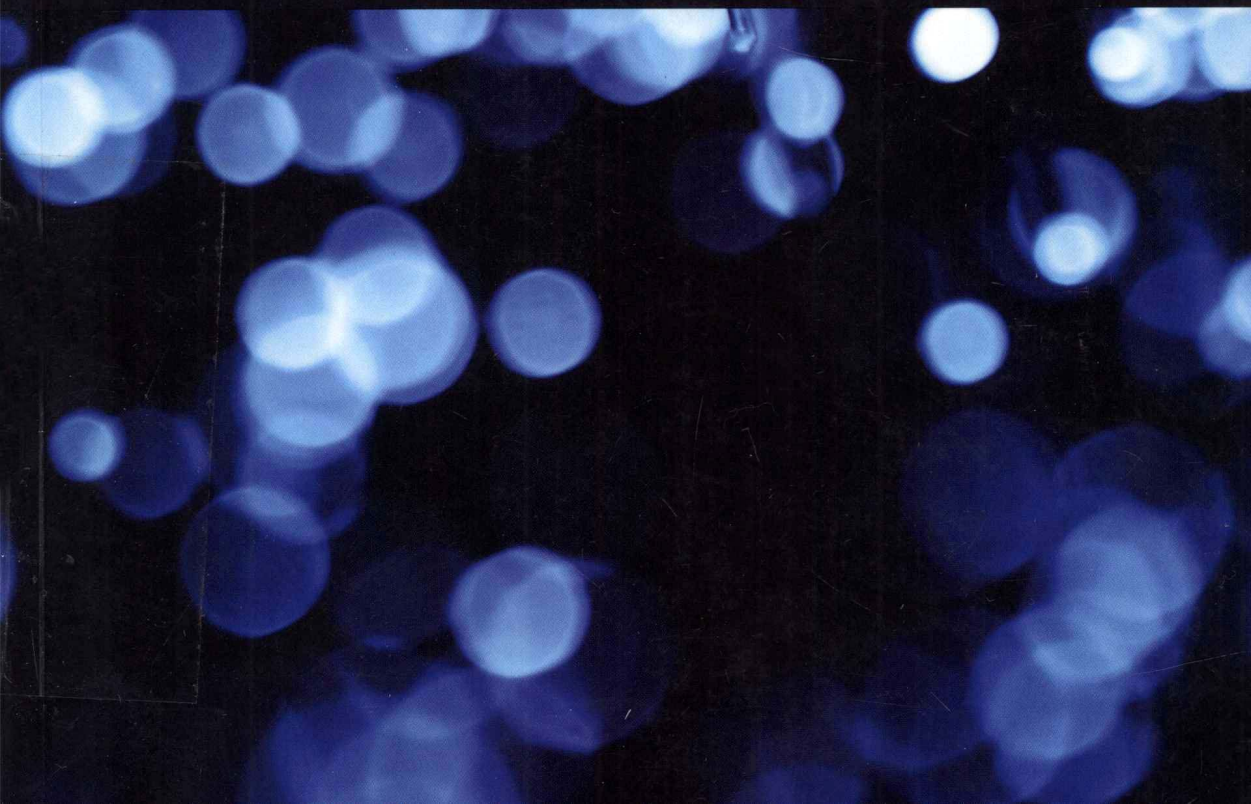


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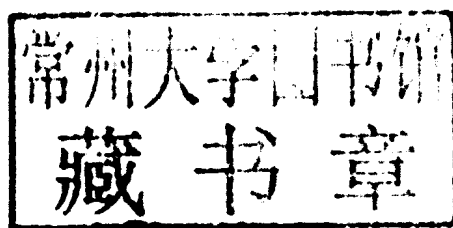
AN INTRODUCTION TO
Transnational
Criminal Law

NEIL BOISTER



AN INTRODUCTION TO TRANSNATIONAL CRIMINAL LAW

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PREFACE

I first encountered transnational crime in person as a student, hiking in the Drakensberg mountains of South Africa. Approaching a sheer cliff which marked the border with Lesotho at an altitude of about three thousand metres, I noticed someone carrying a large bale wrapped in white cloth fashioned into a crude backpack making his way down a perilous path. As soon as he caught sight of me, he hastened away. I later learned that the bale was almost certainly full of high-grade Lesotho grown marijuana, heading for a distribution point in KwaZulu-Natal province where it would be transported in false-bottomed mini-bus taxis to the urban areas of Durban and Pietermaritzburg for sale. I admit to grudging admiration—it took great courage and strength to carry that load over those mountains. The reward of course, was money, and for poor farmers in Lesotho, too great a temptation to resist, despite the physical danger and possibility of arrest.

The incident sparked an interest in drug control, and in particular the impact that international drug control law was having on developing states. I soon came to realize that the drug control system was only a part of a much larger system of treaty-based crimes—a system of transnational criminal law. This book seeks to introduce briefly the nature and main features of this system for those new to it, while simultaneously advocating that it is a system, and one worthy of study. In Part A it examines the nature of transnational crime and introduces the concept of transnational criminal law. Part B examines the substantive offences. Part C examines the allied procedures which make cooperation in regard to these offences possible. Part D looks at the institutions that perform different functions within the system and the implementation of the system, and Part E contains some concluding reflections on the nature of the system.

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