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Multidimensional Approaches

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Editorial Diké S.A.S.

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Content

Messages about this book from regional allies in the fight against the criminal scourge...	11
Presentations.....	15
Words from the Editor	25
Why do we write this book? Authors	29
1.- Introduction	39
Illegal economies in the Latin American context. The high incidence of corruption.....	39
<i>Dr. Francisco Rojas Aravena</i>	
1. Changes in the international system, a new era.....	40
2. New challenges... ..	45
3. Hybrid threats and wars.....	48
4. Regional risks: organized crime, the main threat to democracy.....	53
5. Corruption is a great incentive for illegality, weakening the State.....	59
6. Some final thoughts	65
Bibliographic References.....	69
2. Evolution of the Post-Modern State and the links between illicit trade and transnational crime. What is the role of private companies?.....	75
<i>Dr. Victor Hugo Guerra Hernández</i>	
2. The role of the State in preventing and combating illicit economic systems	81
2.1. What is the State?	81
2.2. In which international source of law can we find a legal answer on the definition of the State?.....	84
2.3. What is the importance of the idea of the concept of “force” in the definition of the State?	86

2.4.	How has the Modern State been described?.....	88
2.5.	And what is the Public Administration?.....	95
2.6.	Global Administrative Law and Comparative Law.....	96
2.7.	What have the Constitutions said regarding the validity and priority of sources with respect to the Constitution and international treaties?.....	103
2.8.	What has been the Colombian experience in this area?	107
3.	The transformation of the public and private sectors in the face of the criminal phenomenon: a necessary synergy?.....	111
3.1.	Background.....	112
3.2.	Public-private collaboration within the framework of globalization	117
3.3.	And do constitutional texts still matter?.....	120
3.4.	Conflict resolution in the global era	121
4.	Best practices, programs, and private enterprise initiatives for the prevention of illicit trade and transnational organized crime	131
4.1.	The Global Compact, the Sustainable Development Goals and the 2030 Agenda	131
4.2.	How have private companies addressed the SDGs and the 2030 Agenda?.....	133
4.3.	What are concrete examples of actions by private enterprise to prevent and combat illicit trade?	136
5.	Final words.....	140
	Bibliographic References.....	143
	3. Transnational organized crime in the context of the SDGs: causes, consequences and multidimensionality	153
	<i>Dr. Juan Carlos Sainz Borgo & Dr. Maurício Vieira</i>	
3.1.	Introduction	154
3.2.	The State fragility narrative.....	156
3.3.	The multidimensional approach to organized crime and peace	161
3.3.1.	UPEACE’s contribution to Parlatino	162

3.3.2.	The African perspective on illicit economies and organized crime.....	164
3.3.3.	The multidimensional approach to transnational organized crime.....	170
3.3.4.	The political contribution to counter organized crime.....	175
3.4.	The 2030 Agenda: an institutional perspective	182
3.5.	Organized Crime in the SDGs and International Law.....	190
3.6.	Implementing the 2030 Agenda in Latin America	197
3.7.	Conclusion.....	202
	Bibliographic References.....	203
	4. Vision and contributions of international private associations and organizations for a public-private approach to preventing illicit trade.....	213
	<i>Dra. Claudette Vernot</i>	
4.1.	By way of introduction.....	214
4.2.	Role of international private organizations in combating illicit trade.....	220
4.2.1.	Regional identification of legislative problems. Proposals for implementation and modernization	223
4.2.2.	Inter-institutional strategies leveraged on laws and effective policies	227
4.2.3.	The scope of local associations in their collaboration with the authorities	234
4.3.	Contribution of the guilds in the prevention and fight against illicit trade.....	238
4.3.1.	Industry support in the harmonization of sectoral priorities.....	238
4.3.2.	Contribution of public policies governmental to the protection of intellectual property rights	240
4.3.3.	Collaboration and participation of local actors in the fight against illicit trade	244
4.4.	Intersectoral scope of international private organizations and instruments for combating illegality.....	246
4.4.1.	Memorandums of understanding and identification of priorities in countries with high levels of illicit trade.....	249

4.4.2. Training programs for the prevention of illicit trade	253
4.5. Conclusions	256
Bibliographic References.....	259
5. Intelligence and Criminal Investigation.....	265
The master key in the fight against illicit trade.....	265
<i>Brigadier General (R) Juan Carlos Buitrago</i>	
5.1. Introduction	266
5.2. Effective approaches against illegality	270
5.3. Emerging trends and challenges without frontiers	275
5.4. Hidden costs of illicit trade.....	280
5.5. Illicit trade in the gear of criminal economy systems.....	283
5.6. Global Commercial Liability Treaties, Agreements and Covenants	286
5.7. Unmasking the instrumentalizers of crime.....	294
5.8. Keys to intelligence and criminal investigation in the dismantling of illicit trade	303
5.9. In the heart of darkness: Operations against global mafias	310
5.9.1. Illicit Trade: an accomplice to transnational crime.....	312
5.9.2. Multilateral diplomacy against transnational crime	316
5.9.3. Reconfigurations of the criminological panorama as a result of the pandemic	320
5.9.4. Comprehensive multilateral control and mitigation strategies	324
Bibliographic References.....	329

Messages about this book from regional allies in the fight against the criminal scourge...

“...The work carried out by great professionals who are experts in the fight against transnational organized crime deserves recognition, with a wide variety of criminal activities, such as drug trafficking, human trafficking, arms trafficking, smuggling of illegal goods, money laundering and other illicit activities have caused so much damage throughout the region.

The fight against transnational organized crime is an important challenge for authorities, international organizations, the private sector and, of course, academia, since it requires cooperation between countries and the implementation of coordinated strategies.

to combat these threats at a global level.

The experience conveyed in these pages will provide a valuable source of information and reflection for those seeking to understand and address these complex challenges aiming a fair and legal region.”

María Fernanda Román Ferrand
Dean Faculty Social and Human Science, Head of School of Government,
Universidad Hemisferios
Quito, Ecuador

“...Without a doubt, this publication reflects an assertive multidimensional approach to the problem that transnational organized crime represents in our region and in the world, with the clear conviction that the beginning of the solution lies in the effective coordination of the different public and private sectors, both national and international, and in generating trust between them. We celebrate this initiative supported by the knowledge, trajectory, and experience of its authors, hoping that they will be considered for the construction and implementation of public policies and harmonized legislation that provide a response to the insecurity and vulnerabilities experienced by millions of people in the world.”

Alejo J. Campos M.
Regional Director of Crime Stoppers Caribbean, Bermuda, & Latin America
Ciudad de Panamá, Panamá

*“... The authors of the book *Criminal Economies: Multidimensional Approaches* are professionals who have many years of experience and a unique vision that allows us to understand this phenomenon.*

Their vision grants us to understand the importance of public-private cooperation, to combat criminal organizations. Criminal economies are global and have no borders. Therefore, the relevance of having a work product that proposes generating and developing global strategies. It is time to organize the legal areas, to forcefully confront criminal organizations.”

Francisco Escutia, CEO of Latin America Anti-Piracy and Intellectual Property Consulting (LAAPIP), with 23 years of experience in the development of Audiovisual Anti-Piracy Programs in several Latin American countries
Miami, Estados Unidos

“...The authors of “Criminal Economies: Multidimensional Approaches” give us a real and revealing reflection on illegal or illicit economic activities that generate profits for those who carry them out, thereby contributing to global criminal economies. From different multidimensional approaches such as intelligence and criminal investigation, the contribution of the multilateral system in the prevention and formulation of public policies against these scourges within the framework of the SDGs, as well as the vision and contributions of different unions and organizations in the public and private sectors of this global problem, also analyzing the evolution of the Postmodern State and the links between illicit trade and transnational crime. From these visions they show us in a guided way how they can cover a wide range of criminal activities, such as drug trafficking, human trafficking, illicit trade, cybercrime, money laundering, extortion, and kidnapping, among others. Thank you for contributing to this work to build a better society.

Raising awareness of this problem.

I recommend reading and studying this book!”

Jose Manuel Quesada
President of the Foundation for the Study of Money Laundering
and FELADE Crimes. Founder of the World Compliance Forum
San José, Costa Rica

“...In a world as complex as the current one, where in many ways the borders between good and evil have become blurred, the publication of a book that deals with the problem of criminal economies from different angles is, at the very least, timely. Above all, because despite its immense dimension, the problem of the incidence of organized crime tends to be ignored or minimized. In this order of ideas, “Criminal Economies: multidimensional approaches” highlights, from various perspectives and with a universal vision, the

dramas, threats and challenges and solutions that today's society must understand and assume in the context of globalization.

I celebrate this book and congratulate its authors.”

Gustavo Adolfo Omaña
President of the Venezuelan Association of Maritime Law,
Caracas, Venezuela

“...Criminal Economies: Multidimensional Approaches represents an important contribution to the study of the various aspects of transnational organized crime, such as drug, human and arms trafficking, money laundering and cybercrime, and to efforts to combat them. The authors of this book bring their invaluable experience in the police, academic, government and private sectors to identify the threats of transnational organized crime. They also explain how harnessing intelligence, designing legal frameworks, developing international and national policies, and promoting public-private partnerships can improve the fight against transnational organized crime that poses a threat to security and prosperity in the Americas.”

Celina B. Realuyo
Professor of Practice at the William J. Perry Center for Hemispheric Defense
Studies at the National Defense University in Washington, DC

Presentations

The Konrad Adenauer Foundation is a German political foundation dedicated to promoting democracy, innovation, and security around the world. For this purpose, we have been present in Costa Rica for more than 40 years.

We believe that democracy, freedom, and security are closely interconnected, with security being a condition of freedom, a resilient and sustainable democracy.

We are in favor of a multilateral and liberal world order that is based on rules. We must do everything possible to promote common solutions in multilateral organizations.

Insecurity can constitute a considerable risk to democracy. Criminal economies not only generate violence, corruption, and impunity, but also undermine institutions, governance, human development and the environment. They have negative repercussions for formal economies and people seeking to earn a living legally.

If a democratic country fails to guarantee a safe life for its citizens, this can also impact support for democracy and even increase acceptance of other forms of government.

In short, organized crime negatively impacts the public sector, the private sector and society as a whole.

We live in a digital and globalized world, highly interconnected, where organized crime operates transnationally. To combat illegal international structures, a comprehensive and coordinated global

response is required that involves the different actors and levels of the State, civil society, the private sector, and international cooperation.

Faced with this problem, we joined the publication project “Criminal Economies: multidimensional approaches” of the University for Peace, which brings together a group of extraordinary experts in this field and addresses one of the most complex and challenging phenomena for peaceful coexistence.

With this publication we want to contribute to the development of coordinated global strategies for the prevention and combat of illicit trade and transnational crime. The aim is to provide inputs for the formulation of public policy and provide guidance for decision-making with a focus on the multilateral system.

We hope that this publication serves as guidance in the mitigation and prevention of organized crime in the world.

Evelyn Gaiser

Representative of the Konrad Adenauer Foundation, Costa Rica

Criminal economies represent one of the most important challenges for sustainable economic and political development, as well as for the democratic institutions of all countries in the region.

Although its direct manifestations are evident in the forms of organized crime and growing violence that undermine citizen security, there are a series of secondary effects, less noticeable, but equally harmful to the consolidation of a rule of law based on a social economy market. Criminal economies encourage the persistence of massive informality in the labor market, preventing important sectors of the population from being economically incorporated into the tax base. Furthermore, they capitalize on the legal loopholes left by poorly conceived formalization processes (such as small-scale mining in Peru) and excessive regulation in countries still facing very high levels of poverty and inequality.

A final challenge lies in the fact that criminal economies have long ceased to be phenomena limited to a specific country, operating through complex transnational networks, and testing the security cooperation and exchange capacities of Latin American countries.

In this context, I congratulate the effort of this publication in clarifying the concept of transnational crime in its multiple dimensions as a constitutive part of the dynamics of criminal economies. This type of analysis does not simply concern academic disquisitions. On the contrary, its conceptual clarity is decisive for the formulation of efficient public security policies. Thus, redundancy in the assignment of functions to state entities and waste of public resources can be avoided.

This research work complements lines of work of the KAS, especially around security. Through various studies and international symposiums, we seek to explore multidimensional strategies and train

armed and police forces so that they can respond to security challenges in an increasingly globalized and complex world. In this way, the cooperation of the Forces in the region is also strengthened, as well as exchange with Europe.

All these initiatives benefit one of the fundamental axes of the KAS's work around the world: the strengthening of democracy, the social market economy, and the rule of law. Only with technically sound proposals that respect human rights can we adequately combat the populist tendencies that have recently increased in the region and that seek to mobilize the support of the population by appealing to facile, inefficient, and irreconcilable strategies with true democracy.

Dr. Robert Helbig

Representative of the Konrad Adenauer Foundation, Peru

In a highly interdependent and interconnected global system and in a context of great conflicts, being able to relate global, regional, national, and local factors is essential. In this globalized world, political, commercial, economic, financial, cultural, business ties, state, and non-governmental organizations, both physical and virtual, are closely intertwined.

Examining these links shows not only transparent and public actions; but also leaves traces of dark and illegal actions. This book delves into illegitimate and illegal links. It provides multidimensional, plural views in its approach to the analyzed phenomena, and delves into its consequences on the State and other actors in these complex processes.

The study of illegal trade and its implications and effects on licit economies is an ongoing and recent heuristic process. Illicit commercial phenomena are as old as commerce itself; even more so in relation to cross-border and international trade. These phenomena have accompanied the development of Latin America and the Caribbean since its discovery, since the first transactions carried out to and from the region. They entailed large illicit movements of people, of slaves, generated both from international networks with hegemony and direction from the States, the powers of the time, and from organizations that today we would accurately call organized crime.

In recent decades, in the post-Cold War, global networks have enhanced exchanges, driven by technological advances. The new digital era accentuates them more strongly, both the actions of legal and regulated trade and illegal transactions.

This book “Criminal Economies: Multidimensional Approaches” provides academic studies, theoretical perspectives, and case analysis that allow us to delve into these highly opaque phenomena. Focuses the rule of law and the conditions of the international context. The authors also provide some keys for the development of public policy on the matter. Throughout the analyzes the role of prevention and cooperation is emphasized. This must have a transnational character to confront transnational phenomena. Likewise, the guidelines of international law are emphasized as a guide in the measures that must be designed and executed globally, regionally, nationally, and locally.

The study of public-private relations provides critical elements regarding regulations that promote legal commerce and prevent criminal economies and illegal transactions. The case studies provide specific examples and ways to address illegal phenomena. The strong relationships and conditioning generated by organized crime and the use of corruption and violence as two sides of the same process are clear.

The chapters of this book also highlight the important role of the UN 2030 Agenda and the Sustainable Development Goals in the prosecution, not without difficulties, of the courses of action of the states with a global and national projection.

From the University for Peace we thank the authors of the chapters and all those who have made the intellectual and material production of this book “Criminal Economies: Multidimensional Approaches” possible.

About the United Nations University for Peace “UPAZ”

The United Nations University for Peace (UPAZ) is a global academic institution, with activities in Africa, Asia, the Americas, and Europe, with its headquarters in San José, Costa Rica. It was established by the General Assembly of the United Nations, through resolution

A/35/55, of 1980. It was determined as an international institution with functional and financial autonomy. The working language at the University is English. Depending on the region of the world, courses are taught in different languages. The Master's Degrees taught at the Headquarters are primarily in English (12 of them) and two in Spanish.

The mandate and mission of the University is to provide humanity with an international institution of higher learning for peace and with the aim of promoting the spirit of understanding, tolerance and peaceful coexistence among human beings, stimulating cooperation among peoples and helping overcome obstacles and ward off threats to world peace and progress, in accordance with the noble aspirations proclaimed in the Charter of the United Nations, as established by the Charter of the University of Peace itself, which is the International Agreement signed on the occasion of its foundation.

The University for Peace attaches central importance to education and research topics aimed at building a foundation of peace and progress, reducing the hatred and prejudices that sustain violence, conflict and terrorism, instability, and war. The UPAZ statutes call for contributing to the universal task of educating for peace through teaching, research, postgraduate training, and the dissemination of knowledge, fundamental for the integral development of the human person and society through of the interdisciplinary study of all issues related to peace. The University is authorized to grant academic degrees of Master's and Doctorate. Thousands of people from different countries around the world have studied and graduated from UPAZ (in 2023, the graduates will reach more than 6,000). Due to its multinational and multicultural nature, it is one of the most diverse universities in terms of the nationality of its students.

To ensure its academic freedom, the University has its own statutes – also approved by the UN General Assembly – and an International Council made up of personalities and authorities who are experts in issues of peace, security, education, society and others, which They

guide and direct it. This has allowed the University to evolve rapidly, with intercultural and transdisciplinary academic programs focused mainly on conflict resolution and sustainable development, from the Culture of Peace and non-violence, with emphasis on the SDGs and the UN 2030 Agenda.

UPAZ has permanent observers at the General Assembly in New York and at the Human Rights Council in Geneva. The Secretary-General of the UN, currently António Guterres, is the Honorary President of the University and its President is Dr. Francisco Rojas Aravena.

The vision of UPAZ is to become, from its different headquarters and regional centers in the world, a collaborative network of centers, entities, and universities and to carry out the enormous task for peace. Hence, UPAZ collaborates with various activities in different regions, cooperating with universities, NGOs, and multiple educational and research partners.

A central task is the integrated vision of UPAZ on the interrelation between peace and conflict with the environment and sustainable development. These interrelationships place us in a privileged position to look at the challenges of the Common Home, of our planet. One of them, beyond climate change, are the illegal and illicit actions of transnational organized crime and its footprints on the economy, promoting illicit trade and impunity.

From that perspective and to advance the knowledge of these phenomena, the University for Peace created in 2020 the Chair on Combating Illicit Trade and Prevention of Transnational Organized Crime, in cooperation with the private sector, with the purpose of investigating the causes and consequences of organized crime and illicit trade, as well as studying the capacity of States to combat this transnational threat. The Chair, throughout its 3 years of activities, has implemented two lines of action: one academic and the other political advocacy (Advocacy).

In relation to the academic axis, the Chair has the objective of promoting training for officials and students with a focus on teaching new theoretical and practical contributions on the consequence of crime. In relation to the political advocacy axis, the Chair has contributed to multilateral forums on this agenda. For example, I highlight the participation of UPAZ in Constructive Dialogues in the context of the United Nations Convention against Transnational Organized Crime (UNTOC), the United Nations Convention against Corruption (UNCAC) and as a member of the Committee Ad Hoc for the Preparation of an International Convention on Combating the Use of Information and Communication Technologies for Criminal Purposes, all under the leadership of the United Nations Office on Drugs and Crime (UNODC).

In addition to these contributions, the Chair has developed research on the fragility of the State and transnational organized crime, which aims to discuss transnational organized crime in Latin America and how its existence and practice directly impact the robustness of the State. The main argument of this line of research is based on the notion that the fragility of the State is a process characterized by the decrease in its capacity to prevent and stop this type of crime in its own territory and on its borders. Another line of research refers to illicit economies and transnational organized crime in Africa, which was a project that had the objective of understanding how illicit economies and transnational organized crime intersect and how these activities negatively influence the dynamics of the consolidation of peace on the African continent.

This book “Criminal Economies: Multidimensional Approaches” allows us to delve into these matters in the context of Latin America and the Caribbean. I reiterate my thanks to the authors, to Victor Hugo Guerra, editor of the book, who was jointly coordinated by Juan Carlos Sainz Borgo and Dr. Guerra. The significant contributions of Brigadier General (R) Buitrago, Dr. Claudette Vernot and Dr. Mauricio Vieira.

*Francisco Rojas Aravena,
Rector United Nations Peace University, Costa Rica*

Words from the Editor

At the end of 2023, I can write, with great satisfaction, these brief lines that accompany this book. A work whose idea arose from the need to fill the void that we appreciate in the absence of an all-encompassing approach and, from various perspectives, of criminal economies. Thus, meeting in Panama (2022), and within the framework of the World Compliance Forum, organized by FELADE (<http://felade.org/>) and the United Nations University for Peace (<https://www.upeace.org/>), the authors, who greatly contribute to this work, agreed to accomplish this editorial task.

It is a book written from the perspectives of our diverse expertise, both professional and academically. For this reason, we thought it appropriate to clarify, at the beginning of this book, “*Why we wrote it*”. An interesting style-aspect of this book is that we avoided including, as much as possible, long foot and reference notes, so that the reader could enjoy reading it straight and learn easily from each of the experts, the content of their respective chapters’ approaches. We also followed the APA Style for references in the main text, and support of our approaches and ideas with a comprehensive bibliography.

The order of the book is as follow, the President of the University for Peace, Dr. Rojas Aravena, introduces in his Chapter the international context, hybrid wars, the need to reinforce Peace efforts, and the profound damage that corruption does to our institutions. My fellow Professors, Drs. Sainz-Borgo and Vieira give us the vision of the Academy, and the importance of education, capacity building and trainings on illicit economies, especially addressing the needs of the public sector representatives. In her Chapter, Dr. Vernot presents the perspective of

the international association, gathered in the International Trademark Association “INTA”, and her experience from her role as Global Head of the INTA Anti-Counterfeit Committee. Brigadier General (R), Juan Carlos Buitrago, develops the importance of intelligence as a key factor in the prevention and fight against the criminal phenomenon. I personally write about two topics, the evolution of the State and its transition into postmodernism, and in that framework, the role played by private companies in the fight against illicit trade and transnational crimes.

To each of the authors, I want to thank you for your commitment and generosity in participating in this academic project. I also thanks, on behalf of the authors, to Ms. Maria Victoria Pérez, for her guidance and accompaniment at the beginning of the work, motivating the authors to write from their experience and professional practices. A special mention to Andres Guerra Sanquiz for his collaboration with the cover of this book. Thank you!

I hope that this academic work is just the beginning of many other joint projects with the team gathered here. The prevention and fight against illicit economies and the criminal phenomenon is complex, and it requires everyone’s efforts. As pointed out by the Executive Director of the International Coalition Against Illicit Economies, ICAIE, David M. Luna, illicit economies have a very wide range of consequences and impacts, although they present themselves differently in different countries and social systems. Illicit economies abuse untapped areas of the market, creating new sources of supply, new customers, or even new technologies that benefit transnational organized crime. The illegal trade can be very diverse, from wildlife smuggling to drug, art and human trafficking, but all of these activities are linked and operate in a more similar way than their disparate product and service offerings would suggest (<https://icaie.com/>).

Finally, I want to thank, very especially, the Konrad Adenauer Stiftung, represented by Evelyn Gaiser from Costa Rica, and Robert

Helbig from Peru, for believing in and supporting this initiative. And I cannot pass up my gratitude to all the colleagues who tirelessly fight from their different areas of influence against crime, particularly to Maria Fernanda, Celina, Alejo, José Manuel, Gustavo, and Francisco, for giving us their generous words of encouragement and merits regarding this work, thank you so much.

Victor Hugo Guerra H.

*Senior Counsel Prevention of Illicit Trade, Latin America, Canada and the United States of Philip Morris International
Graduate School Professor at the Sergio Arboleda University Professor Adjunct at the Regional Studies Center UPAZ*

Why do we write this book?

Authors

¿Why do we write about this topic?

Dr. Juan Carlos Sainz-Borgo

Dr. Mauricio Vieira

The University for Peace (UPEACE) was established by the United Nations (UN) General Assembly Resolution 35/55 in 1980 to be the academic institution based in Central America with the role of developing research and providing teaching on the peace, conflict, and sustainability agenda globally. Since its creation, UPEACE - as it is called - has contributed to the academic training of more than 4,000 future leaders around the world. With regional offices in China, Ethiopia, the United States, Honduras, the Netherlands, Somalia, and Switzerland, as well as partnerships with various organizations and universities, UPEACE is a global institution with inter-institutional cooperation as one of its main lines of action.

Throughout the 40 years since its creation, UPEACE has constantly innovated in academic training and, in August 2020, has created the Chair on Countering Illicit Trade and Preventing Transnational Organized Crime to implement a new contribution to the peace and conflict agenda in the world: the impact of organized crime on society, governments and the private sector. These three actors are mentioned because UPEACE believes that they act as a triad where there is a dynamic of interdependence between them and organized crime and illicit economies impact negatively on each of them, as well as affecting the sustainability of their interaction.

In this sense, the Chair arises as a political-academic response and need to - through teaching, research, and promotion of events - influence decision-making, the design of public policies, and the change of the narrative on organized crime, illicit trade, and its impact on social dynamics. For this reason, writing this chapter is, for us, an opportunity to review the 3 years of performance and contribution of the Chair on Countering Illicit Trade and Preventing Transnational Organized Crime, highlighting its main achievements and policy contributions to the mitigation and prevention of organized crime in the world. In this chapter, we look at the narrative adopted by the Chair and how it permeates the academic-political contribution developed since 2020.

Furthermore, it is important to highlight that we wrote this chapter – in the capacity of vice-rector of UPAZ and Head of the Chair, respectively – in recognition to our academic-professional career as a combination of factors that lead to research on peace and development in a multidimensional perspective. since the emergence of the United Nations agenda on sustainable development goals. We take advantage of the space to emphasize the importance of thinking once again about the problems caused by organized crime and how, in cooperation, we can act to minimize its risks and impacts in the world.

Why do I write about this topic?

Dra. Claudette Vernot

Victor Guerra intellectual author of this project, proposed that we join forces with the editors of the chapters of this book, guiding us and explaining the mission and vision of the different topics. Each one with the perspective of his experience. For my part, I join this invitation, analyzing how in response to the problem of illicit trade that undermines economies, harms consumers and fuels organized crime, various stakeholders deal with this global problem that requires a comprehensive solution, and in this scenario the role of public-private associations is fundamental due to the radius of action they have at a global level.

In the relentless battle against illicit trade, I ask myself from the perspective of my role as Chair of INTA's Global Anti-Piracy Committee: how can we forge partnerships that produce tangible, positive results in the fight against organized crime? The traditional formulas for fighting these criminal groups are no longer sufficient; a paradigm shift requires the convergence of state forces, brand owners, industrial property associations, unions and consumer associations. It is in these strategic alliances that we find the seeds of resilience against the omnipresent threat of organized crime.

We must abandon the idea that trademark counterfeiting and smuggling are inconsequential crimes. The evidence is clear, these apparently victimless acts have far-reaching consequences, as they provide sustenance to armed groups and encourage the expansion of crime and translate into the formation of other crimes such as money laundering, fraud and in certain geographic regions sponsors

terrorism. In regions like Colombia, the insidious connection between organized crime and illicit trade is an alarming reality that demands our immediate attention.

By writing about this topic, my goal is to instill a deep sense of agency in each reader and always think about the consumer, involve civil society, plan public policies and work hand in hand with authorities, the private sector, associations and unions. Our individual actions, when joined to the collective effort, become routes of change. Vision and contributions of unions and international private organizations for a public-private approach to preventing trade. Our unity is not just a theoretical concept, it is the very essence of our ability to effectively combat illicit trade. Together, we can make a difference.

¿Why do I write about this topic?

Brigadier General (R) Juan Carlos Buitrago

Building character with the firm conviction that principles are non-negotiable requires daily effort and involves generating an inner consciousness that doesn't yield to transient aspirations. This is how I expressed it in my most recent book publication titled "Principles Are Non-Negotiable", which I wrote as a legacy and a tribute to a career spanning over 33 years in the police service in my country.

Currently, in my capacity as a Brigadier General in the active reserve of the National Police of Colombia, a Police Administrator, a Business Administrator with an International Management program, a Specialist in Security, and a BASC Auditor, I affirm my determination to combat various typologies of organized crime. This commitment is founded on my work experience with foreign intelligence, investigative, prosecutorial, customs, intellectual property, anti-smuggling, law enforcement, and border agencies, including Europol, Ameripol, and Interpol, among others.

I was fortunate to have illustrious Generals of the Republic as mentors who were my superiors in most of the police units where I worked. Through their example, they all taught me that principles, the essence of who we are and what we do, are forged in temperance when making decisions in times of crisis. They cautioned me that on the path of service, it would be inevitable to encounter adversaries and profound ethical dilemmas. However, looking back, we can now say that we prevailed, and on the contrary, we were determined and resolute in the mission entrusted to us. In fact, I must highlight that based on the experience I gained within the National Police of Colombia in the

fight against the world's three largest drug cartels: Medellín, Cali, and Norte del Valle, from the Directorate of Intelligence, DIPOL, we made a significant contribution to the construction of the Palermo Convention. In effect, a substantial contribution was the inclusion of smuggling as a criminal offense within the Palermo Convention.

During my police career, I led important state intelligence, counterintelligence, and criminal investigation operations in units like DIJIN, DIPOL, DNI, and POLFA. I was tasked with establishing the Colombian office in Europol and contributed to the founding of Ameripol. I also pursued business studies at Georgetown University in Washington and graduated from the FBI National Academy in Quantico, VA. Additionally, I undertook international management studies at the University of Los Andes and completed the comprehensive course in National Defense and Security at the Superior School of War. These foundations and learnings enabled me to participate in various international cooperation processes against crime with intelligence, investigative, and police agencies from Canada, USA, Spain, Japan, Australia, Israel, France, Germany, the Netherlands, Italy, and Sweden, among other nations and countries.

Building on this journey and my professional experience in combating common and organized crime, this chapter presents conceptual arguments about the complexity of addressing illicit trade from both a law enforcement and sectoral perspective, utilizing state intelligence and criminal investigation capabilities. Succinctly, I exemplify with operational deployments that I led as an officer of the National Police of Colombia and through the analysis of other international cases conducted by different agencies to unveil the complexity of organized crime in one of its most sophisticated forms: illicit trade.

Thus, despite the progress achieved in international cooperation and the implementation of control policies, the chapter I write identifies persistent challenges in the fight against illicit trade. These challenges include the adaptability of criminal networks, the lack of resources and

capacities in some countries, and the need to address the underlying causes that fuel this type of trade. Ultimately, it provides a panoramic view of the issue of illicit trade, emphasizing the need for a coordinated global response and the continued commitment of the international community and governments to confront this multifaceted challenge to protect life, health, security, values, legitimate trade, and the integrity of communities and individuals, despite the exploitation and ambitions of criminal networks. The fight against illicit trade is not solely the responsibility of government authorities but a commitment that must be embraced by both public and private actors.

Why do I write about this topic?

Dr. Víctor Hugo Guerra Hernández

In 2018, based in Switzerland, I was appointed to a new role at the company I have been working for since 2007, Philip Morris International. The role was originally called “Brand Integrity” or trademark protection, then it was renamed “Illicit Trade Prevention and Strategy”, that is, the prevention of illicit trade and its strategies. Today its title is simply “Illicit Trade Prevention” or prevention of illegal trade.

My assignment has been precisely and up to the date of writing these Chapter as Senior Legal Counsel of Illicit Trade Prevention, covering Latin America, Canada, and the United States.

After four long years of absence in my region, returning to Colombia in this new professional challenge meant a lot at work and personally. I returned with a different vision, more global, if I can say so, of legal issues, but also about life, culture, politics, and society in general.

Although the prevention of illicit trade was not a new function for my company, since it has existed for more than two decades, it was new to me. From the beginning, it represented a whole learning process on issues related to illicit economies and criminal organizations. In my vision, it has always been fundamental to link the prevention of illicit trade with the fight against organized crime, especially that of a transnational or cross-border nature.

I will refer to this in this chapter of the book. I will consider, for example, crimes such as corruption, money and asset laundering, terrorism, and human trafficking, among others. The reader should

reflect that the precedence of illegal acts such as smuggling, piracy and counterfeiting, or tax evasion, among others, are activities that provide financial, logistical, and human resources to organized crime, and are part of a criminal portfolio.

Latin America, Canada and the United States are not exceptional from the perspective of criminal economies. However, they do have their own characteristics that must be especially considered when designing and implementing public policies on prevention and combating the criminal scourge.

Having an international legal mindset and a Comparative Law training have helped me to address the criminal phenomenon from a cross-border and multidimensional perspective. Always looking at the different possibilities and solutions offered by the international community and the multilateral system. In addition, living and working in several countries has helped me a lot to understand each national or domestic reality, and the liaisons that exists between them, beyond their territorial borders. Generating in me an all-encompassing legal perspective and vision of the criminal phenomenon, which I hope to share with you in the following lines, to nourish your own stories and enrich your professional practices.

As you will have already appreciated in the previous Chapters, this book tells our professional experiences in the prevention of the illegal economy, and this will not be the exception. Therefore, it will be a narrative nuanced by these more than 30 years of work, particularly in the last five years, dedicated almost entirely to the prevention and combat of illicit trade and transnational organized crime.
