

Chinese criminal organisations are building an increasingly powerful and widespread presence in Italy through illegal activities such as illegal immigration, prostitution and counterfeiting, not to mention tie-ups and alliances with the local mafia. Olga Capasso, an assistant prosecutor with the National Anti-Mafia Directorate, describes this growing phenomenon and outlines possible solutions, including extensive application of Article 416 (bis) of the so-called “anti-mafia law”

The Chinese mafia's *modus operandi* in Italy

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Illegal immigration, prostitution, counterfeiting and kidnapping are some of the crimes recorded in Italy from 2003 and 2007 and there is irrefutable evidence that the Chinese mafia in the country is growing fast. “We cannot underestimate the phenomenon; we must keep it under control, especially because it is underground activity”, warns Olga Capasso, an assistant prosecutor with the National Anti-Mafia Directorate (DNA). There is a genuine problem, but the Italian authorities do not appear to have fully grasped the true criminal potential of Chinese crime organisations. The Chinese community is largely impenetrable and the Chinese community is totally isolated from the outside world because of the spread of Chinatowns where the rules and traditions of their native country hold sway, the language problem, the fact that violent crime is generally directed against fellow Chinese and the lack so far of turncoats to help authorities convict gangsters. This allows Asian crime organisations to keep their *modus operandi* under wraps and carry on their illegal activities undisturbed. In recent years, however, nationwide investigations have made it easier to understand the scope of organised crime and highlighted the need for speedy action to stem the phenomenon and defend the victims.

Illegal immigration forms the core of Chinese clan power. “The flow of illegal

immigrants has increased steadily since the 1970s”, says Capasso, “because few Chinese come to Italy with a proper job and the possibility of applying for a residence permit. Criminal organisations in Italy make travel arrangements for Chinese immigrants, who usually leave from Southern China and journey through Asia, Russia and some other European countries to reach Italy. Once they get here, the immigrants are scattered depending on the organisation’s needs and used as manpower for illegal work, while the women are forced into prostitution”. Human trafficking is therefore doubly profitable for the Asian clans, which collect payment on the journey from China to Italy and subsequently use the immigrants as cheap labour to expand manufacturing and sales activities throughout the country.

Borders are crossed by sea, land or air using a variety of routes and entry methods. The immigrants mostly come from the Zhejiang and Fujian provinces, coastal areas in Southern China, and enter Italy from Slovenia or France after a journey of thousands of kilometres, or from Malta where, says Capasso, “they arrive with student visas under the pretext of studying English and then take boats to reach the Italian coast, after which they simply disappear”. Lax immigration controls appear to make Fiumicino airport in Rome the preferred arrival point for immigrants travelling by air. However, the assistant



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prosecutor points out that the situation is changing. "There are 14 to 18 intercontinental Alitalia flights from Milan and only 4 from Rome, so there will be more controls in Milan to make it harder for illegal immigrants to gain entry". Document forgery is another crime closely linked to illegal immigration. The Chinese carry genuine passports, with their photo in place of the original. Once they have entered Italy, the heads of the criminal organisations confiscate the passports, which they will then re-use to smuggle in other illegal immigrants. Says Capasso: "This is why the Chinese never carry documents, or can only show false work permits", and therefore remain illegally on Italian territory. Their arrival in Italy heralds the end of their voyage of hope as well as the start of a lengthy ordeal that reduces them to complete slavery. "According to court trial records", says Capasso, "the average cost of the trip is 15,000 euros, which is partly recovered by getting the immigrants to work illegally and partly paid by the family in China. People are often kidnapped to force them to pay their debts". The migrants are forced to give in to blackmail and work, in return for little or no pay and squalid housing with poor sanitary and hygienic conditions, for businesses run by the criminal organisations, ranging from restaurants and street vending activities to

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textile production and import and export. Thousands of containers filled with counterfeit products arrive in Italy each year, "especially the ports of Naples, Taranto, Gioia Tauro and Genoa", says Capasso. "Most of the goods are then sent to Milan". Counterfeiting has in fact become one of the main sources of the traffickers' income: it is a flourishing international business. According to Italian State police figures, confiscations in 2006 alone included "30,000 items of counterfeit brand-name apparel in Prato, 1,700 designer shoes in Pescara, 13,000 items of clothing in Bologna and 6 containers with more than 250,000 leather goods and designer clothing items in Naples". The report continues: "It is estimated that more than 20,000 counterfeit brand-name products were seized in Turin alone. 50,000 products were seized in Lecce, 90,000 leather clothing items in La Spezia, 150,000 items of clothing in Udine etc." The list is very long and clearly demonstrates the flourishing financial activity and substantial liquidity of the Chinese clans, which is re-invested, especially in the property sector, with the slow but steady



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purchase of restaurants, bars, pizza parlours, apartments and shops in big cities as well as small Italian towns.

This allows the clans to get a firm footing on Italian soil and organise their activities totally independently. As Capasso points out: "The Chinese community is capable of ensuring that it has access to basic services through a series of structures, open only to fellow Chinese: schools, clinics, shops, pharmacies and banks. These illegal and unauthorised banks start up operations such as mortgages and other loans and money transfer abroad. There are also pseudo-cultural organisations headed by Chinese triads. The best known Chinatowns in Italy are undoubtedly the ones in Piazza Vittorio in Rome and the one on Via Sarpi in Milan". The spread of business is often accompanied by increased crime: the State Police has pressed charges against Chinese citizens accused of illegal medical practice, prescription issue and abortions and seized medicines and medical equipment made in China. Until recently, even prostitution was managed by the Chinese for the Chinese. It is hard to find Chinese women, unlike

women of other ethnic origins, on the street: they generally "exercise their profession" in apartments within the community. This has recently begun to change, with the trade opening up to outside clients who can find Chinese women through advertisements in the "Massage" section of local newspapers section. This is a probable indicator of the fact that the exploitation of prostitutes is increasing sharply.

Illegal labour and prostitution are often insufficient to pay the immigrants' debts to criminal organisations, and the clans begin to take revenge through crimes such as extortion, kidnapping and murder of their fellow citizens. The structure of Chinese crime spans several levels: youth bands, criminal organisations and the Triads (these complex structures typically infiltrate other organisations). Capasso describes them in detail. "The young are headless and tailless dragons: they are usually extremely ferocious minors who specialise in murder, kidnapping and extortion and can be sent to out-of-town locations to carry out these crimes. Then there are the dragons with heads and tails, a term used to describe the criminal organisations. It is unclear whether triads operate in Italy, although details noted during some trials in court can be traced back to them. It is worth mentioning that these associations typically function on the basis of *guanxi*, i.e. the network of

relationships among Chinese, created because of family ties or common business interests. These associations, located mainly in Central and Northern Italy, form alliances and either divide up tasks (for example, we discovered an organisation which had the sole task of hiding dead bodies) or fight, which leads to clan wars to establish control of a particular territory”.

The scale of criminality is therefore worrisome. As Capasso points out, “the organisations are generally charged with association for purposes of crime on the basis of Article 416 of the Criminal Code. In a few cases, especially in Prato, Tuscany, they have been charged with mafia association on the basis of Article 416 (bis). The reason why it is hard to enforce Article 416 (bis) is that in order to establish mafia conspiracy, it has to be proved that the organisation, besides using the *omertà* (code of silence) and violence, has a managing structure and is based in Italy. Chinese associations, which often act in different places, do not necessarily possess these characteristics”. The dangerousness of the Chinese mafia cannot, however, be underestimated, particularly in the light of an increasingly widespread phenomenon: the sealing of pacts with local mafia groups. “In Italy, especially in regions such as Campania and Sicily, where the mafia is deeply rooted”, the assistant prosecutor adds, “it is impossible to act without alliances and agreements. The Chinese clans therefore tie up with the Naples-based Camorra and the Calabrian *ndrangheta* in order to use their protection to get established on the territory. This occasionally leads to clashes: for example, there was a well-publicised incident in Naples, with the Chinese demonstrating on the streets to force the local mafia to reduce the amount of protection money they demand, because the mafia prefers to stay out of the limelight. Meanwhile, the Camorra has started up illegal activities based in Shanghai, Beijing and other parts of China. The future dynamics will depend on various factors, especially if the Italians get the upper hand over the Chinese or vice versa”.

Investigations to gain a better understanding of the phenomenon continue, despite a number of problems. The language is the



“Lax immigration controls appear to make Fiumicino airport the preferred arrival point for illegal immigrants. But the situation is changing and entry for illegal travellers will be harder

first obstacle to overcome, since Chinese has many different regional dialects. This means that, despite electronic eavesdropping and phone tapping, there are problems with translation and transcribing names, making it hard to build up a database that can be used to identify persons involved in illegal actions. Another obstacle is that because of the physical appearance of the Chinese, they are often mistaken for Koreans or Japanese. There is also the difficulty of understanding Asian culture. “The Chinese are very reserved; they tend to reply very concisely. They do not make long speeches and do not speak first”, says Capasso, who however adds that progress must be made. “We will have to start interpreting Article 416 (bis) extensively so as to apply it to different types of criminal organisations, and it is essential for us to set up specialised bodies and specific skills. The Italian Anti-Mafia Investigations Department (DIA) has said in a report that it is unable to handle the phenomenon because it does not have suitable staff and tools”. Meanwhile, the first policemen of Chinese origin, mainly Taiwanese, are starting to make an appearance in the ranks of the ROS, Italy’s special carabinieri task force.