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Is regulation helping from a national standpoint or, since illicit trade is transborder, from an international organization? What is the current framework, Jean-François?

Jean-François THONY

As Laurent said, the trouble we have with the fight against illicit trade today is that we need a global response to a global problem. Easier said than done, because there is as much illicit trade as there are products. What do trafficking in medicine, cultural goods and toxic waste have in common? They are obviously completely different things. The criminal groups behind them are also completely different and shape-shifting. Some traditional criminal organizations have often operated in a specific area of crime. I am thinking, for example, of the Neapolitan mafia and the trafficking of toxic waste, but there are many others. Other organizations are created specifically to opportunistically operate in a specific field, and there are also groups that focus on one kind of crime but might operate in a form of illicit trade incidentally.

The other problem is that there is no one policy to fight illicit trade. There are as many policies as there are products. Public policy approaches to fighting illicit trade vary depending on the products: they may be public health approaches, consumer protection approaches, natural heritage or industrial heritage protection approaches, etc. There are also tax or customs policies that underpin these policies. Lastly, the interest of countries in fighting illicit trade is totally different from one to another. Some countries put more emphasis on protecting their industrial heritage, others on health hazards or the natural heritage, especially in Africa. Some have no interest at all because they are short-sighted and think that as long as there is money being pumped into the economy they have nothing to worry about. Unfortunately, burying one's head in the sand always backfires against states in the long run. So what should we do about it?

Alvise GIUSTINIANI

You are depicting a picture which is not so bright in a moment of time when multilateralism is being questioned. Do you think it's possible for international organizations to find ways to working together? How do you see it going forward? Are you hopeful or not?

Jean-François THONY

It is very hard to develop a national strategy in these circumstances. At the Siracusa International Institute, we have started to think about this issue. I asked a group of experts to look into five aspects of illicit trade—medicines, organs, animals or animal organs, etc.—and to see what they have in common. In the end, the idea is to act on all the points that all these aspects of illicit trade have in common. We want to draw up a sort of inventory of good practices that states should implement to maximize the effectiveness of the fight against illicit trafficking. The problem is, when guidelines are drawn up, they often remain a dead letter. So, if we want to move in that direction, there must be a mechanism behind it that makes it possible to verify and assess whether states are complying with all the guidelines. The model for this is the anti-money laundering guidelines developed by the GAFI and its mechanism for assessing states' compliance with them.

Alvise GIUSTINIANI

So I understand that GAFI could be a solution, or a type of GAFI which is for money laundering which took some time but it is showing results nowadays. Do you think member states, the countries, are ready for that when it comes to illicit trade, to apply that kind of regulation? Is there a willingness to do it?

**Jean-François THONY**

The GAFI mechanism has two main flaws, in my opinion. On the one hand, there is a kind of pressure on states to comply with the guidelines. On the other hand, the states themselves perform the assessment ("peer review"), sometimes with all the lack of objectivity we can imagine. So, after my five years of experience evaluating states on the GAFI guidelines, I came up with the idea of building an approach based on the fact that globalization encourages states to show international investors guarantees in order to develop their international trade. What we propose is to audit, at their request, states' compliance with the guidelines and to provide them with a report highlighting, where appropriate, the efforts made to fight illicit trade. In a way, this is tantamount to awarding a kind of ISO 9000 type certification for states that provide a healthy environment for international trade. By using a carrot rather than a stick, we can implement a strategy that will hold up and go the distance.

Alvise GIUSTINIANI

Good to hear.