necessary high-quality information and technology to track the presence and risk of organized crime. Finally, these units should be able to work with their international counterparts to detect and recover illicit assets via joint investigation centres.

Enhance civil society's capacity to 'follow the money'

Organized crime and corrupt politicians have become increasingly adept at hiding their spoils, often by creating complex networks of shell companies. The challenges involved in painstakingly detecting and tracking the movements of illicit networks, often through five or more national financial systems, cannot be overstated. Nonetheless, civil society activists and investigative journalists are becoming versed in the skills required for 'forensics economics' through courses such as 'Introduction to Illicit Finance, Financial Secrecy and Asset Recovery' offered by the Tax Justice Network's Illicit Finance Journalism Programme and the Centre for Investigative Journalism. A deep understanding of illicit financial flows was instrumental in the Global Witness investigation that exposed London real estate holdings worth GBP 147 million linked to the son-in-law of Kazakhstan's president—purchases made possible thanks to secrecy laws that obscure the true ownership of properties (Global Witness 2015).

Explore innovative ways to relocate seized funds

In 1991, Italy reformed its asset seizure policies to reflect a new understanding of illicit funds and how they 'contaminate' healthy economic relations and 'alter the basic rules (of democracy) and impose non-democratic behaviour' (UNODC 2014: 9). One of the most innovative aspects of this new conceptualization was the allocation of seized goods for 'social purposes' aimed at reasserting state authority and weakening the social bonds within local communities. Examples of this social repurposing have included mafia properties transformed into schools, centres for the disabled, cultural centres and police barracks, and the rehabilitation of a mafia-owned Quarto football team into the *Nuova Quarto Calcio per la Legalità* now seen as 'free from its criminal past' (UNODC 2014).

Bolster transparency mechanisms concerning AML measures

Transparency needs to be built into asset seizure programmes such that public information is made available regarding the volume, source and use of seized assets. Public registries should be created that list the meaningful beneficial ownership on all legal entities. As a necessary precondition, national personal identification systems must be in place to help financial institutions identify clients. For example, in Honduras, the Office for Administration of Seized Assets (Oficina de Administracion de Bienes Incautados, OABI) developed an internet-based transparency platform that included web cameras, specialized software and



website design. Revenue generated through the sale of seized assets is allocated to support the government's ongoing AML activities.

Target AML policies to protect essential money flows from undue obstacles

Tightened AML policies may have the unintended consequence of restricting essential financial flows to migrants, small business owners and recipients of emergency aid. The Alliance for Financial Inclusion recommends calibrated threat analyses that will not jeopardize legitimate financial flows to the poor. Along these lines, Mexico has instituted a four-tiered simplified account structure allowing for very low risk—'level one'—accounts with a maximum balance limit of around USD 400 to be opened on a quasi-anonymous basis and over the phone. Higher-level accounts, however, are subject to the standard 'know your customer' requirements (Thomas and Ionnides 2015). A report by the Brookings Institution identifies additional measures needed to avoid the 'financial abandonment' of the poor and vulnerable, including rigorous assessments of the unintended consequences, better data sharing between institutions, a strengthened threat-based approach, improved compliance, clarified indicators of low risk and enhanced identification processes (Lowery and Ramachandran 2015).

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About IntegriTAS



Transnational organized crime threatens democracy. Supporting the capacity of national and local institutions to prevent and mitigate the nexus between organized crime and democratic politics is an important part of fighting against these threats. The IntegriTAS Threat Assessment System is a multipurpose data-driven software application that helps national and local institutions identify the threats that organized crime poses to politics.

Documentation

The IntegriTAS software is accompanied by three Guides. The *IntegriTAS Process Guide* describes the process of implementing IntegriTAS and includes a description of the system's structure and its implementation stages. The *IntegriTAS Factors Guide* provides basic definitions of the threat factors used in IntegriTAS and includes an Annex which provides a more comprehensive list of potential indicators that can be used to observe each factor. The *IntegriTAS Prevention and Mitigation Guide* discusses the various prevention and mitigation strategies that can be applied to reduce the undue influence of organized crime on democratic processes. The software is also accompanied by a User Manual and a help file.

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