OSCE work in the area of organized crime and darknet (cybercrime)

OSCE — Organization for Security and Co-operation in Europe

Comprehensive approach to security
TNTD: Transnational Threat Department

ATU: countering terrorism / VERLT

BSMU: border security / corruption

SPMU: organized crime, cybercrime, THB, drugs (I pillar)

CC: Cybersecurity

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OSCE Decisions on Policing

Bucharest MC Decision *9 on policing (2001)*

- ….increase and promote co-operation among participating States in countering new security challenges, including by:

  - improving <u>operational and tactical policing capacities</u>

  - enhancing key <u>policing skills</u>

  - increasing <u>community policing</u>, <u>anti-drug</u>, <u>anti-corruption</u> and <u>anti-terrorism</u> capacities.

OSCE present Policing Mandate

2012 Strategic Framework for Police-Related Activities - PC.DEC/1049

"Assist the LE agencies of pS in addressing threats posed by criminal activity, while upholding the rule of law and ensuring respect for human rights and fundamental freedom…" – through:

- Needs assessments
- Capacity building
- Institution building
- Training
- Facilitate sharing of information
- Exchange of best practices
- Evaluations / assessments

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OSCE – organized crime

Priorities   *2012 Strategic Framework*

1. **General Police Development and Reform**

2. **Addressing Threats posed by Criminal Activity**

- **Organized crime**

- Terrorism

- Illicit drugs and chemical precursors

- Trafficking in human beings

- **Cybercrime**

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What we do?

- **Capacity building**

- **For the entire Criminal Justice Chain**

- **But also ACA, Custom, FIU**

- **… complement efforts of other IOs, in particular UNODC (UNTOC) and CoE**

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Main issues …

Assistance to cybercrime units (criminal police):

- **Encryption**
- **Virtual Currencies**
- **Computer Forensics**
- **Use of darknet (drugs trafficking)**

- **Misuse of Internet for terrorist purpose**

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Use of darknet

- **Drug transactions are a significant element of darknet activities (modest in value compared to the overall retail drug trade)**

- **Resilient to disruption (quickly migrate to new platform)**

- **Current operational models for addressing some other forms of hidden online criminality not sufficient**

- **Need to target other key element of the supply chain: production, precursor sourcing and bulk trafficking**

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Challenges

- **Lack of sufficient technical capacities and specialist (darknet investigation units – Europol)**

- **Effective international cooperation (different jurisdictions)**

- **Significant knowledge gaps still exist: role of traditional OCGs, source of drugs supplied on darknet markets**

- **Bulk supply less likely to take place on an anonymous basis (it is more retail level**

- **Need to target other key element of the supply chain: production, precursor sourcing and bulk trafficking**

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Responses

- **Improving criminal justice in cyberspace:**

        - streamlining MLA proceedings

        - cooperation with ISPs: standardised rules of engagement

        - reflection process on possible connecting factors for enforcement jurisdiction in cyberspace (Council of   European Union 2016a)

- **Changes will not occur in isolation from broader development in the illicit drug markets as a whole**

Legal Issues: OC label

1. **Various types of organizational structures involved in cybercrimes as "organized crime"**

2. **Critical in applying the OC label to cybercrime (we need something more than an organizational structure)**

3. **Pairing cybercrime with OC as a way to justify the prioritization and expansion of intelligence and law enforcement activities in the domain of counter OC efforts**

   - **Cyber-organised crime. A case of moral panic? Anita Lavorgna, Department of Sociology, Social Policy and Criminology, University of Southampton**

Thank you for your attention!

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