

Course on

# ILLICIT MARKETS AND ORGANIZED CRIME IN THE AMERICAS



Class

# Multidimensional Security

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# Introduction

**The theme and concept of Multidimensional Security has grown in importance in the hemispheric context of the Americas** and requires committed investigation.

This class will talk about the origin of this concept and its use for the phenomena that we will address in this course, addressing the main regulatory frameworks at national, regional and international level.



# Concepts

**Multidimensional Security:** it is a concept that encompasses several dimensions or aspects of security, such as political, economic, social, environmental and military aspects;

**Domestic security:** the internal public security of countries, at the subnational level;

**Human Rights:** these are norms that recognize and protect the dignity of all human beings individually and in society, as well as the State obligations in relation to them;

**Legal internalization:** transformation of an international norm into a domestic legal norm;

**Human security:** it also recognizes the multidimensional nature of security and the interdependence it establishes between the collective production of security and the broader social, political and social context in which it develops.

# Institutions

**OAS:** The Organization of American States is the oldest regional cooperation institution in the world, founded in 1948 to promote common policies in the American continent;

**UN:** The United Nations is an intergovernmental organization created in 1945 to promote cooperation internationally;

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The concept arises from the process of multilateral cooperation among **OAS** Member States, as an attempt to develop a **shared normative framework** that would serve as a basis for the development of cooperation actions in the areas of Defense and Public Security and would take into account fundamental aspects that afflict our region, such as **Human Rights, health, civil defense and the environment, in addition to the traditional Public Security and Defense agenda**. It is important to recognize that security is not limited to traditional military threats, but extends to other areas that affect people's well-being and stability;

The **Declaration on Security in the Americas**, approved at the Special Conference on Public Security held by the OAS in Mexico City in 2003, is an important milestone in this debate.

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While the concept emerged within the broader defense and national security debate, **its use in the field of domestic security has grown tremendously**. A significant part of this growth emanates from the OAS itself, which has assiduously promoted this approach to phenomena of a criminal and public security nature and to understand the functioning of the criminal justice system in a broad sense.

Therefore, Multidimensional Security requires an **integrated approach to security**, from the international to the domestic level, in which different actors, such as governments, civil society, the private sector and international organizations, develop coordination efforts for the provision of public security. This approach recognizes that security is not only an activity aimed at protecting borders and defending national interests, but also involves a permanent effort to promote sustainable development and Human Rights.

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Multidimensional Security responds to increasingly transnational crime and demands responses from the police and the criminal justice system in each country, which fundamentally depend on the capacity for cooperation that these countries demonstrate in practice. **And there is no transnational legal-police cooperation if there is no common normative basis.** This is precisely the role of international Declarations and Conventions for the promotion of public security at the local level: they provide the basis of shared understanding between countries for cooperation to occur.





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Political stabilization and the creation of democratic systems in Latin America and the Caribbean underwent a process of institutional convergence that concretely expanded the political dialogue between nations and **ensured Human Rights as a common normative ground** that makes transnational actions within the scope of the possible criminal justice system .

This hemispheric effort directly reflects the advances and conceptual revisions promoted by the UN since the 1990s, mainly after the adoption of the concept of human security in 1994.



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The context of increased complexity and limitation of institutional capacities is also relevant in providing the convergence of criminal phenomena. **The interactivity and hybridization of several illicit networks on a global scale** greatly increased the pressure on governments and, in particular, on security and justice institutions in the region.

We must also consider the threat posed by natural disasters and the economic, social and political crisis in several countries in the region.



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Finally, going beyond the American context, it is necessary to highlight the importance of the approval of the **United Nations Convention against Transnational Organized Crime** in 2000, which was ratified by Brazil in 2004 and **Law N.12.850**, approved in Brazil in 2013 for internalization. The Brazilian Law :

- profoundly changed the form of the country's Criminal Law and with regard to the way organized crime and criminal groups are dealt with;
- expanded the investigation mechanisms;
- the classification of crimes was facilitated after this process.



# Class Summary

- The concept of Multidimensional Security and its evolution in the context of the Americas has been connected to OAS efforts;
- It is necessary a convergence in the institutional pattern of the countries, which in this case is associated with Human Rights and the democratic regime;
- Important advances in criminal law have been made collectively in the region, with several countries going through important transformation processes
- Brazil, in this context, has been a good example of updating its criminal legislation against organized crime.



# Reference

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