



## Corruption, Money Laundering and Other Transnational Crime

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**Abstract:** Perhaps there has never been a better time than the present to undertake cross-border M&A activities as the world is turning into a highly integrated global market. However, as government agencies and regulators around the world are strengthening their enforcement efforts (having unearthed major bribery, corruption and money laundering related lapses by various corporates in the recent years), corporate activities have come under increased regulatory scrutiny. A target's historical and existing anti-money laundering (AML) or anti-bribery, anti-corruption (ABAC) violations and resultant liabilities typically become the acquirer's responsibility post-closing. This can have far-reaching legal, business and reputational consequences on the acquirer and in an extreme case, could result in an acquisition being a failure. As a result of this, acquirers have to be cognizant of not only any post-closing transgressions but also any pre-closing ones that they know, or ought to have known.

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### Introduction:

In recent years, the activities of transnational criminal organizations and drug traffickers have grown more extensive. Some governments and law enforcement agencies have responded by targeting the profits of these groups. The logic is impeccable: criminal enterprises are concerned with making money - and if their proceeds are removed, the incentives to continue their criminal activities will also disappear. In these circumstances, the business itself could ultimately collapse. While this is the major impulse underlying law enforcement strategies against money laundering it is certainly not the only one.

Although money laundering can have positive multiplier benefits in some economies, it also makes macro-economic management more difficult, facilitates the accumulation of criminal capital that can be used to infiltrate licit business, encourages corruption, and creates vested interests in the continued activities of criminal organizations. Not surprisingly, therefore, the increased focus both on countering money laundering and on seizing the assets of criminal organizations has attracted widespread support.

The process of establishing a global anti money laundering regime that began with the anti-money laundering provisions of the 1988 United Nations convention on drug trafficking, has developed considerable momentum. This was evident in the International Narcotics Control Strategy Report issued by the United States Department of State in March 1996. Significantly, over 100 of 200 pages in the Executive Summary were devoted to money laundering, and states were ranked according to whether they were high, medium or low priority.

United States leadership in this area has also been manifest in the creation and the activities of the G7 Financial Action Task Force (FATF) on money laundering. The FATF has not only developed recommendations designed to prevent, control or expose money laundering, but is also concerned with monitoring the effectiveness with which the 26 states involved are implementing these recommendations. It has recently recommended that the predicate offenses for money laundering be extended beyond drug trafficking. In short, going after the money has become a high priority in the struggle against drug trafficking and organized crime - and is seen in some quarters as offering more effective ways to attack criminal organizations than the traditional emphasis on interdiction of their products or arrests of the leadership.

The main argument of this article, however, is that in spite of this emphasis on following the money trail as a way of countering and disrupting transnational criminal organizations, the advantages remain with the criminals. The global financial system provides many more opportunities than law enforcement can ever hope to forestall or block. Consequently, law enforcement is playing a game of catch-up that it is almost certainly destined to lose.

Moreover, for a variety of reasons the advantages accruing to the criminals are likely to increase rather than decrease in the next decade. Developments such as smart cards and cyber-money will facilitate money laundering activities and provide new opportunities for money transfers that are difficult if not impossible for government authorities to monitor and detect. Although anti-money laundering efforts remain an essential part of holistic or comprehensive strategies

against drug smugglers and other transnational criminal organizations, therefore, expectations about their overall effectiveness should be modest. There will be some spectacular successes and substantial inroads will be made against some criminal organizations - but the overall impact will remain limited as criminal groups find ways to circumvent new restrictions and display the kind of ingenuity that is difficult to counter.

This is not to depreciate efforts to counter money laundering. Not only is the money laundering process integral to the functioning of criminal organizations, but it is also an indicator of their success. Furthermore, money laundering ensures a continued flow of capital that enables criminal organizations to buy protection through corruption of government officials and members of law enforcement. If all this makes money laundering an attractive target for law enforcement, however, it also means that criminal organizations are likely to be both vigorous and innovative in ensuring that the profits from their illegal enterprises are transformed into usable assets.

The consequence is that money laundering provides one of the most important junctures between what Alex Schmid has termed the "upperworld and the underworld". Money laundering is one of the major ways in which criminal organizations penetrate the licit economy and often involves the co-option of supposedly reputable members of society such as bankers and lawyers. Allowing money laundering to go unchallenged, therefore, would have a corrosive impact on the integrity of financial institutions.

Accordingly, this article considers more fully the purposes of money laundering, the efforts to contain it and the difficulties that hinder this effort. The first section looks at the purposes of money laundering. This is followed in the second section by a brief description of several money laundering cases that reveal some of the techniques typically adopted by launderers. These techniques are discussed more fully in the third section which also highlights some of the major trends in money laundering. The fourth section of the paper examines the prospects for establishing an effective global anti-money laundering regime. It concludes that although important initiatives are being taken towards this end, developments in technology as well as a variety of other factors create major obstacles.

Money-laundering is the processing of criminal proceeds to disguise their illegal origin. For instance, a drug trafficker might buy a restaurant to disguise drug profits with the legitimate profits of the restaurant. In this way, the drug profits are "laundered" through the restaurant to make the income look as if it was earned lawfully. Money-laundering is crucial to organized crime operations because offenders would

be discovered easily if they could not "merge" their illegal cash into, for instance, a legal business, bank, or real estate (Soudijn, 2014; Malm and Bichler, 2013).

The crucial need to conceal organized crime activity was addressed by articles 6 and 7 of the Organized Crime Convention. Article 6 requires State parties to criminalize money-laundering, while article 7 refers to measures to combat money-laundering.

Article 6(1) of the Convention requires that each State party criminalize money-laundering. Criminalization not only allows national authorities to organize the detection, prosecution and repression of the offence, but also provides the legal basis for international cooperation among police, judicial and administrative authorities, including mutual legal assistance and extradition.

The Organized Crime Convention seeks to establish uniformity for the intolerance for money-laundering, which serves to conceal organized crime activity. In article 7, requirements for comprehensive domestic regulatory and supervisory schemes for banks and non-bank financial institutions are set forth, as is strong guidance for cooperation and the exchange of information at the national and international levels to investigate suspected money-laundering activity.

The money-laundering cycle can be broken down into three distinct stages; however, it is important to remember that money-laundering is a single process. The stages of money-laundering include:

- Placement (i.e. moving the funds from direct association with the crime)
- Layering (i.e. disguising the trail to foil pursuit)
- Integration (i.e. making the money available to the criminal, once again, from what seem to be legitimate sources)

The placement stage represents the initial entry of the proceeds of crime into the financial system. Generally, this stage serves two objectives: it relieves the criminal of holding large amounts of cash obtained illegally; and it inserts the money into the legitimate financial system. During this stage, money launderers are most vulnerable to being caught, because placing large amounts of cash into the legitimate financial system may raise suspicions.

The layering stage comes after the placement stage and it is sometimes referred to as "structuring." This is the most complex money-laundering stage and often entails moving the illicit funds internationally. The primary purpose of the placement stage is to separate the illicit money from its source. This is done through a sophisticated process involving layering financial transactions, whose final goal is to conceal the audit trail and break the link with the original criminal activity.

The final stage of the money-laundering process is termed "integration." During this stage the money is returned to the perpetrators from what seems to be a legitimate source. The criminal proceeds, that were initially placed as cash and layered through a number of financial transactions, are now fully integrated into the financial system and can be used for any legitimate purpose.

Anti-money laundering laws generally require the recipients of funds to exercise the reasonable care expected in a financial transaction. There have been many significant cases involving banks moving money internationally without exercising proper due diligence in knowing their customers or the source of the funds. Given the threats of transnational crime, corruption, and terrorism, many countries have expanded their money-laundering control efforts beyond banks, to include other businesses that might exchange or move large amounts of cash (e.g., check-cashing companies, money transmitters, jewellers, pawnbrokers, casinos, credit card companies, traveller's check and money order issuers).

The Financial Action Task Force (FATF) is an independent intergovernmental body that develops and promotes policies to protect the global financial system against money-laundering. In 2003, the FATF issued an updated set of 40 Recommendations for improving national legal systems, enhancing the role of the financial sector and intensifying cooperation in the fight against money-laundering (FATF, 2003).

The FATF's approach of identifying non-cooperating countries and territories proved successful in forcing improvements in the anti-money laundering and counter-terrorist financing systems of a number of countries. Through financial incentives, sanctions, and monitoring, the FATF has successfully encouraged countries to create and enforce money-laundering laws and to cooperate in international investigations.

According to the FATF, common indicators of "red flags" of potential money-laundering activity include:

- Frequent high-dollar cash transactions.
- Use of large amounts of cash when checks would be expected and would be more convenient.
- Many wire transfers to or from known bank secrecy havens around the world.
- Immediate check or debit card withdrawals of large and frequent sums received by wire transfer.
- An account holder who pays undue attention to secrecy regarding personal or business identity.
- Lack of general knowledge about the customer's stated business.

These are the kinds of indicators that financial institutions and businesses dealing in cash transactions are expected to act on when unusual financial transactions occur. Besides the above mentioned 40 Recommendations, the FATF has also developed 9 Special Recommendations to set out the basic framework to detect, prevent and suppress the financing of terrorism and terrorist acts. These 9 Special Recommendations together with the 40 previously adopted provide a comprehensive set of measures for an effective legal and institutional regime against money-laundering and the financing of terrorism.

### **Transnational Organized Crime: A Growing Threat to National and International Security**

Transnational organized crime (TOC) poses a significant and growing threat to national and international security, with dire implications for public safety, public health, democratic institutions, and economic stability across the globe. Not only are criminal networks expanding, but they also are diversifying their activities, resulting in the convergence of threats that were once distinct and today have explosive and destabilizing effects. This *Strategy* organizes the United States to combat TOC networks that pose a strategic threat to Americans and to U.S. interests in key regions.

**Penetration of State Institutions, Corruption, and Threats to Governance.** Developing countries with weak rule of law can be particularly susceptible to TOC penetration. TOC penetration of states is deepening, leading to co-optation in a few cases and further weakening of governance in many others. The apparent growing nexus in some states among TOC groups and elements of government—including intelligence services—and high-level business figures represents a significant threat to economic growth and democratic institutions. In countries with weak governance, there are corrupt officials who turn a blind eye to TOC activity. TOC networks insinuate themselves into the political process in a variety of ways. This is often accomplished through direct bribery (but also by having members run for office); setting up shadow economies; infiltrating financial and security sectors through coercion or corruption; and positioning themselves as alternate providers of governance, security, services, and livelihoods. As they expand, TOC networks may threaten stability and undermine free markets as they build alliances with political leaders, financial institutions, law enforcement, foreign intelligence, and security agencies. TOC penetration of governments is exacerbating corruption and undermining governance, rule of law, judicial systems, free press, democratic institution-building, and transparency. Further, events in Somalia have shown how criminal control of territory and

piracy ransoms generate significant sums of illicit revenue and promote the spread of government instability.

**Threats to the Economy, U.S. Competitiveness, and Strategic Markets.** TOC threatens U.S. economic interests and can cause significant damage to the world financial system through its subversion, exploitation, and distortion of legitimate markets and economic activity. U.S. business leaders worry that U.S. firms are being put at a competitive disadvantage by TOC and corruption, particularly in emerging markets where many perceive that rule of law is less reliable. The World Bank estimates about \$1 trillion is spent each year to bribe public officials, causing an array of economic distortions and damage to legitimate economic activity. The price of doing business in countries affected by TOC is also rising as companies budget for additional security costs, adversely impacting foreign direct investment in many parts of the world. TOC activities can lead to disruption of the global supply chain, which in turn diminishes economic competitiveness and impacts the ability of U.S. industry and transportation sectors to be resilient in the face of such disruption. Further, transnational criminal organizations, leveraging their relationships with state-owned entities, industries, or state-allied actors, could gain influence over key commodities markets such as gas, oil, aluminum, and precious metals, along with potential exploitation of the transportation sector.

**Crime-Terror-Insurgency Nexus.** Terrorists and insurgents increasingly are turning to TOC to generate funding and acquire logistical support to carry out their violent acts. The Department of Justice reports that 29 of the 63 organizations on its FY 2010 Consolidated Priority Organization Targets list, which includes the most significant international drug trafficking organizations (DTOs) threatening the United States, were associated with terrorist groups. Involvement in the drug trade by the Taliban and the Revolutionary Armed Forces of Colombia (FARC) is critical to the ability of these groups to fund terrorist activity. We are concerned about Hizballah's drug and criminal activities, as well as indications of links between al-Qa'ida in the Lands of the Islamic Maghreb and the drug trade. Further, the terrorist organization al-Shabaab has engaged in criminal activities such as kidnapping for ransom and extortion, and may derive limited fees from extortion or protection of pirates to generate funding for its operations. While the crime-terror nexus is still mostly opportunistic, this nexus is critical nonetheless, especially if it were to involve the successful criminal transfer of WMD material to terrorists or their penetration of human smuggling networks as a means for terrorists to enter the United States.

**Expansion of Drug Trafficking.** Despite demonstrable counterdrug successes in recent years, particularly against the cocaine trade, illicit drugs remain a serious threat to the health, safety, security, and financial well-being of Americans. The demand for illicit drugs, both in the United States and abroad, fuels the power, impunity, and violence of criminal organizations around the globe. Mexican DTOs are escalating their violence to consolidate their market share within the Western Hemisphere, protect their operations in Mexico, and expand their reach into the United States. In West Africa, Latin American cartels are exploiting local criminal organizations to move cocaine to Western Europe and the Middle East. There have also been instances of Afghan DTOs operating with those in West Africa to smuggle heroin to Europe and the United States. Many of the well-established organized criminal groups that had not been involved in drug trafficking—including those in Russia, China, Italy, and the Balkans—are now establishing ties to drug producers to develop their own distribution networks and markets. The expansion of drug trafficking is often accompanied by dramatic increases in local crime and corruption, as the United Nations has detected in regions such as West Africa and Central America.

**Human Smuggling.** Human smuggling is the facilitation, transportation, attempted transportation, or illegal entry of a person or persons across an international border, in violation of one or more countries' laws, either clandestinely or through deception, whether with the use of fraudulent documents or through the evasion of legitimate border controls. It is a criminal commercial transaction between willing parties who go their separate ways once they have procured illegal entry into a country. The vast majority of people who are assisted in illegally entering the United States and other countries are smuggled, rather than trafficked. International human smuggling networks are linked to other transnational crimes including drug trafficking and the corruption of government officials. They can move criminals, fugitives, terrorists, and trafficking victims, as well as economic migrants. They undermine the sovereignty of nations and often endanger the lives of those being smuggled. In its 2010 report *The Globalization of Crime: A Transnational Organized Crime Threat Assessment*, the United Nations Office on Drugs and Crime (UNODC) estimated that the smuggling of persons from Latin America to the United States generated approximately \$6.6 billion annually in illicit proceeds for human smuggling networks.

**Trafficking in Persons.** Trafficking in Persons (TIP), or human trafficking, refers to activities involved when one person obtains or holds another person in compelled service, such as involuntary servitude,

slavery, debt bondage, and forced labor. TIP specifically targets the trafficked person as an object of criminal exploitation—often for labor exploitation or sexual exploitation purposes—and trafficking victims are frequently physically and emotionally abused. Although TIP is generally thought of as an international crime that involves the crossing of borders, TIP victims can also be trafficked within their own countries. Traffickers can move victims between locations within the same country and often sell them to other trafficking organizations.

**Weapons Trafficking.** Criminal networks and illicit arms dealers also play important roles in the black markets from which terrorists and drug traffickers procure some of their weapons. As detailed in the 2010 UNODC report *The Globalization of Crime*, “The value of the documented global authorized trade in firearms has been estimated at approximately \$1.58 billion in 2006, with unrecorded but licit transactions making up another \$100 million or so. The most commonly cited estimate for the size of the illicit market is 10% - 20% of the licit market.” According to the head of UNODC, these “illicit arms fuel the violence that undermines security, development and justice” worldwide. U.S. Federal law enforcement agencies have intercepted large numbers of weapons or related items being smuggled to China, Russia, Mexico, the Philippines, Somalia, Turkmenistan, and Yemen in the last year alone.

**Intellectual Property Theft.** TOC networks are engaged in the theft of critical U.S. intellectual property, including through intrusions into corporate and proprietary computer networks. Theft of intellectual property ranges from movies, music, and video games to imitations of popular and trusted brand names, to proprietary designs of high-tech devices and manufacturing processes. This intellectual property theft causes significant business losses, erodes U.S. competitiveness in the world marketplace, and in many cases threatens public health and safety. Between FY 2003 and FY 2010, the yearly domestic value of customs seizures at U.S. port and mail facilities related to intellectual property right (IPR) violations leaped from \$94 million to \$188 million. Products originating in China accounted for 66% of these IPR seizures in FY 2010.

**Cybercrime.** TOC networks are increasingly involved in cybercrime, which costs consumers billions of dollars annually, threatens sensitive corporate and government computer networks, and undermines worldwide confidence in the international financial system. Through cybercrime, transnational criminal organizations pose a significant threat to financial and trust systems—banking, stock markets, e-currency, and value and credit card services—on which the world economy depends. For example,

some estimates indicate that online frauds perpetrated by Central European cybercrime networks have defrauded U.S. citizens or entities of approximately \$1 billion in a single year. According to the U.S. Secret Service, which investigates cybercrimes through its 31 Electronic Crimes Task Forces, financial crimes facilitated by anonymous online criminal fora result in billions of dollars in losses to the Nation’s financial infrastructure. The National Cyber Investigative Joint Task Force, led by the Federal Bureau of Investigation (FBI), functions as a domestic focal point for 18 federal departments or agencies to coordinate, integrate, and share information related to cyber threat investigations, as well as make the Internet safer by pursuing terrorists, spies, and criminals who seek to exploit U.S. systems. Pervasive criminal activity in cyberspace not only directly affects its victims, but can imperil citizens’ and businesses’ faith in these digital systems, which are critical to our society and economy. Computers and the Internet play a role in most transnational crimes today, either as the target or the weapon used in the crime. The use of the Internet, personal computers, and mobile devices all create a trail of digital evidence. Often the proper investigation of this evidence trail requires highly trained personnel. Crimes can occur more quickly, but investigations proceed more slowly due to the critical shortage of investigators with the knowledge and expertise to analyze ever increasing amounts of potential digital evidence.

**The Critical Role of Facilitators.** Connecting these converging threats are “facilitators,” semi-legitimate players such as accountants, attorneys, notaries, bankers, and real estate brokers, who cross both the licit and illicit worlds and provide services to legitimate customers, criminals, and terrorists alike. The range of licit-illicit relationships is broad. At one end, criminals draw on the public reputations of licit actors to maintain facades of propriety for their operations. At the other end are “specialists” with skills or resources who have been completely subsumed into the criminal networks. For example, TOC networks rely on industry experts, both witting and unwitting, to facilitate corrupt transactions and to create the necessary infrastructure to pursue their illicit schemes, such as creating shell corporations, opening offshore bank accounts in the shell corporation’s name, and creating front businesses for their illegal activity and money laundering. Business owners or bankers are enlisted to launder money, and employees of legitimate companies are used to conceal smuggling operations. Human smugglers, human traffickers, arms traffickers, drug traffickers, terrorists, and other criminals depend on secure transportation networks and safe locations from which to stage smuggling activity or to store bulk cash or narcotics for transport.

They also depend on fraudulently created or fraudulently obtained documents, such as passports and visas, to move themselves or their clients into the United States and illegally reside here.

Transnational criminal networks such as organized crime groups, drug traffickers, and weapons dealers at times share convergence points—places, businesses, or people—to “launder” or convert their illicit profits into legitimate funds. Many of these disparate networks also appear to use the same casinos, financial intermediaries, and front companies to plan arms and narcotics deals because they view them as safe intermediaries for doing business. Cash-intensive and high-volume businesses such as casinos are especially attractive, particularly those in jurisdictions that lack the political will and oversight to regulate casino operations or fail to perform due diligence on casino licensees. Illicit networks similarly abuse some of the same financial intermediaries and front companies in regions where government or law enforcement corruption is prevalent, with officials receiving either revenues from the criminal businesses or ownership stakes in the legitimate-appearing commercial entity.

#### **Regional Priorities**

**TOC—a global problem—manifests itself in various regions in different ways.**

**Western Hemisphere:** TOC networks—including transnational gangs—have expanded and matured, threatening the security of citizens and the stability of governments throughout the region, with direct security implications for the United States. Central America is a key area of converging threats where illicit trafficking in drugs, people, and weapons—as well as other revenue streams—fuel increased instability. Transnational crime and its accompanying violence are threatening the prosperity of some Central American states and can cost up to eight percent of their gross domestic product, according to the World Bank. The Government of Mexico is waging an historic campaign against transnational criminal organizations, many of which are expanding beyond drug trafficking into human smuggling and trafficking, weapons smuggling, bulk cash smuggling, extortion, and kidnapping for ransom. TOC in Mexico makes the U.S. border more vulnerable because it creates and maintains illicit corridors for border crossings that can be employed by other secondary criminal or terrorist actors or organizations. Farther south, Colombia has achieved remarkable success in reducing cocaine production and countering illegal armed groups, such as the FARC, that engage in TOC. Yet, with the decline of these organizations, new groups are emerging such as criminal bands known in Spanish as *Bandas Criminales*, or *Bacrim*s.

#### **Colombia: From Recipient to Provider of Assistance**

After years of intensive capacity building assistance in Colombia, the United States is working to transfer financial and operational responsibility for institutional development to the Government of Colombia. Colombia now is an exporter of law enforcement and justice sector capabilities, providing assistance and advice for police, prosecutors, protection programs, and judiciary, criminal law, and procedure development. This reality is the result of the success of U.S. assistance in Colombian capacity building, a success the United States aims to replicate with other partner states. On July 2, 2008, the world witnessed the extraordinary courage and capability of Colombian forces during their daring rescue of 15 hostages—including 3 Americans—who had been held captive for years in the jungles by FARC guerrillas. The rescue was accomplished without firing a shot.

**Afghanistan/Southwest Asia:** Nowhere is the convergence of transnational threats more apparent than in Afghanistan and Southwest Asia. The Taliban and other drug-funded terrorist groups threaten the efforts of the Islamic Republic of Afghanistan, the United States, and other international partners to build a peaceful and democratic future for that nation. The insurgency is seen in some areas of Afghanistan as criminally driven—as opposed to ideologically motivated—and in some areas, according to local Afghan officials and U.S. estimates, drug traffickers and the Taliban are becoming indistinguishable. In other instances, ideologically driven insurgent networks are either directly trafficking in narcotics or have linked up with DTOs to finance their criminal actions. The threatening crime-terror-insurgency nexus in this region is illustrated by cases such as that of INTERPOL fugitive Dawood Ibrahim, the reputed leader of South Asia’s powerful “D Company.” He is wanted in connection with the 1993 Mumbai bombing and is sanctioned under United Nations Security Council Resolution 1267 (Taliban/al-Qa’ida).

**Russia/Eurasia:** Russian and Eurasian organized crime networks represent a significant threat to economic growth and democratic institutions. Russian organized crime syndicates and criminally linked oligarchs may attempt to collude with state or state-allied actors to undermine competition in strategic markets such as gas, oil, aluminum, and precious metals. At the same time, TOC networks in the region are establishing new ties to global drug trafficking networks. Nuclear material trafficking is an especially prominent concern in the former Soviet Union. The United States will continue to cooperate with Russia and the nations of the region to combat illicit drugs and TOC.

**The Balkans:** A traditional conduit for smuggling between east and west, the Balkans has become an ideal environment for the cultivation and expansion of TOC. Weak institutions in Albania, Kosovo, and Bosnia and Herzegovina have enabled Balkan-based TOC groups to seize control of key drug and human trafficking routes and Western European markets. The Balkans region has become a new entry point for Latin American cocaine, a source of synthetic drugs, and a transit region for heroin chemical precursors for use in the Caucasus and Afghanistan. Excess weapons are smuggled to countries of concern. Insufficient border controls and the ease of acquiring passports enable the transit of criminals and terrorist figures to Western Europe. Cooperation between the United States and the European Union, as well as bilateral cooperation with the countries in the region to foster legal institution building, economic progress, and good governance in the Balkans will be key to eliminating the environment supporting TOC.

**West Africa:** West Africa has become a major transit point for illegal drug shipments to Europe and for Southwest Asian heroin to the United States. It has also become both a source of—and transit point for—methamphetamine destined for the Far East. West Africa also serves as a transit route for illicit proceeds flowing back to source countries. TOC exacerbates corruption and undermines the rule of law, democratic processes, and transparent business practices in several African states that already suffer from weak institutions. Due to its lack of law enforcement capabilities, its susceptibility to corruption, its porous borders, and its strategic location, Guinea-Bissau remains a significant hub of narcotics trafficking on the verge of developing into a narco-state. While many officials within the Government of Guinea-Bissau recognize the extent of the drug problem and express a willingness to address it, a crippling lack of resources and capacity remains a hindrance to real progress in combating drug trafficking. The recent re-appointment of U.S. Treasury-designated drug kingpin Jose Americo Bubo Na Tchuto as Naval Chief of Staff is likely to further entrench drug cartels in the permissive operating conditions prevailing in Guinea-Bissau. In the Gulf of Guinea, maritime criminals operate in areas of weak governance, kidnapping oil workers, stealing oil from pipelines, and causing environmental damage that harms the citizenry. The United States will work with African governments, European partners, and multilateral institutions to counter this threat to development, democratic processes, and the rule of law in the region.

**Asia/Pacific:** TOC networks and DTOs are integrating their activities in the Asia/Pacific region. Due to the region's global economic ties, these criminal activities have serious implications

worldwide. The economic importance of the region also heightens the threat posed to intellectual property rights, as a large portion of intellectual property theft originates from China and Southeast Asia. Human trafficking and smuggling remain significant concerns in the Asia/Pacific region, as demonstrated by the case of convicted alien smuggler Cheng Chui Ping, who smuggled more than 1,000 aliens into the United States during the course of her criminal career, sometimes hundreds at a time. TOC networks in the region are also active in the illegal drug trade, trafficking precursor chemicals for use in illicit drug production. North Korean government entities have likely maintained ties with established crime networks, including those that produce counterfeit U.S. currency, threatening the global integrity of the U.S. dollar. It is unclear whether these links persist. The United States will continue to improve its understanding of the TOC threats in the Asia/Pacific region and will work with partner nations to develop a comprehensive response.

**Conclusion:**

Money Laundering is a serious threat to financial system of all countries and it leads to destruction of the country's sovereignty and character. The combating of money laundering has assumed an urgent impetus at both national and international levels as a result of the scale that money laundering has begun to assume, especially with respect to the financing of terrorist acts. The negative economic effects of money laundering on economic development are difficult to quantify, just as the extent of money laundering itself is difficult to estimate. Nonetheless, it is clear from available evidence that allowing money laundering activity to proceed unchallenged is not an optimal economic-development policy because it damages the financial institutions that are critical to economic growth, reduces productivity in the economy's real sector by diverting resources and encouraging crime and corruption, and can distort the economy's international trade and capital flows to the detriment of long-term economic development. The efforts being made to combat money laundering are beginning to bear fruits in that it is now taking center stage in all jurisdictions. Black money and Money laundering are hot topic that a government needs to focus on. In India BJP led by Shri Narendra Modi won the 2014 Lok Sabha elections on the poll promise of curbing black money and bring it back to India and AAP led by Mr. Arvind Kejriwal won Delhi elections by the promise to curb corruption and bring Jan Lokpal in Delhi. We have to understand that it is problem not only for the government of the country but for the people at large. Public awareness is necessary as masses do not understand the problem itself. Our education system should be able to inculcate the ideologies that our

future generation does not get involved in this process. There needs to be a vigilant mechanism and our judiciary needs to punish these criminals early to send out a message that money laundering is not tolerable to this democratic society.

### **Bibliography**

[1]. "The Prevention of money laundering Act, 2002"

[2]. Agarwal, J. D. and Aman Agarwal (2006), Money Laundering: New Forms of Crime, Victimization, presented at the National Workshop on New Forms of Crime, Victimization, with reference to Money Laundering, Indian Society of Victimology, Department of Criminology, University of Madras, India

[3]. Arora, Rajni (2012) "Black money in India: present status and future challenges". International journal of Science, Engineering and technology research, Volume 1, issue 5.

[4]. Gupta, Dr. Anuradha .“ Money Laundering and Financing of Terrorism-A Study on Methods to Fight Money laundering in India and USA”. Journal of the Institute of Chartered Accountants of India, volume 58,No.10,APRIL 2010

[5]. Schneider, F. (2010). "Money Laundering and Financial Means of Organized Crime: Some Preliminary Empirical Findings". Economics of Security Working Paper 26, Berlin: Economics of Security.

[6]. Sukanta Sarkar (2010). "The parallel economy in India: Causes, impacts & government initiatives". Economic Journal of Development Issues, Volume 11-12 no.(1-2) p.124-134.

[7]. Vandana Ajay Kumar. " Money laundering: concept, significance and its impact". European journal of business management, Volume 4, No.2 , 2012

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