



PROCURA GENERALE

della Corte di cassazione

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The Palermo Convention's main goal is to deal with organized and transnational crime, preserving at the same time the highest level of Human Rights.

This was evident in the Italian experience in implementing the Additional Protocol on Migrants Smuggling. UNTOC grounded the affirmation of national jurisdiction on High Seas, to punish criminal organizations and to prevent the migrants' lives from being put in danger.

New forms of crime, or old ones using new methods, are now challenging human rights from directions never expected before. The idea itself of human rights is growing, dealing with the new challenges.

This is particularly evident in the field of money laundering and reuse of illicit profits, where AI has transformed the idea itself of ML, by making "following the money" a chimera. These new forms of crime are transnational in nature.

The size of the challenge grows day by day. The scale of profits coming from market abuse, committed by automated actions, directed from a virtual space and in the faster possible sequence, made possible by the zeroing of latency time, makes these types of crime attractive also for organized groups, which are not necessarily rooted in a criminal context.

The challenges for social equality and, consequently, for a substantive conception of human rights, are evident.

The opportunities offered by AI in all the aforementioned fields can be exploited by terrorist organizations as well, to disrupt infrastructures or to cause serious financial crises or to influence consensus and build affiliations.

On the other side, AI can be a formidable tool for prevention and law enforcement. This is already being experienced every day in fields such as market manipulation or

money laundering. But the scope of its implementation can be wider. Consider, as an example, crimes affecting the environment and how new technologies could be used to track dangerous wastes or water pollution.

Such a comprehensive approach would be in line with the 2030 Agenda for Sustainable Development.

It must be clear that a complex law enforcement approach requires prior legal regulation but cannot be limited to such regulation. The international penal framework is essential as well.

It is not possible to imagine a real judicial cooperation without a shared ground of common approach. This is a difficult task now. But it is possible to start from the shared awareness of how serious the danger is. We need to proceed by steps. The first one should be to recognize the extent of the problem, the differences in typologies of crime, the specific problems arising from the forensic point of view and, among these, the use of AI as evidence.

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