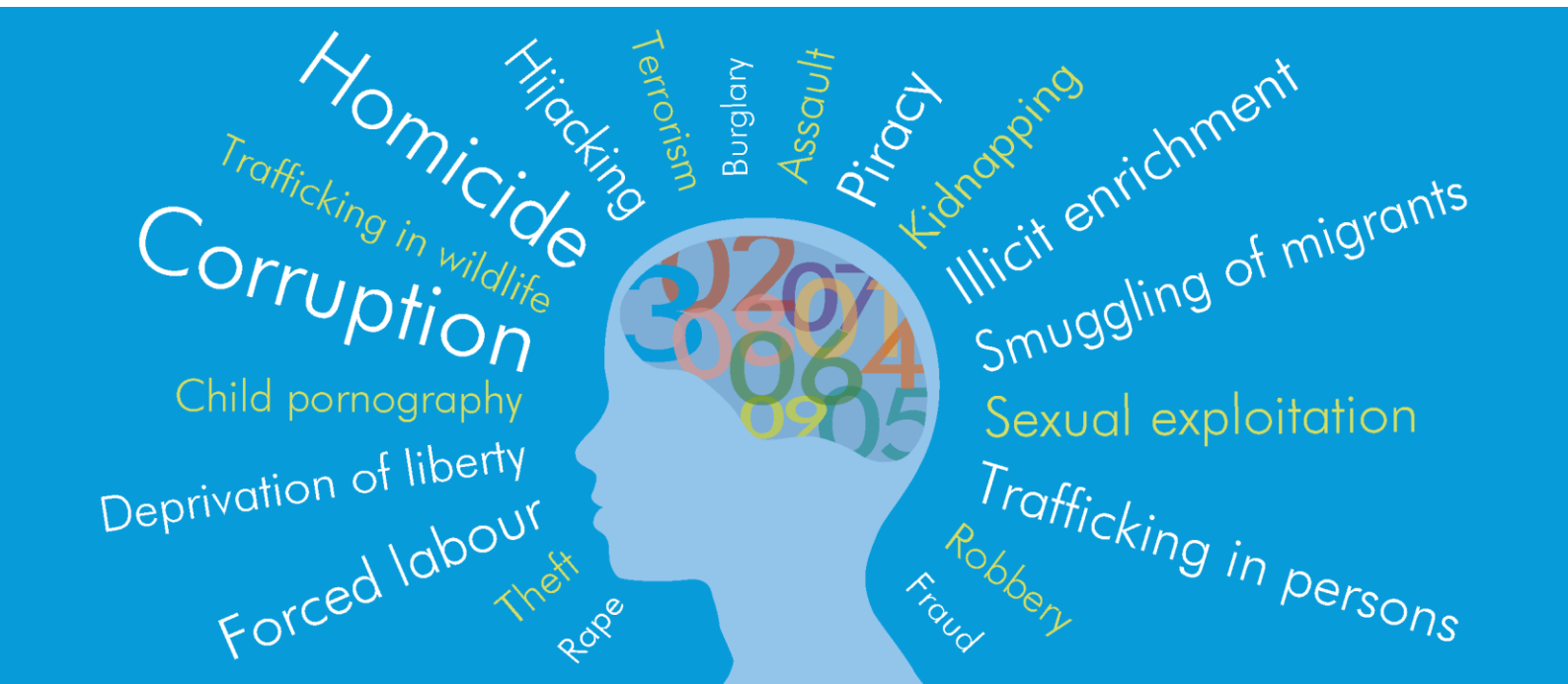


**3** **ICCS**  
**Advocacy**  
**Brief**

## ICCS and Organized Crime



## ICCS and Organized Crime

Fighting transnational organized crime calls for an effective and sustainable global response from all actors in the criminal justice system. The collection and analysis of data from the different stages of the criminal justice system in accordance with the International Classification of Crime for Statistical Purposes (ICCS) is of significant importance in the response to organized crime. It enables the systematic assessment of practices and processes which can assist future investigative outcomes and can strengthen the response to organized crime across the different institutions of the criminal justice system. The United Nations Convention against Transnational Organized Crime (UNTOC) specifically includes sections outlining the importance of cooperation and information exchange between countries, highlighting the importance of data harmonization as one of the keys to fighting organized crime.<sup>1</sup>

UNODC has developed a self-paced, online course on ICCS and organized crime.<sup>2</sup> It discusses what organized crime is, how it impacts society, and the role of ICCS in producing harmonized high-quality crime and criminal justice statistics relevant to organized crime. This brief provides a high-level overview of the course and the reader is encouraged to register for the course to learn more.

### What is organized crime?

Organized crime is distinct from other forms of criminal conduct. In general terms, it does not include random, unplanned, individual criminal acts. Instead, it focuses on planned, rational

acts that reflect the effort of groups of individuals. These acts are often not limited to a local setting and involve crimes that are national or transnational in nature.

Organized crime is constantly adapting to global developments. Many of the benefits of globalization, such as easier and faster communication, movement of finances and international travel, have created opportunities for transnational organized criminal groups to flourish, diversify and expand their activities.

Due to the constantly changing nature of organized crime, defining a definitive list of organized crimes is not feasible. UNTOC spells out the following important characteristics of organized criminal groups:

- They are structured groups consisting of three or more persons
- The group exists for a period of time (this may be shorter or longer periods of time, but it is not for random or opportunistic offending)
- The group acts in concert with the aim of committing one or more serious crimes or offences (classified as such when the penalty for the crime involves at least four years of incarceration)
- The aim of the group is to obtain, directly or indirectly, a financial or other material benefit

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<sup>1</sup> Resolution A/RES/55/25.

<sup>2</sup> Available for free upon registration at <https://elearningunodc.org/course/view.php?id=389>

## Impact on society

The impact of organized crime on society is multi-faceted and it has the capacity to undermine the rule of law and good governance, without which there can be no sustainable development. Transnational criminal markets crisscross the planet, trafficking drugs, arms, people, toxic waste, stolen natural resources or protected animals' parts. Vast amounts of 'dirty' money from proceeds of these crimes flow through the world annually, distorting local economies, corrupting institutions and fueling conflict. Transnational organized crime has become a central issue in international affairs and an immediate reality for many people around the world.

Given the considerable economic and social implications of organized crime, fighting it as effectively and efficiently as possible is therefore crucial nationally, regionally and internationally.

### Why is cooperation and information sharing so important for the criminal justice sector?

Working in isolation is ineffective when combatting the threat of organized crime. Understanding the importance of collaborating not only on investigations but also with the analysis of crime and criminal justice data, allows for criminal justice institutions to learn and develop their understanding of organized crime patterns and trends. This can lead to more successful outcomes of investigations, prosecutions and sentencing of organized criminals.

When investigating cases of organized crime, the efficacy of the criminal justice response can be hampered by the complex nature of the crimes and the fact that the investigation of organized criminal groups often crosses institutional and national borders. The inherent transnational nature of organized crime highlights how

important it is to develop the legal means and practices along with a culture of national and international cooperation and information sharing among the different criminal justice institutions. Only in this way can they effectively develop evidence-based strategies, which respond to the threat of organized crime.

Ensuring either informal or formal agreements on cooperation and collaboration are in place nationally and internationally between relevant enforcement agencies is essential to be able to effectively investigate organized criminal activity. This includes the collection and sharing of data and information that may identify organized criminal groups, trafficking routes and the proceeds of crime. Having mechanisms in place for cross-border assistance during investigations becomes vital when organized crime is transnational in nature. Setting up such agreements may be as simple as liaising with people in other agencies to normalize the sharing of information and help obtain effective investigative outcomes.

### What is the role of UNTOC in cooperation and data sharing on organized crime?

The knowledge that one cannot fight transnational organized crimes (or crimes that cross borders) in isolation led to the drafting and signing of UNTOC. The Convention has set standards to assist State Parties in the adoption of legislation that establishes those offences that relate to organized crime as criminal along with frameworks for mutual legal assistance, extradition and fostering of cooperation between law enforcement groups. Article 1 of the convention sets the scene and states that the purpose of UNTOC is '*to promote cooperation to prevent and combat transnational organized crime more effectively*', the message being that cooperation is key to the success of this approach.

Moreover, UNTOC promotes cooperation and information sharing to prevent and combat organized crime more effectively. This is covered most explicitly in articles 27 and 28.

Article 27 outlines that *“States Parties shall cooperate closely with one another, consistent with their respective domestic legal and administrative systems, to enhance the effectiveness of law enforcement action to combat the offences covered by the Convention”*.

The work of criminal justice institutions is typically confined to a certain jurisdiction, be it subnational or national. Organized crime and organized criminal groups, on the other hand, offend locally, nationally and internationally. So, to combat organized crime effectively, the need for cooperation between agencies, including internationally, is essential.

Article 28 outlines the need to consider *“developing and sharing analytical expertise concerning organized criminal activities with each other and through international and regional organizations. For that purpose, common definitions, standards and methodologies should be developed and applied as appropriate”*.

The article highlights the importance of collecting and exchanging data relevant to the response to organized crime. When combined with article 27, information may then be shared within the criminal justice system to initiate an effective response to organized crime, especially when transnational in nature.

However, without standardization of crime categories, the ability to collect, exchange and analyze information to combat organized crime effectively and efficiently is curtailed and research into organized crime will be more challenging.

## How does the ICCS contribute to the response to Organized Crime?

The ICCS is a classification of criminal offences based on internationally agreed concepts, definitions and principles in order to enhance the consistency and international comparability of crime statistics and improve analytical capabilities at both the national and international levels. When data are not standardized, they can be difficult to analyze and transform into meaningful statistics for national and international use.

Hence, it is important to ensure that any data on crime being collected and collated relevant to organized crime is harmonized and rendered comparable both within the national criminal justice system and internationally. Implementation of the ICCS ensures the different criminal justice institutions and jurisdictions can collect and record data on crime which meets this comparability criterion. The main benefit of producing harmonized data is that when they are shared across institutions or borders it is easier to analyze and identify patterns and trends of crime, in particular the identification of new or emerging forms of organized crime. When reports are compiled based on this data, the analysis can benefit multiple institutions and countries.

These data could then inform a change in the response to organized crime, which ensures enforcement agencies are moving relatively in sync with the way organized criminal groups operate. Without timely and high-quality data, it becomes easier for organized criminal groups to flourish and they can end up leaping ahead of the criminal justice response.

The ICCS offers a set of discrete, exhaustive, and mutually exclusive categories and, as such, attempts to cover every manifestation of crime. This includes crimes that are often organized

and transnational in nature, such as trafficking in persons, drug trafficking and trafficking in cultural property.

In addition, the ICCS offers a disaggregating variable for the *situational context* of a crime. This variable includes the option 'organized-crime related' that can be added to any of the crimes included in the classification where an organized criminal group was an integral part of the modus operandi. In this way, it is possible to get an overview of the impact of organized crime across all categories, such as intentional homicide in the context of organized crime.

It is important to note that the ICCS features a dedicated code for 'participation in an organized criminal group' (09501). This code should only be used for participation in an organized criminal group. Any offence committed through the participation of an organized criminal group should be classified under the specific offence itself. The organized crime dimension can then be identified through the use of the situational context variable.

The ICCS is increasingly seen as the common vocabulary on crime and can, as such, serve as an instrument that facilitates the exchange of information between countries and, more broadly, as a common platform for international co-operation in the fight against organized crime. In addition, the 2030 Agenda for Sustainable Development highlights the need for Member States to achieve the Sustainable Development Goals (SDGs), which serve as a blueprint to achieve a better and more sustainable future.<sup>3</sup> The ICCS is one of the primary tools to support national efforts in the collection of data on

crime and criminal justice to measure progress towards a select number of these goals and targets (such as the reduction of trafficking in persons). Using the ICCS is key to ensuring that any data provided for analysis is timely, reliable and of high quality.

### Key recommendations from the course

- Understanding the dynamics of organized crime and organized criminal groups is fundamental in the fight against organized crime.
- (Transnational) Organized crime, has a detrimental impact on sustainable development and society on a global level.
- Cooperation and information sharing is key to the success of the fight against organized crime; UNTOC promotes the establishment of mechanisms that enable this.
- ICCS is an international standard for categorizing criminal offences based on internationally agreed concepts. It provides a framework for data collection and the analysis and production of meaningful statistics for national and international use on crime and criminal justice.
- The production of standardized and harmonized data in line with ICCS by the different agencies in the criminal justice sector is key to improving the response to organized crime.

For more information and any ICCS related inquiries, please contact UNODC at:

[unodc-iccs@un.org](mailto:unodc-iccs@un.org)

or refer to the website:

<https://www.unodc.org/unodc/en/data-and-analysis/statistics/iccs.html>

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<sup>3</sup> UNODC, *Kyoto Declaration: On Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development* (United Nations publication, 2021).