

**I.C.P.O.-Interpol General Secretariat**  
**Criminal Intelligence Directorate**  
**Economic and Financial Crime Sub-Directorate**

Conference on Fighting Corruption and Safeguarding Integrity  
among Justice and Security Officials

24th~26th February 1999, Washington DC

**1. Interpol services, ~ What can Interpol offer? ~**

I.C.P.O.-Interpol, as the only global organization of the law enforcement cooperation, plays a key role in the fight against economic and financial crime of international nature. Interpol offers its 177 Member States various services as follows:

**i) Criminal Intelligence Service, ~ value-added information ~**

The Interpol General Secretariat monitors the exchange of information among its Member States and stores major cases, cases of international interest and related nominal/property information in its database (**ICIS** = International Criminal Intelligence System). Law enforcement agencies in the Member States can access the database through Automated Search Facility (**ASF**) from their own country on a real-time basis. It provides various tools to identify criminals which includes the **Interpol notices**. For example, the red notice is issued to request an arrest of the subject with a view to subsequent extradition. The General Secretariat also provides, as a value-added service, **crime analysis** service conducted by specially trained crime analysts.

**ii) Liaison function, ~ global/regional coordination ~**

In order to avoid unnecessary duplication, the General Secretariat coordinates the efforts made by its Member States. This function is conducted through its liaison officers or through various types of conferences and meetings it organizes. A number of successful examples have been seen, recently, in such crime areas as drug trafficking, child pornography and investment fraud.

**iii) Support for law enforcement, ~ technical support and training ~**

In order to facilitate the communication between the Member States, Interpol maintains and develops its own independent secure network of telecommunication only accessible by the law enforcement agencies. A number of training courses specially designed for law enforcement officers are held in order to enhance the investigative ability and maintain/enhance the standard among the Member States.

## **2. Interpol's activities on corruption, ~ What has been or is going to be done? ~**

The Interpol General Secretariat has been paying a particular attention to this crime area for the last couple of years. Through its international or regional economic crime meetings, corruption is always one of the main topics in the agenda. When an international conference on investigative techniques for economic crime investigation was held, corruption was also a main issue. In conducting studies and projects on money laundering, corruption is always seen as an inseparable part of this crime area. The General Secretariat officials also participated in a number of international/regional forums on corruption and made contributions from the viewpoint of law enforcement.

Having noticed the growing concern among member countries, the General Secretariat organized the 1st International Conference on Corruption in April last year, which resulted in a recommendation to form an expert group with a view to developing our action plan and strategic goals in the long run. The subjects to be considered by the experts include developing investigative technique with the best practice models and setting up a model of code of conduct to be adopted by the law enforcement agencies. The group will also study the legal/procedural difficulties experienced by the law enforcement community.

**The International Group of Experts on Corruption (IGEC)** met, for the first time, in January this year. The members are the experts on corruption selected from law enforcement agencies of 7 countries covering North America, Europe, Africa, Asia and the Middle East.

At the first meeting, the members agreed to the principle action plan. The subject of corruption contains 2 main factors, from the viewpoint of law enforcement, one, detection and investigation of corruption cases, and, the other, prevention of corruption. Therefore, the action plan includes:

- i) drafting a "Declaration of Intent" including code of conduct for law enforcement officials, to be submitted to the next Interpol General Assembly (October 1999, Seoul);
- ii) preparing "library of best practices" and "best practice guide" for the practical use of the law enforcement agencies concerned.

The members also considered to invite some other countries to accommodate various views and systems existing and to maintain the geographical balance in its representation. In addition, they agreed to invite representatives from other international organizations, academic circles, and the private sector, as ancillary group, for advice. This approach will enable them to avoid unnecessary duplication and reflect non-law-enforcement views.

The Interpol activities on corruption will be conducted, for the time being, with the IGEC as a focal point.

### **3. Points for further consideration, ~ for smooth international cooperation ~**

While IGEC focuses on, for the time being, actions to be taken by law enforcement agencies, it is obvious that the subject of corruption cannot be tackled by their own efforts.

Through our meetings and conferences as well as daily correspondences with the Member States, we have identified a number of difficulties in smooth international cooperation, among which the following points can be specifically brought to the attention of this forum. These points are to be considered not only by the law enforcement community but also by other governmental agencies concerned.:

#### **i) Legislation**

Differences in legislation from country to country can be seen as a major obstacle to smooth international cooperation, not only for corruption but also for other types of economic and financial crime, such as money laundering. It is often the case that the principle of “double criminality” cannot be satisfied due to the difference in legislation. Countries are encouraged to adopt legislation which criminalize certain actions, in a coordinated manner. In this context, the item 4 of the draft Guiding Principles is particularly welcome.

#### **ii) Judicial systems**

Even though the principle of double criminality is satisfied, the difference in criminal justice system brings a certain difficulty to a practical cooperation. In some countries, the authorities are given a certain competence for investigation and prosecution, while, in other countries, much less. We certainly appreciate the item 6 of the draft Guiding Principles which encourage countries to provide the authorities with necessary tools.

#### **iii) Lack of communication between the agencies concerned**

As corruption cases are considered sensitive, it is often the case that the agencies concerned do not communicate smoothly. It is even more likely to happen between different jurisdictions. As this problem seems to derive from, unfortunately, lack of mutual trust, the item 7 of the draft Guiding Principles seems to be particularly significant. We also recognize the item 10 which points out the necessity to consider the tools for smooth international cooperation. In this regard, we would like to emphasize that already-existing channels should be fully exploited in order to tackle the problem in a more cost-effective manner.

#### **iv) Lack of financial information**

Having monitored the exchange of information on a daily basis, I have to mention that, under the current systems, the rapid exchange of financial information is not easy. As it is critical to trace the flow of funds, we would encourage countries to follow the item 6 of the draft Guiding Principles in regard to lifting bank secrecy. While we fully understand the necessity to protect privacy, due balance must be kept between privacy and the public interest. We would also like to draw your attention to our concern about offshore centers. Once the funds are transferred through these jurisdictions, it would become extremely difficult to trace them. In this context, the item 10 could specifically mention the systems to effectively trace transfer of funds.

#### **4. Suggestion to the draft Guiding Principles**

Having reviewed the draft Guiding Principles, I would like to comment that this document is impressively well-organized and comprehensive. This will become, without doubt, one of our main reference documents for future action. At the same time, if we are allowed, I would like to suggest that the following two points be specifically mentioned in the document:

- i) Full exploitation of already existing channels (item 10)**
- ii) Systems to effectively trace international transfer of funds (item 10)**

As I described previously, these two points seem to be critically important to implement the Guiding Principles in a practical and cost-effective manner.

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