

# ***International Organized Crime: The Establishment of an International Criminal Court***

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## **Introductory Remarks**

1. During recent years, criminality has become more and more international. This is due to improved communications as well as political, economic and social changes. Thus, crimes are often committed in a country other than that where the culprit is resident and might, even in other respects, concern the interests of several countries.

The development has created an increasing demand for international cooperation. The need to cooperate concerns, *inter alia*, the legal proceedings in order to obtain a court decision and the enforcement of sentences.

2. Criminality has also become more and more organized. That goes for both international and domestic criminality.

The meaning of "organized crime" is not quite clear. Some countries - for instance Austria, France, Italy, Portugal, Switzerland and Turkey - have introduced a legal definition of this term or legal references to it. Even in countries without a legal definition the term "organized crime" is, however, often used.

The following points are common to most definitions of criminal organizations: (a) a group of persons, (b) each having his own specific role, (c) brought together in an structured way, (d) for the purpose of committing an undetermined number of offenses. The prerequisites now mentioned cover many types of organizations, up to those of a Mafia style with large financial resources.

It goes without saying that criminal organizations are profit-oriented. Even if organized criminality is, normally, of an economic nature it often involves acts of violence.

It is a widely spread opinion that criminal organizations are in themselves a threat, a bigger threat than individual criminals. Organized criminality therefore calls for special measures, also on an international level.

