Freedom from fear

How many can fit here?

Corruption: one man’s gain is everyone’s loss
Bold action against corruption

The global economy is in a severe depression inflicted by the massive financial crisis and an acute loss of confidence. This global recession caused banks to undergo structural adjustment and thousands of companies were forced to close down their businesses. As a result millions of people are currently unemployed, or are forced to take contracts instead of full-time positions.

In addition, the IMF declared that global activity is projected to decline by 1.3 percent this year as a whole before rising modestly during the course of 2010.

In such scenario, businesses are facing political and investment risks, and governments are searching plausible and durable answers to secure a fast recovery: a solution that, however, seems to still be far.

This turmoil is even more worrying when considering the “purchasing power” of corruption. To survive this crisis, many companies find bribery as an attractive option to win competitive bids. In such condition, where the imperative is to regain the lost ground, bribes can be used as a form of unfair competition.

The 2008 Global Corruption Barometer, a research paper published by Transparency International, observes that the impact of the financial crisis has increased people’s fear of corruption among private companies. In 2004, approximately 53 percent out of 73,000 respondents from 69 countries saw the private sector as being corrupt, up from 45 percent in 2004. One fifth of the countries where the survey was conducted said that private sectors are more corrupted than others. But the public sector is also at stake. In total 69 percent of respondents said political parties were corrupt, the same as four years ago.

Two months ago, despite this foggy landscape, the chief executives from some of the most leading companies signed a letter to Secretary General, Ban Ki-moon to support the fight against corruption.

In a momentous step for the world financial system, this unprecedented move could represent a new manifesto for our economy. And we have to take bold action to make this happen.

Sandro Calvani
UNICRI Director
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Corruption and control of corruption have become a focal concern in developed and developing countries. European countries - where corruption for a long time had been thought to present a plague strictly confined to underdeveloped countries - now are recognizing eminent dangers of corruption and an urgent need to control corrupt practices in the political, administrative and economic system. The Council of Europe has declared corruption a key political issue in Europe and stresses the links between corruption on the one hand and organized and serious economic crime on the other hand. However, one can say that also governments in European countries and elsewhere have (re)discovered the enormous moral, emotional and symbolic value of declaring wars against corruption. This becomes evident when for instance in the LIMA declaration corruption is depicted as a cancer, as something which has to be eradicated completely and as a disease like social phenomenon which threatens the social fabric at large. Other voices declare corruption to represent an attack on the “heart of the state”. In particular the view that corruption is closely linked to organized and transnational crime and that control of corruption should also be part of a medicine against organized crime at large has fueled attempts to strengthen repressive and preventive policies against corruption. This has led also to see corruption not only as a threat to proper public administration and law enforcement and effective anti-corruption policies as a precondition of good governance, but as a strategic instrument used by organized crime groups to establish parallel worlds and a system of impunity. Increased media attention certainly is contributing to the growing awareness of problems of corruption and corruption control. The European Union has expressed interest in corruption control in particular with a view of protecting the system of European subsidies and the European Union’s budget. However, corruption evidently exists without organized crime and without supranational opportunities to deviate funds from supranational budgets. While control of corruption and bribery for most of the 20th Century was conceived as a task entrusted to national law enforcement and national criminal justice systems, in the last two decades of the 20th Century – following the discourse on transnational organized crime – corruption control became an issue with an European, international and transnational dimension. Transnational corruption was raised as a problem in particular through the US Foreign Corrupt Practices Act 1977 which – after an extended multilateral discourse – initiated drafting and enactment of similar legislation in industrialized countries.

The International Society of Social Defence has made Corruption Control a topic of its 1996 meeting and stressed the importance of global strategies as well as international and coordinated responses to corruption. Various international bodies, among them the United Nations, the Council of Europe and there GRECO (Group of States against corruption), the European Union and the OECD but also NGOs are involved in the process of establishing corruption and corruption control as an international and cross border problem that has to be responded to by co-ordinated and transnational preventative and repressive instruments.
The phenomenon of corruption can be divided into corruption occurring in the public sector of society and in corruptive activities emerging within the economic or commercial system. Public corruption in turn can be broken down into corruptive activities affecting the political system on the one hand and administration on the other hand. Political corruption has attracted attention in Europe since the 70’s when in most countries funding of political parties became a major issue of concern. In democratic societies political parties play important roles insofar as they serve as a significant link between civil society and the parliamentary system. They should, according to theories of parliamentary democracy, initiate political will in civil society and transfer that political will into parliament. However, political parties need to organize election campaigns, they are interested in political power which is a consequence of successful political campaigning. Successful campaigning is expensive and thus necessitates the existence of large funds which have to be raised somewhere. This creates incentives for establishing close ties between political players and potential fund givers who are found in the economic and financial system.

The basic concept of corruption refers to a public, political or private decision-maker who consents or demands to deviate from such criteria that should rule decision-making in exchange for a reward, the promise or expectation of a reward. With such a definition the consequences of corruption appear as a parallel world which is neither transparent nor subject to democratic or other forms of control. Such parallel worlds can emerge in the economy – like the one which existed in Italy in form of “Tangentopoli” until the early 90’s and under conditions of a global economy and international administration as had become visible after investigations into the “Oil for Food” programme run by the United Nations for Iraq – or as a parallel or shadowy world of politics – like the ones establishing themselves in the 70’s and 80’s in Germany, France and many other European countries as the result of massive financial investments of the private economy in political parties.

Political corruption is penalized for the sake of protecting democratic structures and basic values of democratic societies such as equality, non-discrimination and transparency. The prohibition of commercial, administrative and political corruption thus exhibits a common point of reference, that is, trust. Trust is a basic social asset. If mistrust is generated by disorder, threats, suspicion, scarce resources and feelings of powerlessness, then, trust comes from the opposite: faith in others, feelings of security, order and with order a functioning system of formal and informal social control and the perception that dangers can be prevented or – at least – in a certain way be controlled. Trust comes as (legal) obligation and as confidence and it has cognitive, affective and behavioural dimensions. Trust is linked to predictability of acts and action. Trust moreover is a major ingredient to the social capital which exists in social groups and in a society at large. Research has shown that trust is required as a basic condition of sound economic development and that communicating trust to somebody else will in general generate more compliance with social and legal norms than is generated by communication of mistrust. Corruption certainly has a devastating impact on the creation of trust as it prevents predictability, transparency and the establishment of good governance practices.

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A few months ago Ian Rowan reported at Switched.com the news of a computer consultant who siphoned $1M USD from a Utah Bank. MementoSecurity commented the article on April 27th explaining how “An IT contractor hired to fix some bugs in a recent computer upgrade used his system access to make fraudulent electronic transfers into accounts under his control. He allegedly used the funds to remodel his home, pay off his two car notes, and cover a few mortgage payments. The fraud came to light when his business partner reported the suspicious transactions.”

We are talking about “the same old story” that plays over, again and again. Infosec portals are totally filled by this kind of news, ranging from the highly orchestrated organized-crime actions up to the “one-man crime” approach. Let’s take in consideration a couple of cases, one very recent and the other rather old. The latter is the LGT case, also known as “The Lichtenstein Tax Affair”.

Mr. Kieber, an employee at LGT Bank, allegedly stole customers’ financial data and sold them to an Intelligence Agency. The peculiar aspect is that Mr. Kieber was already sought by an international warrant issued by Spain back in 1997 for running a 600,000 CHF check-fraud. A bank, where privacy is the fundamental value to be assured to its customers shouldn’t have hired a man with that kind of “background” in the first place. We may also discuss IT procedures and checks, as well as Counter-Fraud and Privacy security policies and rules used by the violated institution. But that’s not the real point.

The second example is even more peculiar. In October 2008, a US Payment Gateway, RBS WorldPay, was hacked. The attackers hacked into the credit cards (CC) database and, apparently, were able to own it completely. No one noticed the break-in and nothing happened, until a few months later. On January 9th, 2009, a 24-hour withdraw operation was

Cyber Crimes

In the financial Sector

* Raoul Chiesa

The 2007 “financial turnover” for RBN (Russian Business Network), one of the most important and distributed criminal organizations in the Internet area, was more than $2 Billion USD
Today the situation is changing, again. We are experiencing white-collar crimes linked with organized crime run among three continents (USA, Asia, Europe). One hundred “mules” withdrew $9 million USD in a 24-hour timeframe, leaving no traces behind, except in some cases, where pictures were shot from the ATM’s themselves (http://media2.myfoxny.com/pdf/atmwantedposter.pdf). More than 130 ATMs in 49 cities (from Moscow to Atlanta, to get the idea) were affected by the attacks.

Curious to say, a nearly identical attack happened in 2007, when iWire (a payment card company) encountered losses of $5 million USD. Obviously, if a world-wide known bank, a payment gateway and a payment card company have all been somehow “violated”, this means that no one can be totally secure: nothing is 100% secure. Nevertheless, I would like to bring the reader’s attention to other points and thoughts, far from the IT Security’s standard approaches. These kinds of crimes will continue, they will never stop. They will increase in number daily, reaching unimaginable amounts of money. Cybercrime, intended as all the various sorts of e-crimes, is the most profitable criminal activity ever seen, much more than international drug dealing and human trafficking. Cyber crime usually involves a few risks, and typically doesn’t require the authors to “show up” and physically expose themselves. Also, the de-facto international approach and MO (Modus Operandi) of these crimes complicates the law enforcement agencies’ investigations, information exchange, dialogues and collaboration, while the laws and the international agreements among different legislation systems would not always work out, especially in some countries. These countries, obviously, are among those preferred by e-criminals.

The 2007 “financial turnover” for RBN (Russian Business Network), one of the most important and distributed criminal organizations in the Internet area, was more than $2 Billion USD. RBN has been credited for creating nearly half of 2007’s phishing incidents worldwide, being also specialized in the distribution of malicious codes, hosting malicious Web sites, developing and selling specialized malware and o-day exploits. This means money, a lot of money. That’s why cybercrime will constantly represent an issue, now and in the upcoming future.

That’s why I do get amazed when reading news about IT consultants who stole money from their clients, customers or companies they worked at. Frankly speaking, rather than getting shocked, I get angry. Today’s world is already filled with bad guys, meaning those people that belong to the well-known criminal world. It has always been like this, since the very ancient past. Then, particularly since the 80’s, we started learning about a new type of criminals involved in the so-called “white-collar crimes”. They were a few, highly specialized people, that decided to bid over their own life, and try to get “the big one” to fix all the rest of their lives.

Today the situation is changing, again. We are experiencing white-collar crimes linked with organized crime. Every day we learn about somebody who has been arrested for e-crime actions: young people, students, consultants, “hackers”, and criminals. I think those are just the tip of the iceberg. The key difference that apparently no one has realized yet is another one: it doesn’t matter whether the bad guy is “the IT consultant” rather than an anonymous teenager.

Today many more people know about IT security and hacking. Resources are available in a really easy and accessible way. The Internet is everywhere, allowing attacks to spread worldwide. People should realize that just like Social Networks exist thanks to the Internet, similarly, we also have a kind of “Criminal Network(s)” thanks to the Internet. It’s a process that evolved along the years, and this is the current scenario. We can do little against cyber crime, but we can carry on our efforts in raising awareness, training and education. Every new technology opens the doors to new criminal approaches. This should be our first thought whenever using a new technology, along with all the good things and enhancements the technology itself will surely give us.

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Corruption is often depicted as a major impediment to poverty reduction. Being detrimental to good governance, corruption undermines the smooth implementation of sound economic and social policies. First, as far as petty corruption is concerned, extra payments in the forms of bribes are required from users of public services; therefore, fair access to public services is denied. The poor segments of the population are the most vulnerable to corruption, either because they cannot afford to pay bribes or because they have no possibility to escape corrupted public services (the wealthy elite can always afford private expensive clinics). Secondly, non-transparent public procurements often lead to accepting offers which are not cost-effective and are sub-optimal. Public monies are therefore not allocated in the most efficient manner and are partly wasted. Thirdly, as far as grand corruption is concerned, embezzlements of public funds results in a gap in budgetary means.

What are the detailed mechanisms of those corruption forms within social sectors, health and education in particular? What are their consequences? What could be their potential causes? This article will set out the main conclusions of corruption risks assessments in the health and education sectors.

* Anne Lugon-Moulin
undertaken in one Central Asian country. Even though some issues are typically related to context of post-Soviet economies, the majority of explanations given below are valid for other developing or transition countries as well.

Out-of-pocket payments (small bribes required for a treatment) in the health system are certainly the most common form of corruption which has arisen in the aftermath of the liberalisation of former Soviet countries’ economies. In certain countries, out-of-pocket payments account for the largest share of the total health budget. Even though patients are aware that this practice does not respect their rights, they are willing to pay, in order to expedite treatments. Out-of-pocket payments function as a topping-up mechanism for the very low salaries of the health staff in many countries. Unless patients pay extra, doctors and nurses have no incentive to work hard, as salaries hardly allow them to make a decent living. In the education sector, these payments translate into bribing professors to pass exams, to obtain diplomas or simply to get registrations filed properly. In that latter case, it is worth mentioning that such bribes, in addition to posing a fundamental problem of equity, have a detrimental effect on the education outcome as a whole; students obtain their diplomas not because they perform well in school, but because they are willing to pay extra; good grades are not awarded based on merits, but based on dishonest behaviour. Such practices have a very bad effect on the country’s overall education performance. The same holds true in the health sector: many surveys demonstrate that the poor cannot afford paying bribes in hospitals. There is a significant connection between the level of informal payments, the degree of corruption, and the affordability of health care, resulting in poor health outcomes in countries affected by such practices. But these informal payments, which can be compared to an added tax without redistributive function or to a transaction cost, are coupled with other corruption practices in social sectors. Embezzlement in the budget execution is a major challenge in many countries. The recurrent budget is often subject to diversion of funds. In formally centralised and planned economies, the recurrent budget is allocated on the basis of a so-called budget line item system. Based on inputs rather than needs, this system is quite rigid in the sense that funds allocated to a hospital, for example, are broken down into specific portions to be spent on one item only (for example: heating, salaries, supplies, etc). Strict rules should normally make it difficult to transfer funds between line items. However, transfers are possible once it is obvious that certain positions will not be utilised (e.g. heating costs in summer). Usually, specific running costs items that have been purposely over-budgeted are then transferred to maintenance/repair items where it is easier to embezzle the monies. Another quite widespread embezzlement possibility lies within the transfer of the budget from central to local authorities. In many countries around the world, this is a major issue: local governments or local entities (district hospitals or schools) do experience problems in obtaining the funds that have been negotiated and promised by the Central state. Public Expenditure Tracking Surveys (PETS) done by the World Bank in Uganda have proven that 80 to 90 percent of funds in the education sector had been diverted along the way between the Central state and the district schools. Since 1996, when PETS first started being carried out in this country, some light has been shed on those facts and the situation has improved. Embezzlement techniques within the investment budget are not the same as within the recurrent budget. Involving massive amounts of public funds, the investment budget is particularly at risk. Here, fraudulent public procurement practices are partly responsible for the problem: fake ten-
The lack of competition in public procurements, the award of tenders to sub-optimal offers and the funds’ leakages in the form of kick-backs are all manifestations of misallocation and misuse of public resources.

In some countries, people have to afford up to several thousands of US dollars if they wish to be hired as a doctor in a hospital or as a school principal. This undue advantage is not only extorted at entry, a small portion of it is subject to ample out-of-pocket payments, higher maintenance costs and, eventually, lower outcomes achieved in social sectors.

Conflict of interest also arises when public doctors open and work in private clinics. To what extent private activities encroach on medical staff’s? Doctors working in public hospitals can refer patients to their private clinics. In countries where treatment is provided free-of-charge in public hospitals, this practice is unlikely to happen, as patients would prefer to benefit from the free-of-charge treatment. However, in contexts where the public health services are free-of-charge by law only, but subject to ample out-of-pocket payments, referring patients to private health care is more likely to succeed.

Conflict of interests can have deleterious consequences on the quality and integrity of health workers and on the availability of health care. Problematic regulatory voids and a lack of awareness about potential conflicts of interest are the most frequent factors explaining such practices.

As a conclusive remark, one can recall, on a positive note, that public finance management reforms are deemed to improve the budgetary system’s efficiency and transparency, thereby making it more difficult to carry out embezzlement techniques in recurrent and in investment budgets. Such reforms are usually tied with general or sector on-budget aid. Out-of-pocket payments are probably more difficult to tackle as long as a country doesn’t have the necessary means to pay decent salaries. Conflicts of interests, especially in the health sector and worldwide, have been so far insufficiently regulated and would need further legal and enforcement measures.

* Anne Lugon-Moulin is Co-executive Director of the Basel Institute on Governance.

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1 Those studies have not yet received clearance from the government under review. We therefore refrain from quoting where they have been commissioned.
2 See figures for various countries under www.who.int/nha.
On 8 December 2009, the United Nations Relief and Works Agency (UNRWA) for Palestine Refugees in the Near East, UNRWA, will be sixty years old: an occasion for sober reflection but also an opportunity to highlight the Agency’s service and achievements during six decades of work alongside millions of Palestine refugees.

"UNRWA AT 60" PAYING TRIBUTE TO SIX DECADES OF SERVICE AND ACHIEVEMENTS

"In 2009, we will commemorate six decades of UNRWA’s existence. These anniversaries are occasions for solemn reflection on our respective roles in the epic saga of Palestinian exile. They offer opportune moments to consider what more we can do as international actors - within and beyond the relatively safe sphere of humanitarian assistance - to give meaning to human dignity for Palestine refugees, to bring closer to realization the elusive goal of justice for Palestinians and a State of their own and to seize opportunities for turning conflict around."

UNRWA Commissioner General, Karen Koning AbuZayd

1- UNRWA Received Khalid Gibran Award on April 23 in Washington DC

2- A GOAL FOR PEACE.

On May 6 Edmond Machtens Stadium of Molenbeek-Brussels-Belgium Palestinian National Football Team played friendly game against FC Molenbeek Brussels. It was a first time that the Palestinian National football team played in Europe. During the halftime there was musical concert at Jasser Switat, Ammer Hassan, GTown, and Shadia Mansour

3- Artist for Peace

MARCEL KHALIFE
A Concert for Peace and Humanity Tuesday June 30 2009, 20h, Vienna, City Hall, Arkadenhof

Http://www.unrwaat60.org
Achieving Zero New Victims of Landmines

* Maxwell Kerley
**Introduction**

As we think about how we can continue to reduce and if possible eliminate new victims of landmines, we are reminded of the remarkable advances during the evolution of mine action work which began with the establishment of the mine action operation for Afghanistan in 1989. We remember those lost and those affected and our determination to live in a world free of the threat of landmines and explosive remnants of war is fortified. It is my fervent hope that a world with zero new victims of landmines will become a reality in my lifetime.

Mine action activities have made and continue to make a considerable strategic contribution to lasting peace in post-conflict situations. The United Nations Mine Action Service (UNMAS) was established in 1997 as the UN focal point for mine action through an amalgamation of the Department of Peacekeeping Operations (DPKO) Demining Unit and the Mine Clearance and Policy Unit (MCPU) of the Department of Humanitarian Affairs (DHA). UNMAS is now located in DPKO’s Office of Rule of Law and Security Institutions. Last year over 200,000 landmines were cleared around the world. In Afghanistan alone, over 81,000 anti-personnel mines were removed during 2008 by over 8,000 national staff. Meanwhile, to date in Sudan, collective efforts have opened over 29,000 kilometres of road thereby increasing freedom of movement, reclaiming productive land and reviving trade.

However, there are still formidable challenges: landmines continue to kill and injure every year, they hinder social and economic development, and represent a serious obstacle for humanitarian operations throughout the world. The United Nations Mine Action Service will continue to work with agility and determination until we put ourselves out of business. But, until this happens the mine action sector will continue to navigate new terrain, adjust to new ideas and remain vigilant to face the challenge of changing methods of warfare.

To achieve our goal of zero new victims of landmines, two key areas must be targeted: the ownership of national governments to mine action operations and the strength of the partnerships they build with a variety of partners, including donors, practitioners – in particular non-governmental organizations (NGOs) – humanitarian agencies and the local communities themselves. The United Nations plays an important catalytic role in the coordination of global mine action efforts. I am convinced that mine action operations, particularly those which are nationally managed and run, build confidence among the population and government in the peacekeeping context, and foster further programmes and successes in the rebuilding of post-conflict states.
National Ownership

Mine action is ultimately the responsibility of individual national governments and authorities. It must therefore be integrated into national reconstruction and development plans at the earliest opportunity. In countries affected by landmines and explosive remnants of war, mine action is a necessary precursor to post-conflict reconstruction and development. This is also why transitioning United Nations led operations into sustainable national operations is a critical element of our work. Building local ownership into mine action operations is a continuing challenge, which is why the transition to national ownership is a key component of the United Nations inter-agency mine action strategy for 2006-2010. We have had success in Croatia and Afghanistan and are currently in the process of transition in Sudan. This national ownership is an essential element of mine action. Without this ownership the sustainability of a mine action operation will be jeopardized and its impact at the community level will risk being ephemeral.

Strength of Partnerships

Mine Action Coordination Centres are frequently initiated and developed under the direct auspices of local authorities. Our role at the United Nations is to provide them with the assistance they need and to support international cooperation. Strengthening local capacity will ensure the sustainability of the operations at the national level. Local NGOs have proven time and again how vital they are to mine action efforts in countries such as Afghanistan, Sudan and the Democratic Republic of the Congo.

The United Nations could not presume to achieve a forward agenda without the partnership of all those in the broader international community. After all, it was civil society and forward-thinking countries such as Canada and Norway that led the way to the Ottawa Convention. Nongovernmental organizations and mine-affected countries themselves are doing much of the work and will continue shouldering the bulk of the responsibility for achieving a mine-free world. Although we have a vision for what the future should look like and a plan for doing our own part to get there, we rely on all of them to lead the way. The strength of these partnerships at the national level also creates a solid foundation for our work at coordinating the global response to mine action.

United Nations Coordination

Over the past 12 years, UNMAS has managed unprecedented inter-agency coordination through the Inter-Agency Coordination Group for Mine Action (IACG-MA). In 1998, the General Assembly welcomed the establishment of the United Nations Mine Action Service (UNMAS) in its role as system-wide focal point and “its ongoing coordination with and coordination of all mine-related activities of United Nations agencies, funds, and programmes.” That endorsement has been consistently reiterated in subsequent resolutions. In one of the first major tasks as focal point, UNMAS coordinated the development of the 2005 “Mine Action and Effective Coordination – The United Nations Inter-Agency Policy” which was intended to provide overarching policy guidance and to delineate responsibilities amongst the 14 UN departments, agencies, funds and programmes which are involved in the sector. It also identified five key pillars within mine action: advocacy, mine risk education, stockpile destruction, victim assistance and mine clearance. This policy was subsequently updated in 2005. UNMAS has also coordinated the development of two 5 year strategies covering the periods 2001-2005 and 2006-2010.

The United Nations has been involved in humanitarian mine action since the establishment of the mine action operation for Afghanistan in 1989. In the early 1990’s, mine action activities were an integral component of UN Peacekeeping Operations in Cambodia, Angola, Bosnia, and Mozambique. During this time, the scale of the global landmine threat was recognized by a number of like-minded countries and a broad coalition of civil society actors which formed the International Campaign to Ban Landmines (ICBL). This resulted in the adoption of the landmark Anti-personnel Mine Ban Treaty (APMBT) in 1997, ICBL’s nomination for the Nobel Peace Prize, and successfully transformed the landscape in which UNMAS operates. 2009 marks the 10th anniversary of the APMBT and will require targeted advocacy efforts to ensure the Treaty’s further implementation. In addition to dealing with the anti-personnel problem, UNMAS operations also address the threat posed by anti-vehicle mines and other explosive remnants of war (ERW), and addressing the needs of survivors who will need assistance long after clearance has been completed. Since 2002, UNMAS has lobbied intensively for legally binding instruments that address these issues to be developed within the Convention on Certain Conventional Weapons (CCW). Some success has been achieved, with Protocol V to the CCW on ERW which
10 YEARS
SINCE THE MINE-BAN TREATY...AND COUNTING;
THE UNITED NATIONS AND MINE ACTION.

entered into force in 2006. More recently, 98 countries signed and ten of these ratified the new Cluster Munitions Convention (CMC), which opened for signature in Oslo on 3 December 2008. The Convention, which prohibits all use, stockpiling, production and transfer of cluster munitions and further addresses topics like assistance to victims, clearance of contaminated areas and destruction of stockpiles, will enter into force after it has been ratified by 30 countries. As the DPKO focal point for the Inter-Agency Standing Group (IASG) on the Convention of the Rights of Persons with Disabilities (CRPD), UNMAS closely followed the entering into force of the Convention on 3 May 2008 and is starting to integrate it in its work at headquarters and in the field. These new instruments will reinforce the overarching legal framework under which UNMAS operates.

In recent years, there has been a dramatic increase in the number of DPKO and Department of Political Affairs (DPA) led operations that have included mine action components as either specified or implied tasks within the mandate. UNMAS currently provides direct support and assistance to ten Peacekeeping Missions, and technical advice to a further four. In these operations, UNMAS is dealing with the full gamut of mine action activities, including assistance to countries with legacy problems from long-term conflict situations (e.g. Afghanistan, Western Sahara, Sudan), the implementation of victim assistance programmes (e.g. Sudan), the destruction of ammunition stockpiles and caches (e.g. Afghanistan, Democratic Republic of Congo), the clearance of routes and other essential infrastructure (e.g. Sudan, Darfur, Democratic Republic of Congo) large-scale ERW contamination (e.g. Lebanon, Chad, Western Sahara) and destruction of explosive remnants of war as an essential element of a peace settlement (Nepal). These examples highlight the range of activities and the number of players involved in the mine action sector. They also underscore the fact that coordination is a prerequisite to the effective implementation of mine action operations at the country level.

The Way Forward

As mine action moves forward, opportunities present themselves to enhance the role UNMAS and its partners can play in supporting existing processes as well as emerging issues that are of concern to the mine action community. UNMAS will continue to hone its strategies and programmes to maximize the impact of its work. UNMAS will improve its integration both within and beyond the Department of Peacekeeping Operations. We will also facilitate the development of a coherent inter-agency policy on transitioning mine action/operations to national ownership. Each of these elements will play a key role in advancing our vision of a world where individuals and communities live in a safe environment conducive to development, where the needs of victims are met and where survivors are fully integrated into their societies.

Conclusion

My line of work is one that all too infrequently makes the evening news headlines. But, it is work that is essential to the daily lives of millions of people around the world who – because of our efforts to remove landmines and explosive remnants of war – can safely walk their children to school in Kabul, Afghanistan or transport their crops to markets on landmine free roads in El Fasher, Sudan. The events of the last two decades have not resolved, but sharpened, the challenges for mine action operations. These are global challenges. Millions of people in nearly 80 countries still live in daily fear of landmines and explosive remnants of war. As the worldwide mine action community evolves to address the continued challenges posed by these munitions, UNMAS will respond with appropriate alacrity. The active participation and support of national authorities and local and international NGOs is the only way to truly attain the goal of zero new landmine victims. This is a global challenge that demands a global response that is agreed and coordinated through this most universal of institutions, the United Nations.

* Maxwell Kerley is UNMAS Director.
The local public seems to be bombarded with stories about corruption. It seems that there are weekly front-page headlines boldly announcing that some former president of an African country had stolen billions of dollars and hidden them outside of their country. Another news report targets a senior politician from the Americas who is hiding in Europe with untold sums of monies. Or, that a former minister from Southeast Asia had been convicted of corruption, but their monies and properties remain safe in various financial centres around the world. This was the state of anti-corruption efforts in 2007. This arrogance and impunity had to be addressed by the international community.

StAR was formally launched on September 17, 2007 in New York City at an event chaired by the UN Secretary-General Ban Ki-moon with Robert Zoellick, President of the World Bank, and Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime (UNODC). StAR filled a global gap that no other international body or civil society organization had attempted to fill.

During the launch of the StAR initiative, a report entitled “Stolen Asset Recovery (StAR) Initiative: Challenges, Opportunities, and Action Plan” was released. The report illustrated how the proceeds of corruption in developing countries can find shelter in financial centres and argued that corruption can only be tackled through international cooperation and collective action. The report announced the establishment of StAR as a joint initiative between the World Bank and UNODC to help address this problem by supporting partnerships between developed and developing countries and international institutions with an interest in this issue. The report also included an action plan outlining the priorities for StAR’s work plan over the medium term.

The legal backbone of the initiative is the UN Convention against Corruption (UNCAC). Chapter V of the Convention is devoted to asset recovery and is the most far reaching and innovative international accord on the subject. With over 140 countries that have ratified the Convention, there is no other international agreement with the reach of the UNCAC. Given the World Bank’s interest in ensuring that development funds were not subverted, and UNODC’s obligation as custodian of the Convention, the joint initiative between the two organizations was ideal.

Since 2007, StAR’s activities have steadily gathered pace. Indeed, the programme is working on a significantly broader front than originally foreseen. In the beginning, the target for the number of countries was between four and six. Now there are 16 countries currently engaged at various levels of assistance. Over this period, international support for the asset recovery agenda and the initiative has continued to strengthen.
part of the broader international dialogue on the reform of the international financial system.

One of the main goals of the programme is to support international efforts to deter illicit flows of the proceeds of corruption and to facilitate asset recovery across a broad front. The work programme combines policy analysis, developing knowledge products and capacity building, whilst simultaneously developing a portfolio of country programs that can deliver results on the ground.

Analysis and knowledge products respond to the demand identified by practitioners for handbooks and guides that systematize international experience and good practice on asset recovery, practical tools and guidance on the implementation of UNCAC’s asset recovery provisions. The first of more than a dozen products, Stolen Asset Recovery: A Good Practices Guide to Non-Conviction Based Forfeiture, was published earlier this year.

The original StAR report placed considerable emphasis on the potential development impact of the programme through contributions to development finance. This reflects the substantial recoveries in a few high profile cases, notably the experience of Nigeria. The report also acknowledged that StAR can have a significant deterrent effect by transmitting the signal that there is no safe haven for stolen assets. It is in the area of deterrence that this work programme expects to deliver early results.

StAR was conceived and designed as a pilot initiative with explicit sunset provisions. The work plan lays out a programme of activities for a period of two years until December 2010. Before the end of this period, StAR’s progress will be reviewed by an independent evaluator. The results of this evaluation will help inform management decisions as to whether the programme should continue, and if so whether adjustments are needed in the initiative’s strategic direction, governance and implementation arrangements. While two years is a relatively short period from the perspective of any national asset recovery programme or any individual case, it should be sufficient to assess the demand for StAR’s services, StAR’s ability to respond to this demand and to make informed decisions regarding the programme’s future.

In summary, this anti corruption plan has two different strategic goals. The short-term goal is to send a strong message about ending the impunity of corrupt officials. Leaders who steal from their own people need to feel that there is a good chance that they will be caught and punished and, furthermore, that their ill-gotten gains are unsafe. The long-term goal is to make asset recovery in corruption cases easier by reducing barriers in financial centres and by providing technical assistance and training to developing countries.

It will take time to evaluate StAR’s ultimate success. But like all important journeys, it must begin with a first step and it is our belief that StAR is a very large first step.

“We at the World Bank, in partnership with the international community, want to help developing countries recover assets that have been stolen by former corrupt leaders,” said World Bank President Paul Wolfowitz. “This is a moral obligation. Recovering even a portion of the stolen assets will help fund development and social programs, or badly-needed infrastructure.”

* Stuart C. Gilman is Deputy Director of the StAR Initiative.
Governance of Cultural Property: Preservation and Recovery

Concerned with the growing importance of governance issues in the area of cultural property management, the Basel Institute on Governance is broaching relevant topics at its forthcoming international conference.

Date: 29 - 30 September 2009
Location: Hilton Hotel, Auditorium Baloise, Basel, Switzerland
Registration and programme details: www.baselgovernance.org/gocp
Contact: nina.schild@baselgovernance.org

Plenary sessions and workshops will cover:
* The roles of museums and collections
* Art business: where to draw the line?
* Alternative solutions to restitution processes
* International conventions and national laws
* Self-regulation and voluntary codes
* Technical aspects of recovery / money laundering through arts
* Protection of cultural properties in conflict situations

Keynote speakers:
* Mr Jean-Frédéric Jauslin, Director, Federal Office for Culture, Switzerland
* Dr Samuel Sidibé, Director, Musée National du Mali
* Mr Ben Janssens, Chairman, European Fine Art Foundation (TEFAF)
* Prof Dr Kurt Siehr, Max Planck Institute for Comparative and International Private Law
* Mr Gordian Weber, Chairman, International Association of Dealers in Ancient Art (IADAA)
* Prof Dr Neil Brodie, Director, Cultural Heritage Resource, Stanford University Archaeology Center

... further, representatives from UNESCO, Interpol, the International Council of Museums (ICOM), the International Committee of the Blue Shield, the United Nations Office on Drugs and Crime (UNODC), the United Nations Interregional Crime and Justice Research Institute (UNICRI) as well as lawyers, art dealers and representatives from various museums will be presenting.
Criminalization of Illegal Enrichment

* Davor Derenčinović
According to the public opinion’s group of definitions, some behaviour or act should be considered as corruption as the public opinion considers it as corruptive. Corruption also can be defined as a process in which at least two persons, through an illegal exchange conducted with purpose of getting certain personal benefits, do something contrary to public interest and, by breaching moral and legal norms, threaten the fundamentals of democratic society and the rule of law. In any case, corruption is the generic term set for criminal offences such as bribe giving, bribe accepting, trading in influence and so on. The undisputed fact about corruption is that it can be found everywhere. There is no field of social life immune to this global phenomenon. Using the criminological terminology, the risk zone of corruption is very broad; in other words, it is much more likely to become a victim of corruption than of any other crime. Public polls recently carried out in Croatia, clearly indicate that citizens perceive corruption as a widespread phenomenon. While the perception of corruption suggests that the extent of it has become alarming, statistical figures offer opposite conclusions. Namely, that corruption criminal offences are not among those prevailing in criminal statistics. For instance, in the period between 2005 and 2007, the total number of reported corruption criminal offences in Croatia was slightly above 500. In the same period, 211 persons were indicted and 191 convicted. The vast majority of them were convicted for the most typical so-called hard-core corruption offences: 96% of these were in fact constituted by bribe giving and bribe accepting. How to explain the imbalance between official statistics and public perception on corruption? Corruption offences, particularly bribery giving and bribery accepting, are, by the definition, “secret” offences. The dark number of these offences, i.e. the number of offences committed but not recorded in official statistics for various reasons, is considerable given the fact that neither of two sides has an genuine interest in disclosing an illegal exchange.

One of the measures intended to overcome difficulties pertaining to the “secret” nature of corruption criminal offences is the criminalization of illegal enrichment. Unlike hard-core bribery offences (in which the substance of a crime is an illicit quid pro quo exchange), illegal enrichment means the accumulation of wealth in the hands of public officials who cannot reasonably explain or justify the background or origin of these funds. When illegal enrichment is involved, the burden of proof is not on the prosecutors but on the defendants who must prove that they didn’t make their wealth by abusing their official duties or taking part in any bribery offence or in some other illicit conduct. Criminal offences of illegal enrichment make it easier for the prosecution because there is no need for them to prove neither the so-called quid pro quo test nor the corruptive intent. The concept of illegal enrichment made its way, albeit as an optional provision, in article 20 of the United Nations Convention against Corruption (UNCAC): “Subject to its constitution and the fundamental principles of its legal system, each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, illicit enrichment, that is, a significant increase in the assets of a public official that he or “she cannot reasonably explain in relation to his or her lawful income.”

This is not an obligatory provision, so the state party may decide whether to make of illegal enrichment a separate criminal offence or not. The majority of European states, as well as the United States of America, are still reluctant to criminalize illegal enrichment as a separate criminal offence. Apart from other considerations, the main reason for that is the following: does this criminal offence violate some principles of criminal law, first of all, the presumption of innocence and privilege against self-incrimination? The shifting of the burden of proof from the prosecutor onto the defendant has been known in some very important international conventions, domestic law and the European Court of Human Rights jurisprudence.

For instance, according to the article 12 of the United Nations Convention against Transnational Organised Crime (UNTOC, also known as the Palermo Convention) “States Parties may consider the possibility of requiring that an offender demonstrate the lawful origin of alleged proceeds of crime or other property liable to confiscation, to the extent that such a requirement is consistent with the principles of their domestic law and with the nature of the judicial and other proceedings.”

Similar provision can be found in the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. The European Court of Human Rights has ruled that the burden of proof does not always rely on the prosecution. There are three cases when the burden of proof is not on the prosecution: a) in the so-called strict liability offences, b) in confiscation of pecuniary gain acquired by a criminal offence and c) in criminal offences in which the burden of proof has been shifted to the defendant. There are also a few examples of shifting the burden of proof in domestic criminal law. Probably the best example of departure from the principle actore non probante reus absolvitur is the reversal of the burden of proof in defamation cases. The burden of proof in these cases is on defendant
because the principle *quisquis presumitur bonus* presumes that the defamation statement is not true. There must be a temporal link between the moment of the acquiring the property and the time when the criminal offence was committed. Lastly, the value of the property must be disproportionate to the lawful income of the convicted person. When it comes to the domestic law, Swiss legislation provides a rebuttable presumption that a criminal organisation (of which the defendant is a member) has an authority over the entire properties of its members. This is not against the presumption of innocence and the defendant can always prove that his property is not under the control of the criminal organisation to which he belongs and that his wealth has a legitimate source. According to article 225-6 of the French Code Penal, the liability for the criminal offence of procuring would not fall only on the person who is helping, assisting or protecting the prostitution of others, but also on a person who is “unable to account for an income compatible with his lifestyle while living with a person habitually engaged in prostitution or while entertaining a habitual relationships with one or more persons engaging in prostitution”.

In general, illegal enrichment is not *per se* contrary to the presumption of innocence. However, introducing this new criminal offence into a legislation triggers the question of an added value. Namely, the central issue concerning criminal law prevention and suppression of corruption is how to optimize the existing legal framework rather than substituting it with the new one. In other words, instead of introducing a new criminal offence into an anti-corruption legislation, due attention must be paid on how to improve the system of confiscations of illegal proceeds acquired by corruption criminal offences. So the accent should not be on new criminalization but on improving the already existing system set up to demotivate potential perpetrators from engaging in different forms of illegal exchange. Apart from this argument, introducing illegal enrichment into a legislation could be manipulated in various ways for the purpose of undermining political opposition. Other negative consequences could be an increase in the number of false accusations and similar crime reports not supported by any tangible piece of evidence. Furthermore, as a magic bullet for prosecutors, this new criminal offence will presumably take an absolute precedence over all the other corruption criminal offences as well as other offences in which perpetrators go for the acquisition of pecuniary gain.

Instead of engaging in often very difficult searches for evidence with usually unpredictable outcomes, it would be much easier for the prosecution to rely on an illegal enrichment statute and to shift the burden of proof to the defendant. In addition, a criminal offence of illegal enrichment is contrary to *nullum crimen sine lege certa* as one of the legality principle’s requirements. Although it is very similar to money laundering, there is a significant difference between these two criminal offences. In money laundering there must be a predicate offence, i.e. the act generating money is always illegal *per se*. So the substance of money laundering as a separate criminal offence is a transaction made for the purpose of concealing illegally obtained money. Since there is no predicate offence requirement in illegal enrichment, it may seem that the *actus reus* of this crime would be rather a way of life (which is obviously disproportionate to the perpetrator’s legitimate income) than some particular criminal behaviour. A last, but not least, criminal offense of illegal enrichment is directed only at the suppression of corruption in the public sector. A key element that must be proven by the prosecutor is that the perpetrator was in a position to abuse the authority for getting some private gain. Without abuse of authority there would be no illegal enrichment as a criminal offence. It means that this criminal offence does not address various forms of corruption in the private sector and, as such, has a very limited potential as a normative anticorruption tool.

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Freedom from Fear

Nobody has to be a target
In 1986, Ellen Halbert was raped, stabbed, beaten with a hammer and left for dead in her home in Texas. During her recovery, she began to speak out about victims’ rights and what needed to change in our “offender-focused” criminal justice system. In 1991, she was appointed by Governor Ann Richards as the first victim to serve on the Texas Board of Criminal Justice, the board that oversees the massive adult criminal justice system in Texas. This six-year appointment ended in March 1997. Ms. Halbert has won numerous honors and awards for her work. Due to her dedication to crime victims and tireless advocacy for rehabilitation of offenders, a 500-bed female substance abuse treatment prison honored her in 1995 by naming the facility the Ellen Halbert Unit. In 1996, both the Texas Corrections Association and the Texas Crime Victim Clearinghouse established awards in her name to recognize her work on behalf of crime victims. In 1997, she won the National Crime Victim Service Award, the highest Federal award for service to victims. In 1999, she was named as one of Texas’ Women of the Century. In 2001, she was the mediator for a Court TV documentary, “Meeting With a Killer – One Family’s Journey.” This documentary was nominated for an Emmy in 2002. Ms. Halbert is presently the Director of the Victim Witness Division at the District Attorney’s Office in Travis County, Texas.

Q: By way of introduction, could you provide a brief overview of your experience as a victim of violent crime? What did you endure?

A: In 1986, an 18-year-old male broke into my home and spent the night in my attic. The next morning, he surprised me in my bathroom as I was walking from my shower to the closet to get a robe. He was dressed in a ninja suit and every part of his body was covered except for his eyes. In his right hand, held up high over his head, was the biggest knife I had ever seen. During the next two hours, I was raped, stabbed four times: once in the chest, twice in the back of my neck and he hammered a knife in my head. In between the stabbings, he beat me in the head with a hammer and left me for dead on the floor of my bathroom. I didn’t know how many times he hit me with that hammer, but the plastic surgeon who put my head back together, said that I had 8 to 10 areas of impact and it took hundreds and hundreds of stitches to close the wounds. Eventually, I dragged myself through my home get to a phone and call my mother. My mom and dad came and so did the police and the ambulance. They arrested my offender at a bank trying to cash a check he forced me to write. As for me, I was hideous, unrecognisable to my own family and in total denial about having been raped. It was just too much violence to comprehend! I had been ripped inside out in every way possible: physically, spiritually, sexually and emotionally. I didn’t know how I could ever recover from such violence and I cried for many, many months. However, I wanted to heal so I reached out for help. Luckily for me, within my reach were my faith, other crime victims and counselling. It took time, but eventually I began to look at my life and set goals for myself. My very first goal was to release all of the rage and anger I held inside my heart; I knew I couldn’t be the kind of mother, daughter or community member unless I let it go. I wanted to come out of this trauma stronger than I was before I was attacked. I had to work hard and nothing was easy. I had surgeries to endure because of my wounds, my father grew new cancerous tumors in record time, and I began suffering from stress-related illnesses (and they lasted for years). In addition, my marriage crumbled and I was left without money or a job and there was so much recovery ahead of me! Yes, nothing was easy, but I did my best.

* Lisa Rea

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And, today, years later, I can point to my recovery “with pride”.

Q: Since your experience as a victim of violent crime in Texas, how have you been involved in working to change the criminal justice system?
A: I was able to be a part of many changes for victims that took place in Texas during my six years on the Texas Board of Criminal Justice. We created the Victim-Offender Mediation/Dialogue program, Victim Impact Program and other programs/processes during my term. In addition, victim services at the Texas Department of Criminal Justice became a division. Since that time, I have created victim-centered programs as part of my position here at the Travis County District Attorney’s Office. From time to time, I facilitate “conversations” between victims and offenders; we provide “Crime Victim Orientation Meetings” for new felony victims and hold monthly “Crime Victim Support Circles” for victims who have been through the system.

Q: How do you view restorative justice? Do you think it is good public policy for victims of crime?
A: When I was on the Texas Board of Criminal Justice, I had the opportunity to educate myself about the criminal justice system. I took advantage of that opportunity and turned a part-time unpaid position into a full-time unpaid position. I spent six years studying prisons, probation and parole in a very hands-on way. I went to conferences and sat in endless workshops; I visited most of the prisons here in Texas and talked to everyone I could; I got involved in sex offender treatment issues and began to understand more about what works and what doesn’t work in treatment of sex offenders. I spent a lot of time learning about probation and parole as well and, in summary, I became a very educated board member. However, I found myself searching for something more, but I had no idea what that was. When I toured my first prison, I remember standing in front of one of those tiny cells for two and thinking, “Well, this is definitely punishment, but what kind of person will we be putting back into our community?” The answer came to me when I heard a speech about restorative justice at an American Probation and Parole Conference in the mid 90’s. At that moment, I knew that restorative justice was what I had been looking for and I began searching for a way to get involved. It didn’t take long for me to become an “restorative justice groupie” like so many others. Restorative justice is the more peaceful, hopeful and healing vision of the criminal justice system that I had been searching for. However, no matter how great restorative justice is, it isn’t for every victim. Some victims will never embrace an restorative justice process, and we need to respect those who feel that way. From my observations though the years, I believe these victims don’t want to let go of the rage and pain they feel because it is the “way” they honor a loved one who has died. Somewhere deep inside, they believe if they let go of those feelings, it would somehow send the message that the loss they suffered wasn’t that bad or it would dishonor their loved one.

Q: Why do you think victims of violent crime nationally have such a hard time embracing restorative justice? Do they? Or what do you think? Do you think support of restorative justice is growing nationally and, if so, why?
A: I do know some victim advocates don’t understand restorative justice and they refuse to learn more about it; they view any process that gives an offender a voice as a bad process. I am told that those same people (crime victim advocates or victim advocates) often discourage other victims (who are interested) from participating in. In my many years of doing “victim work,” I have listened to advocates – especially those who have not been victimized – say that they know what is best for a victim. However, despite some of the negative voices, I do feel restorative justice is growing nationally. I believe the growth is, in part, due to the power of the victims’ voices that have taken part in a restorative justice process.

Q: Forgiveness is certainly a very tough issue for victims. How do you view this subject vis a vis restorative justice? Do you think some of us in the restorative justice movement stay away from the topic of forgiveness out of fear of offending victims?
A: I can speak from experience when I say that the word “forgiveness” is just a word. It means different things to different victims. For some, it means the release of anger; for others, it might mean a sense of peace. I do not think forgiveness can be easily defined; it is a personal issue with each victim and it should stay personal. I would never ask a victim to forgive, as it is their decision; we do not walk in their shoes. However, I do feel that restorative justice processes help create a safe place for forgiveness to take place.

Q: What more do you think can be done in our laws to further restorative justice in the criminal justice system? Do you think there is public support for taking restorative justice to a new level? What would that look like? What vision do you have?
A: I have learned to be realistic when trying to change the law to require more restorative justice programs/processes in the criminal justice system. We can change the law, but until we get systems and programs funded that prevent crime in the first place, we will be hitting a brick wall - even with new legislation. Our world is upside down, isn’t it? We don’t do enough to help children in their early years and we see what happens when they grow up: children, who are victims of their birth, grow up to victimize us. I’ll bet all of your readers feel the same way. We must keep pushing for more legislation and funding, and we need to keep writing and getting the word out. For the most part, the public doesn’t have a clue about what “restorative justice” means or the work we do. I do think the word is getting out, though. After all, Oprah did a restorative justice show last year; Hollywood should be calling soon.

* Lisa Rea, is the founder of The Justice & Reconciliation Project (JRP). She is currently the president of Rea Consulting, a government relations firm which continues to provide victims-driven restorative justice consulting.
This article summarizes the main issues underlying the case of Ao Man Long, the highest profile corruption case ever occurred in the Macau Special Administrative Region (SAR) of the People’s Republic of China, which attracted international attention. Ao Man Long was the first Secretary for Public Works in the Government of the Macau SAR, a post equivalent to minister to which he was appointed on 20 December 1999, at age 43, and then reappointed in 2004 for a second term. Ao graduated in mechanical engineering from the University of Taiwan, obtained an MBA at the University of Macau, and had served as a Macau civil servant since 1987.

The scandal emerged with Ao’s arrest, on 6 December 2006, and was followed by a first trial during the second half of 2007, which took place directly before the Macau Court of Final Appeal, where he was convicted to 27 years imprisonment on 30 January 2008. No appeal was lodged. A second case was opened in 2009, in which Ao was sentenced to a further one and a half year of imprisonment. At the time of writing there are reports that a third set of charges may be filed.

The outcome (of the trial) was 27 years imprisonment plus confiscation of 800 million MOP

Following the Portuguese tradition, the highest ranking public officers are tried before the Court of Final Appeal for crimes committed in the exercise of their functions. This rule exists in a number of other countries and there are various justifications for it, some more convincing than others: senior judges are better prepared for high profile cases, are less prone to political interference, and the institutional setting is more adequate.

The Macau Court of Final Appeal was created in 1999 upon the transfer of sovereignty from Portugal and is composed of only three judges. Ao was first represented by lawyer Luís Mendonça Freitas, a former head of the Commission against Corruption and of the Judiciary Police during the 1990s, who ceased to be the lawyer of Ao Man Long in March 2007. The second lawyer was Nuno Simões, who took over the case and followed it through until completion of the first trial. In the second trial the lawyer was appointed by the court. The stages of criminal proceedings are normally two or, depending on the strategy of the defence, three. The first is the investigation, conducted by the public prosecution, which may lead to an accusation or to a decision not to proceed further with the case. If there is an accusation, it is optional, as a second phase, to have a judicial review of the decision.
to accuse (instrução). If there is an accusation, or if it is confirmed at the review (if it takes place), a public trial shall follow. In Macau there is no ‘plea bargaining’ and the promoter is legally bound to proceed with the case and formulate an accusation, except in very limited cases (restricted to minor offences). There is no trial by jury: it is foreseen in the law but it is never used in practice.

The initial accusation was released in June 2007 and it listed 117 crimes: 43 crimes of abuse of power; 41 crimes of corruption for unlawful fact; 30 crimes of money laundering; 1 crime of economic participation in business transactions; one crime of intentional wrong declaration of assets; and one crime of illicit enrichment.

Ao Man Long applied for the review of the accusation. It was presided by one judge, Chu Kin, who as a result was barred from participating in the subsequent trial. The outcome of this phase was that 41 crimes of abuse of power were dropped, in the wake of the standard understanding, by criminal law professors and commentators, that every crime of corruption inherently includes an element of abuse of power by the civil servant involved, and therefore it does not make sense to accuse such civil servant for corruption and, additionally, by abuse of power, as that would amount to an undue duplication or extension of criminal responsibility.

The trial in the Court of Final Appeal opened in October and concluded on 12 December 2007. The judges were Sam Hou Fai; Viriato Lima; and Lai Kin Hong (President of the Court of Second Instance). Ao Man Long was found guilty of: 2 crimes of abuse of power; 20 crimes of corruption for an unlawful fact; 20 crimes of corruption for lawful fact; 14 crimes of money laundering; 1 crime of intentional wrong declaration of assets; and crime of illicit enrichment. The outcome was 27 years imprisonment plus confiscation of 800 million MOP.

One issue of particular interest that was much discussed was that of the right of appeal. Should Ao have a right of appeal? The matter was addressed in an interim admissibility decision, which considered an appeal that had been lodged regarding issues of evidence, by the judge in charge of the case, Judge Viriato Lima, on 12 December 2007. Judge Lima held, in conclusion, that there was no right of appeal regarding the evidence issues raised; that there would be no right of appeal of the final decision; and, furthermore, that the laws could not be changed in order to create a right of appeal while the case was pending. It namely stated that “It is not possible to lodge an appeal from the decisions issued by the CFA as a result of an obvious principle of procedure law, according to which it is not possible to appeal the decisions of the supreme body of a judicial organization, given that there is nowhere to appeal to. (...) Therefore, the CFA has the final word in the cases submitted to it, and its decisions close the cases.”

However, this is debatable. Under the ICCPR, art. 14(5), ‘Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law’. The ICCPR guarantees a right to judicial review in relation to the decisions that affirm guilt and impose the penalty. That is not what was at issue in the interim admissibility decision, which dealt with a matter of evidence, so the decision of 12 December needed not consider the matter. However, as mentioned, Judge Lima went on consider and answer other issues that were not before the CFA. Specifically, Judge Lima affirmed that even if it was an appeal from the final decision, still there would be no right of appeal: “Anyway, we can add straight away that even if the decision of the CFA was a decision considering the accused guilty of having committed a crime, it would also not be possible to appeal”. This is due to an understanding according to which “The legislator, by stating that in some cases the CFA is the Court competent for [a very restricted number of cases foreseen in Macau law] surely has taken into account that this Court, being the highest in the Macau SAR, has the best prepared and more experienced judges, as should be presumed. Therefore, the legislator has accepted that it decides in first instance and in last instance.”

On the interpretation of the ICCPR, Judge Lima drew attention to the parallel case of the European Convention on Human Rights (ECHR) and, on this basis, stated that it is possible to have exceptions to the rule foreseen in art. 14(5) ICCPR. The ECHR, Protocol 7, art. 2, was cited as an instance of the general principle according to which there can be no appeal from a supreme court. He went on to conclude: “It is a fact that in art 14(5) ICCPR this exception is not expressly foreseen, which is probably due to the fact that the ICCPR is from 1966, while the said Protocol is much more recent, from 1984, and therefore more updated. But this does not mean that art. 14(5) should not be interpreted as we stated, that is, there is no breach of art 14(5) ICCPR when the court that tries the case in first instance is the CFA*.

With due respect, this interpretation missed a key point: in order to have an exception to art. 14(5) in the domestic legal order, it would have been necessary to formulate a reservation to the ICCPR. Macau, China, could have formulated a reservation, but chose not to do so. Various States including Belgium, Italy, Holland and Switzerland have done it. Therefore, art. 14(5) ICCPR is in force without limitations in the Macau.

The HR Committee has already considered this issue at least twice: Jesús Terrón vs Spain (Com. no. 1073/2002, CCPR/C/82/D/1073/2002, November 2004): MP of the regional parliament of Castilla-La Mancha, sentenced for forgery of documents in the Spanish supreme Court; and also in Luis Oliveró Capellades vs Spain (Com. no. 1211/2003, CCPR/C/87/D/1211/2003, August 2006) a member of parliament convicted of forgery, organized crime and tax crimes in connection with unlawful financing of the Socialist Party. In both cases, Spain was held to be in breach of the ICCPR for not allowing an appeal.

The ICCPR commentary states: “Where the highest court of a country acts as first and only instance, the absence of any right to review by a higher tribunal is not offset by the fact of being tried by the supreme tribunal of the State party.
concerned; rather, such a system is incompatible with the Covenant, unless the State party concerned has made a reservation to this effect» (Human Rights Committee, General comment no. 32, Article 14: Right to equality before courts and tribunals and to a fair trial, doc. CCPR/C/GC/32, 2007, point 47).

However, the issue was never played out. Just days after being convicted, Ao’s lawyer announced that his client had instructed him that he would not be appealing the decision. As a result, no attempt to file an appeal ever took place.

As a final observation on this point, it may be said that the issue is a problem of law: judge Lima was right in observing that no other Court exists above the Court of Final Appeal, and a court cannot create another court. However, judge Lima was wrong on the ICCPR: it grants a right of appeal to everyone in Macau. If Ao Man Long had appealed from the final decision, the appeal should have been allowed, to comply with the ICCPR. It would then be for the Macau SAR to solve the problem, which indeed has not yet disappeared: it is created by the law on judiciary organization. In the final analysis, it is for the legislator to solve the matter. The law should be amended, either by having more judges in the CFA or by eliminating the criminal cases that are heard in first instance by the CFA, moving them to the Court of Second Instance.

Regarding the crimes, the charge of abuse of power related to the appointment of a person to be a board member of a public utility company. Allegedly, the persons appointed had no qualifications for the position. It is hard to see any crime here: there seemed to be the regular exercise of the statutory powers of the Secretary. Under the law there were no specific requirements regarding qualifications, experience or others. The only requirement was of course political trust in the person appointed.

The accusations for corruption related to a very large number of public works. It was stated that in some cases in which there was a public tender Ao ordered his subordinates to select a certain company. In other cases there was no public tender but rather a direct selection of a contractor in order to gain a financial advantage to be paid by such contractor. In others there was the acceleration of inspections and approvals of private works. The parties accused of being involved in active corruption were tried separately in the court of first instance.

Another major point of interest relates to money laundering, which is regulated in Law 2/2006, of April 3. The decision of the Court of Final Appeal was quite significant in that it affirmed various interpretations on a number of debated points on this crime. The Court has essentially dismissed nearly all of the restrictive or narrow interpretations that the defense had advanced regarding the crime of money laundering. Namely, on the jurisdiction of the Macau courts, the Court considered that all financial transactions involved in the case took place at least partially in Macau and therefore all could be prosecuted before the courts of Macau. On the question of whether a link with organized crime under the law of 1997 was necessary, an issue that had been questioned in Macau over the years, the Court denied that that was the case: the law did not require a connection to organized crime, an important point because Ao was not charged with organized crime.

On the question of the relation between the predicate crime and money laundering, the question was raised as to whether a person can be prosecuted for the crime that generated the proceeds and also for the laundering of the same proceeds. The Court stated that this is possible, with various arguments, namely observing that the legally protected interest is different.

Another major point of interest was the direct challenge mounted against the crime of illicit enrichment, whereby civil servants who have assets abnormally higher than those declared in their prior declarations, and who do not concretely justify when and how they were gained, or their legal origin, are punishable with a penalty of up to three years imprisonment and a fine, together with confiscation of the assets the origin of which has not been justified. This type of provisions are usually suspect of operating a presumption of unlawful origin and a reversal of the burden of proof, for there seems to be a presumption that the assets have an unlawful origin, which signifies an underlying suspicion that other crimes have been committed. As well known, a presumption in criminal law breaches the opposite constitutional rule, the presumption of innocence. These types of crimes, in Italy, are described as crimes ‘of mere suspicion’, or ‘of position’ or ‘without action’, given that the fact described by the law as a crime is a mere status, an observation of the existence of property, and it is neither an action nor an omission. The crime is merely a scheme to overcome the difficulty in providing evidence of actual unlawful conduct. The CFA held that there is no breach of the presumption of innocence. It held that the possibility to demonstrate the lawful origin is a defense (similar to self-defense or necessity), and the presumption of innocence only refers to the objective or subjective elements of the crime, but not to the defenses.

As mentioned, Ao was sentenced to 27 years; the maximum penalty under Macau law is 30 years. The prison term was found to be harsh, at least in Portuguese legal circles. However, it has to be recognized that there were many serious crimes, involving very large transactions and amounts.

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A cross border affliction

According to Merriam Webster dictionary’s definition, corruption is an “inducement to wrong by improper or unlawful means”. This definition includes bribery, but despite this classification, corruption can be more comprehensive; because an act may be corruptly done, though the advantage to be derived from it can be not offered by another. During the past ten years a number of anti-corruption conventions have been signed. Anti-corruption conventions are important because are agreed by governments, they recognise corruption as a cross border problem and they represent the international legal commitment to addressing this critical issue worldwide. They are also crucial because they represent a standard and a set of rules (many of them binding), which promote national and international actions against these phenomena. Many of them adopt a comprehensive approach to corruption, calling for a wide range of measures to prevent it, measures to punish it when it occurs, measures to check corruption-related money laundering and facilitate the return of corruptly taken assets; and measures to provide assistance to countries where required. The most important and comprehensive among them is the United Nations Conventions Against Corruption (UNCAC), which was adopted on 31st October 2003 by the UN General Assembly. Gillian Dell of Transparency International has made an overview of the most significant conventions:

Global and Iner-Regional Level

United Nations Convention Against Corruption (UNCAC)
Signatories: 140 Parties: 136
Entry into force: 14 December 2005
The UNCAC obliges the States Parties to implement a wide and detailed range of anti-corruption measures affecting their laws, institutions and practices. These measures aim to promote the prevention, detection and sanctioning of corruption, as well as the cooperation between State Parties on these matters. The UNCAC is unique as compared to other conventions, not only in its global coverage but also in the extensiveness and detail of its provisions.

United Nations Convention against Transnational Organized Crime (UNTOC)
Signatories: 147 Parties: 149
Entry into force: 29 September 2003
The UN Convention against Transnational Organized Crime (UNTOC), adopted in November 2000, recognises that corruption is an integral component of transnational organised crime and must be addressed as part of efforts to combat organised crime.

Signatories: 37
Entry into force: 15 February 1999
It is the most focused of the major anti-corruption conventions in terms of subject matter. Its aim is “to address the supply side of bribery by covering a group of countries accounting for the majority of global exports and foreign investment”.
Africa
- AU Convention on Preventing and Combating Corruption
- SADC Protocol against Corruption
- ECOWAS Protocol on the Fight against Corruption

Americas
- The Inter-American Convention against Corruption

Asia
- ADB-OECD Action Plan for Asia-Pacific

Europe
- Council of Europe Criminal Law Convention
- Council of Europe Civil Law Convention
- Resolution (99) 5 of the Committee of Ministers of the Council of Europe: Agreement Establishing the Group of States against Corruption
- Resolution (97) 24 of the Committee of Ministers of the Council of Europe: Twenty Guiding Principles for the Fight against Corruption
- European Union Convention on the Protection of the Communities’ Financial Interests and the Fight against Corruption and two Protocols
- European Union Convention on the Fight against Corruption involving officials of the European Communities or officials of Member States
An Analysis of Mexico’s Organized Crime:
narco-police and the dead women of Juárez

Un análisis del crimen organizado en México
los narcopolicías y la muertas de Juárez
The current situation in Mexico has put the international community on alert due to the increas in crime rates; besides common criminality, bizarre behaviours have developed and are concerning Mexican citizens, their government and foreigners. This situation is out of the country’s control: in the past, attacks, massive kidnappings and homicides, as well as drug trafficking, were seen as isolated cases, but nowadays they have become recurrent and interconnected issues.

Criminologist Rafael Garófalo recognizes that criminality is an evolutionary phenomenon and that robbery and murder are deeply entrenched in human nature (Hikal, 2009). Nowadays, homicides have become a “normal” event, in the sense that it is no longer surprising to see portrayed in the media dead militaries, police officers, heads of government, or even their opposing parties (the so-called “narcopolice” or “narcomilitaries”). Moreover, the political contribution has allowed crime to develop territorially, reaching regional and international levels.

Territoriality continues to be the main work area for organized crime and, in a global economy, the geography of crime grows exponentially. Local criminal organizations are presented with new international opportunities on an almost daily basis (Napoleoni, 2008). Globalization and economic growth have strongly promoted the transformation of crime beyond national borders in every part of the world. The improvements in communication and information technology have overcome national boundaries, with increased mobility of people, goods and services around the world, while the rise of the global economy has moved crime beyond its domestic base (Calvani, 2008).

Historically, the events that caused major “terror” in Mexico began with the progressive disappearance of women in the city of Juárez (in the Mexican state of Chihuahua); one after another, these women became invisible to the local citizens and the judicial authorities in particular, which caused a great loss of confidence in the administration of the justice system. At the time, they were founding naked bodies of women with visible lesions and signs of sexual abuse; the fact that women were the victims of government and to the judicial authorities in particular, which caused a great loss of confidence in the administration of the justice system. At the time, they were founding naked bodies of women with visible lesions and signs of sexual abuse; the fact that women were the victims of government and economic growth have strongly promoted the transformation of crime beyond national borders in every part of the world. The improvements in communication and information technology have overcome national boundaries, with increased mobility of people, goods and services around the world, while the rise of the global economy has moved crime beyond its domestic base (Calvani, 2008).

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Key events in Mexico’s gruesome drug war

As drug violence flares on a new front in northern Mexico, following is a timeline of the key events in a drug war that has killed more than 15,000 people since 2005.

2001 - Joaquin “Shorty” Guzman, escapes from a Mexican prison in a laundry van. Mexico’s most-wanted drug lord, he puts together a coalition of drug gangs from the western state of Sinaloa and vows to take control of Mexico’s $40 billion-a-year drugs trade.

2002 - Police weaken the Tijuana cartel, which operates across from southern California, arresting Benjamin Arellano.

2003 - Mexican soldiers capture Gulf cartel leader Osiel Cardenas at a party after a huge street shootout between troops and hitmen in the border city of Matamoros.

2004 - Trying to take advantage of Cardenas’ arrest, Guzman sends well armed enforcers to the border cities of Nuevo Laredo, Reynosa and Matamoros to try to take over Gulf cartel smuggling routes into Texas.

2005 - Guzman now seeks control of Tijuana and trafficking routes into California. Violence escalates across Mexico and about 1,500 people die in 2005.

2006 - Violence spreads to the beach resort of Acapulco, the industrial city of Monterrey and Michoacan in western Mexico. The drug violence death toll rises to 2,300 and brutalities like beheadings and torture increase.

2007 - Calderon sends troops to Tijuana and across Mexico. Mexico extradites Gulf cartel leader Cardenas to the United States and makes a historic 23-tonne cocaine seizure. U.S. President George W. Bush pledges $1.4 billion in drug-fighting equipment for Mexico and Central America. Violence escalates and leads to more than 3,000 deaths in the year.

2008 - Guzman takes on the Juarez cartel in Ciudad Juarez across from El Paso, Texas, and the Mexican city becomes the bloodiest flashpoint in the drug war. Mexico captures hundreds of drug gang members and disrupts smuggling routes, but some 6,300 people are killed across Mexico in the year.

2009 - Killings continue apace. Calderon sends an extra 10,000 troops to Ciudad Juarez and says the surge cut drug murders there by up to 80 percent. Violence spills into U.S. border cities Phoenix and Tucson. President Barack Obama visits Mexico City and vows to clamp down on smuggled U.S. weapons that feed the violence. Mexico captures more drug barons, but violence flares in new fronts like northern Durango state.

Source: Reuters

Mexico’s drug gangs drive film crew out of town

by Vittorio Zunino Celotto

Mexican drug cartels don’t like rivals treading on their territory; they don’t like the police poking around; and now, it seems, they don’t much care for Hollywood taking an interest in their business. Producers of a film about the murder of a cocaine smuggler, which would have starred Eva Mendes, Josh Hartnett and Sir Ben Kingsley, have been forced to abandon filming on the Mexican coast after the movie-makers received death threats.

March 29, 2009

Mexican Drug Trafficking

by Marc Lacey

In 2008, there were more than 6,200 drug-related murders, more than double the figure from the year before. Top police commanders have been assassinated and grenades thrown, in one case into the crowd at an Independence Day celebration. The upsurge in violence is traced to the end of 2006 when President Felipe Calderon launched a frontal assault on the cartels by deploying tens of thousands of soldiers and federal police to take them on. Mr. Calderon has successfully pushed the United States to acknowledge its own responsibility for the violence in Mexico since it is American drug consumers who fuel demand and American guns smuggled into Mexico that are used by the drug gangs.

April 3, 2009

**Figures** (Source: BBC News)

- **Population:** 107.8 million (UN, 2008)
- **Capital:** Mexico City
- **Area:** 1.96 million sq km (758,449 sq miles)
- **Major languages:** Spanish
- **Major religion:** Christianity
- **Life expectancy:** 74 years (men), 79 years (women) (UN)
- **Monetary unit:** 1 peso = 100 centavos
- **Main exports:** Machinery and transport equipment, mineral fuels and lubricants, food and live animals

**Economic Overview:** Mexico is a major oil producer and exporter. Though production has fallen in the last few years, about one-third of government revenue still comes from the industry. Much of the crude is bought by the US. But prosperity remains a dream for most Mexicans. The Mexican economy is heavily dependent on the money sent home by the millions of migrant workers in the US, and so it has been hit hard by the downturn in its neighbor’s economy.

**Administrative divisions:** 31 states and the Federal District (Mexico City); states are divided into municipalities
only victims of these crimes led this phenomenon to be labelled *las muertas de Juárez* (ed. the dead women of Juárez). These events triggered a series of protests from the citizens who were complaining about their women: daughters, sisters, girlfriends, wives and sisters in law. Similarly, it also caused the media to express its theories on the matter in a series of documentaries and movies which portray the impunity, the corruption, the lies, the trafficking in human beings, the exploitation, the violence and the sexual abuse suffered. The impact was so great that the National Council of Science and Technology and the local government of Chihuahua invested in a DNA data bank (CONACYT, 2008).

Another point, closely related to the previous, is that organized crime in Mexico has become an intimidating phenomenon, dangerous and almost terrorist, intended as causing terror (Félix Tapia, 2005). This is the effect it has had on citizens, on the police, on the military, on directors and secretaries of security; even though the latter are deeply entrenched in acts of corruption, the opposing party has become involved in their kidnappings, torture and homicides throughout the entire Mexican territory, and there are states in which even mayors have been murdered.

The involvement of the police and the military in drug trafficking has become an inextricable factor: policemen providing protection to cartel leaders, soldiers supplying weapons, transportation for illicit merchandise, as well as providing support during kidnappings, extortions, selling of drugs, counterfeit clothes and other goods, among other activities. It is incredible to see in the media how national security forces are violated at the time when they are shown decapitated, tied up, with their heads missing, or with the so-called tiro de gracia (ed. kill shot) in their heads. During 2007 and 2008 there were a series of murders targeting the police in the municipality of San Nicolás De Los Garza, in the Mexican state of Nuevo León; they were kidnapped and their lives were taken at any hour and in any place, but the case still remains unsolved.
There is no doubt that the country needs a moment of peace during which local governments and their citizens can relax. But the situation worsened in the beginning of 2009, when the economic recession started taking hold. Criminally-speaking, poverty, lack of education and unemployment are all risk factors that fuel crime as a way to escape these aforementioned aspects; organized crime employs and trains all these types of people to carry out illegal activities. To reduce these phenomena, it is necessary that States, and Mexico in particular, urgently apply the international tools to fight organized crime, human trafficking, terrorism, drug abuse and other criminal activities. This means countering them not only with the use of force, but also with a good penitentiary administration that addresses the root causes of criminality, that provides a treatment and makes room for restorative justice, that pays attention to the victims and that develops prevention programmes.

Among these above-mentioned tools, there are also the Compendium of United Nations standards and norms in crime prevention and criminal justice (UNODC, 2007), International Terrorism and Governmental Structures (UNICRI, 2005), Eliminating Violence Against Women: Forms, Strategies and Tools (UNICRI, 2008), Criminal Justice Assessment Toolkit (UNODC, 2006), The Threat of Narco-trafficking in the Americas (UNODC, 2008), Toolkit to Combat Trafficking in Persons (UNODC, 2007). In this list can also be included the studies and publications issued by the various offices, institutes, centres and agencies of the UN. Mexico definitely requires international support to reduce its high levels of criminality, or it runs the risk of reaching the extreme levels of some other countries.

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The European Training Foundation (ETF) is an agency of the European Union (EU) that helps partner countries surrounding the EU to reform their education and training systems, and so bring out the full potential of their people. It is funded by the EU’s external cooperation programmes and its work is designed to maximise the investment in education and training reform in partner countries, in line with external relations policies.

WWW.ETF.EUROPA.EU
2006 was a dark year for the Italian football nation. The former management of FC Juventus Turin, one of the most popular teams in the world, was accused of manipulating games with the help of corrupt referees, players and officials. As a consequence, the team had to dismount to the second division and its last two-championship titles 2005 and 2006 were withdrawn. One of the managers was punished to 5 years of occupational ban. In total, 26 officials were accused.

Another major football scandal in Europe, the “Golden Whistle”, occurred in 2004 in Portugal. 171 persons, including 110 referees, two mayors and the league’s president were accused of having manipulated the outcome of championship games. In China, an official referee was accused for manipulating games in the Chinese football league. In South Africa, 34 of the 40 best-qualified referees where accused of the same crime.

However, the manipulation of games and sport events is not a phenomenon limited to modern society only. History shows that corruption was also an issue in ancient sports. In the Olympics of Ancient Greece, corrupt athletes were imposed to finance the building of columns located in the entrance of the Olympic stadium to symbolize their disgrace.

Usually, sports which depend strongly on the subjective decisions of referees, such as boxing or tennis, are more affected by corruption. The results in sports like the 100-meter sprint, where the starting point and the finishing line are clear, are unlikely to be manipulated by corruption.

Today, one of the sports most affected by corruption is football. As a result, the reputation of football is falling, potential athletes are dismissing opportunities and sponsors are decreasing their assistance. The aggregate damage caused by corruption in football is barely calculable. Despite this, many representatives of football organizations worldwide still deny, or at least downplay, the threat of corruption.

Corruption destroys the essence of football. The wilful violation of sporting values, such as fairness and open competitions, eliminate the central meaning of the sport. It is the uncertainty of the game that makes the event so exciting. A team can play better than its opponent for 90 minutes, but still not leave the field as a winner. A single mistake can determine the team’s victory or defeat, the joy or disappointment of thousands of people, sometimes even of an entire nation. Perfection in sports is not possible, mistakes are part of the game and that is what makes it worth watching. However, errors can also be made voluntarily, for personal interest. The viewer notices nothing or hardly anything. Only doubts remain, today more than ever.

Generally, corruption in football appears in many forms and in many areas. In countries in which the betting markets are less developed, corruption generally aims to achieve better rankings in the league. In countries with developed betting markets, corruption aims at manipulating individual games in order to maximize betting revenues. Corruption also appears in connection with the construction industry, for example in the decision of whom to contract to build football stadiums, or in which location certain events shall take place.

One of the most famous cases occurred in Germany, where the president of a premier league football club received 2.8
Corruption in Football

In a globalised world, corruption in football has obtained a whole new dimension. Markets are networked, transactions are inscrutable, and profits are high. Corruption has become a crime without borders, a veritably transnational organized crime. These circumstances imply that an international approach is necessary to fight the phenomenon. Cooperation between the private and public sector is fundamental. The involvement of the media and the civil society is indispensable. Including all of these stakeholders, UNICRI has developed a project to advance corruption control in football.

As a first step, the project intends to develop an exemplary strategy to prevent and control the various types of corruption in football at a national and international level. This strategy is to be developed in conjunction with key decision-makers and institutions of football, representatives of national and international football leagues, national prosecutors and law enforcement officials, as well as the media and the civil society. This network would make it possible to identify the main corruption risks and to formulate clear activities and objectives.

On the other hand, the network would build the platform for greater collaboration and ensure a direct exchange of information and know-how. Furthermore, it would set the basis for the establishment of Public Private Partnerships, uniting the efforts and capacities of the public and the private sectors in the fight against corruption in football.

The established partnerships and strategy would be the starting point for the implementation phase of the project. In this phase, the action plan formulated in the strategy shall be put in practice. In addition, the identified activities should be accompanied by complimentary measures.

One of the intended complimentary measures is the organization of awareness-raising campaigns, in order to amplify the support from the civil society as well as the private and public sector. The campaigns should be organized in close collaboration with the media, football clubs, players and fans, in order to attain the maximum publicity. Being the most popular sport in the world, football provides unique opportunities to challenge corruption in- and outside the stadiums. In order to further contribute to the changing of attitudes at large, the project intends to formulate target-oriented codes of conduct. These should define non-desirable and criminal behaviour of officials and athletes among each other and in relation to external partners such as the media and private interest groups.

In order to ensure a more rapid and effective detection and prosecution of corruption, the project intends to identify and reinforce modern technical facilities. The development of manuals and toolkits would strengthen the law enforcement capacities and promote innovative and established practices. Particularly in relation to the upcoming European Championship and the World Cup, the results of this project shall build the basis for future international initiatives to fight corruption, not only in football but in other sports as well. The instruments developed and implemented will be applied to other sports affected by the phenomenon.

Football is the most popular sport in the world, loved by millions of people across the globe regardless of class, gender or religion. It is played and followed by three billion people from China to England, Africa to South America, throughout Asia and Europe. The importance of football throughout the world, and especially in countries in transition, is much higher than it appears. Football is not only a game, but also an instrument of education, socialisation and peace. Corruption harms all these instruments and destroys its function. Football is a game in which success can be achieved through hard work, regardless of income or social advantage. It is a game in which fairness and tolerance are essential, where collaboration and compromises are necessary. These values are not only fundamental for sports, but for global development as whole.

Corruption and football do not fit together, sometimes you lose and sometimes you win. There are days where your team plays better than you would have ever expected, these are the days everyone remembers, not only the players, but also their fans. These moments cannot be foreseen or controlled, they simply happen, that is the magic of football.

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In countries in which the betting markets are less developed, corruption generally aims to achieve better rankings in the league. In countries with developed betting markets, corruption aims at manipulating individual games in order to maximize betting revenues.
Natural resources often provide fertile ground for corruption. Since a substantial number of partner countries in development cooperation are richly endowed with natural resources, these contexts pose a particular challenge for effective donor action. The risk of corruption cuts across several natural resource sectors, from non-renewable resources such as oil, gas, minerals and metals, to renewable resources such as forests, fisheries and land. There are, however, important variations in the challenges presented by these sectors and the manner in which corruption in relation to them can be addressed.

The basic relationship between corruption and natural resources is two-fold. Firstly, the presence of natural resources may cause corruption. The existence of appropriable resource rents, for which various social groups may vie, can result in a high level of rent-seeking behaviour. Secondly, corruption may occur within natural resource management (NRM) systems themselves, leading to the sub-optimal use of these resources and to poor development outcomes in terms of economic growth and/or poverty reduction. The level of corruption within NRM systems is a product not only of the resource endowments at stake, but also of the institutional arrangements in place to govern their use. Donor interventions to reduce corruption in NRM therefore need to address both the potentially negative impacts of resource rents (including rent-seeking and patronage) and the design of governance systems for their proper management. The latter may involve, for example, promoting good concession or negotiation practices, promoting transparent and accountable revenue and expenditure management, or helping to curtail petty corruption in monitoring and enforcement systems. In this article, we provide a broad overview of the relationship between corruption and natural resource management, outlining the main challenges and issues at stake. We also point to possible areas for donor intervention, though without making specific policy recommendations.

How natural resources corrupt

There is a growing body of evidence that natural resources can be a curse rather than a blessing. Countries endowed with natural resources, on average, grow more slowly than countries without such resources. What is commonly referred to as the ‘resource curse’ has been linked by research both to rent-seeking behaviour and to patronage. Yet the largely positive experiences of certain resource-rich countries, such as Botswana and Norway, suggest that the resource curse need not be deterministic, and that there are ways of influencing the impact of resources on institutions and on development.

Recent analysis emphasises the effects of resource rents on corruption. One argument is that natural resource rents lead to rent-seeking, or the socially costly pursuit of rents. Though rent-seeking and corruption are not one and the same, some forms of rent-
seeking do qualify as corruption. The main problem is not that there is competition for rents, but that the skills, time and energy individuals use to compete for resources could have alternative uses. In oil rich countries, skilled individuals can benefit more from becoming oil bureaucrats than from starting a business in another field. This is socially costly as it entails the redistribution of an existing cake rather than the cake’s expansion. Where resource rents are high and institutional quality is low, a number of entrepreneurs will choose to become rent-seekers.

If there are externalities in production (i.e. profitability increases in the number of producers), an increase in resource rents will cause so many entrepreneurs to shift into rent-seeking that total national income will be reduced. Rent-seeking can therefore be said to make the size of the cake smaller, or an economy worse off, even though it has received an additional infusion of income through natural resources.

A rent-seeking perspective suggests that countries with bad institutions suffer a resource curse, while those with good institutions do not. Some rent-seeking models, however, suggest that additional factors are also important in determining whether natural resources lead to increased rent-seeking: the effect of resources may depend on the initial level of rent-seeking, while ethnic fractionalisation in a country may exacerbate rent-seeking problems.

Another argument focuses on patronage. Increased natural resource rents also provide governments with more opportunities and greater incentives to pay off political supporters to stay in power. Since being in power means having access to resource rents, politicians are willing to spend more today to stay in power tomorrow. A politician can, for example, choose between consuming resource rents or spending them to provide public sector employment for his or her supporters to increase the probability of being re-elected. Public funds used on patronage of this kind could have been spent in more socially productive ways, meaning that patronage implies an inefficient allocation of public resources.

In this context, rents from natural resources have two effects: i) they increase income directly and indirectly, ii) but the incumbent has greater incentives to provide supporters with inefficient public sector jobs. If institutions are sufficiently bad, the latter effect may dominate the former, causing national income to fall. The critical institutions are those that govern the allocation of public resources, i.e. institutions that hold politicians to account for their use of public funds. There is an important relation to the rentier state here in so far as natural resource rents may weaken accountability of governments to citizens. By controlling substantial oil revenues, governments can reduce pressures for accountability and democratisation, including direct oppression or the prevention of the formation of social groups independent of the state.

### How natural resource management is corrupted

In general, a number of preconditions are required for corruption to take place in resource management systems. First, there must be personal benefits for those involved in the corrupt act; second, they must have the authority to influence decisions; and, third, they must have the opportunity to act corruptly within the institutions in which they operate.

What constitutes a personal benefit is relative to the personal means of individual decision-makers, and could represent only a small fraction of the overall amount involved, for example, in an oil concession contract. The authority to influence decisions related to the contract, on the other hand, implies a certain position within a bureaucratic hierarchy, while the opportunity to engage in corruption reflects the overall quality of the surrounding institutions.

### Actors in natural resource management

Corruption in natural resource management can occur at all phases of resource exploitation, though some stages are more at risk of corruption than others and may be affected by corruption in different ways. Understanding the various roles and influences of actors involved in resource management is important for addressing these risks. The actual relationship between government and regulator, for example, will tell us something about who is in a position to demand bribes. The way production or revenue collection actually functions also tells us something about the degree to which bribes are ‘needed’ to manipulate regulatory conditions or if poor sector performance continues just because regulatory competence and control is too weak. For the private sector, we know that companies of all categories can be involved in corruption, although the type and extent of corruption may depend on company characteristics, like country of origin, size, sub-contractors, financing opportunities and more. To understand the risk of corruption – or opportunistic manipulation of framework conditions more broadly – the whole range of influential players should be considered. Not only firms, but also banks, consultants, export credit agencies, insurance companies, donors and foreign governments should be considered. The strength of each actor’s role will depend not only on its own agreements with the government of the resource rich country in question, but also on the nature of its agreements with other actors, or the nature of agreements between these other actors and the government. Though resource management systems are intended to prevent informal solutions, there are strong incentives for various actors to make secret arrangements to obtain a favourable cut of resource concessions.

### Corruption risks prior to operation

The risk of corruption will be different at different stages of resource extraction. Prior to operation, players may exercise significant pressure on the government to influence the legal framework for operation, criteria for the award of concessions, and market design in general. There may be substantial risk of corruption in this process – particularly since foreign governments may go far in securing benefits for ‘their’ firms and access to natural resources. After operation...
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has started, in the early phases of managing a resource, there can be considerable uncertainty about the choice of management solutions, ownership issues, expected revenues, distribution and other political or economic considerations. Expert advice may point in different directions and there may be disagreement between local and national decision makers over how best to manage the resource. Some form of license-agreement will commonly exist between the government and private firms, but the legal details of these arrangements may vary considerably in terms of control or ownership of the resource, the exploitation period and the sharing of revenues between the parties involved. The more uncertainty about how decisions are supposed to be made, the easier to defend deviation from the rules, and the higher the risk of corruption. Firms may thus attempt to influence political decisions concerning resource management in various ways at the pre-operation stage, including through honest marketing efforts, as well as grey-zone practices and clear-cut corruption.

**Corruption risks during operation**

Decisions about how much of a resource to extract, the length of time for which it can be extracted and who is permitted to conduct the extraction, are not always respected. Concession holders may abuse the terms of their agreement with sector regulators, and resources may also be harvested by those not legally entitled to do so. Institutions are therefore required to monitor the use of resources and enforce basic regulations and contracts. There is substantial scope for bureaucratic corruption in natural resource management, particularly where regulations are complicated, un-transparent or contradictory. In some countries, low wages coupled with non-meritocratic hiring, firing and promotion practices mean that there is little to lose from taking bribes. Weak monitoring and enforcement capacities (both within resource management bureaucracies but also in other public sector bodies, such as customs) can also increase the prevalence of corrupt practices. After production has taken place for some time, actors may want to renegotiate the terms of their contracts. While renegotiations can be entirely legitimate, there is also scope for opportunistic renegotiation, which reduces or eliminates the expected benefits of competitive bidding at earlier stages in the process. There is also scope for corruption in renegotiations, for instance, where a government body or an individual official threatens to cut a firm’s share of resource revenues to obtain a bribe.

**Addressing corruption related to natural resources**

Addressing the ‘curse’ of natural resources requires that we know the precise mechanisms through which natural resource rents affect development. Rent-seeking and patronage can explain the negative effects of natural resources on many economies, and there are a number of examples where these phenomena occur in natural resource rich countries. There is also considerable empirical evidence that corruption, in the form of rent-seeking and patronage, is at the core of the resource curse-phenomenon. The evidence shows that rent-seeking and institutions governing the private sector, as well as patronage and institutions of democratic accountability, determine whether countries suffer a resource curse or not.

Donor policy in resource rich countries should focus in particular on reducing corruption in the form of rent-seeking and patronage. Helping to improve the economic environment for entrepreneurs, supporting institutional development (including for parliaments and judiciaries), and supporting democratic reform, can all have a positive impact in resource rich countries.

Donors must be careful, however, that their support does not intensify rent-seeking behaviour and patronage networks in resource rich contexts. This has implications not only for the type of aid support given, but also for the process through which aid interventions are decided. Direct budget support, for example, may work to directly increase the pool of revenues to be fought over in countries where natural resources are abundant. Making natural resource management systems themselves less corrupt is, of course, extremely important. Donors can play a role in promoting good concession and negotiation practices that prevent favouritism and ad hoc bureaucratic decisions. However, concession laws and tender rules must not only meet international standards - their implementation and enforcement will depend on the interests of key domestic players, which must be analyzed in political economy terms. Monitoring and enforcement capacity should also be addressed, and there can in some cases be substantial scope for improvement through new and simple technologies, which can be funded by donors. Resource revenue and expenditure management should be transparent, but to be effective, transparency must be coupled with accountability. This demands continuous and close analysis of the political and economic situation in partner countries that are rich in resources.

**Conclusion**

The resource curse is a continuing challenge for effective donor intervention in resource rich countries. It is particularly pronounced in contexts where the initial level of corruption is high, where existing institutions are poor, where there is an absence of political competition, a high degree of ethnic fractionalisation, and a low level of education.

A comprehensive approach is therefore needed to effectively transform resources into positive development outcomes. Corruption within natural resource management systems also needs to be directly addressed. Since corruption varies across industries and involves a variety of different actors, strategies to control the problem in individual sectors require concentrated review. Measures are often aimed at improving laws and standards, but their implementation and enforcement depends on the interests of key domestic players, which requires political economy analysis.

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Cracking down on money laundering
Illicit cash couriers under the spotlight!

Money laundering is not a stand-alone crime

Money laundering is the act of concealing or disguising the nature, location, source, ownership or control of money, irrespective of whether it is being moved in cash, by cheque, via electronic transfer or by any other means, to avoid state transaction reporting requirements or to hide the fact that the money was acquired by illegal means.

Criminal syndicates and even terrorist groups must find a way to control their funds without attracting attention to their underlying activities or to the persons involved. They do this by disguising the sources, changing the form, or moving the funds to a place where they are less likely to draw the attention of relevant authorities because what they least need is a spotlight on their illegal operations. Laundering money is not a stand-alone crime. It is heavily intertwined with other types of criminal offences and activities, such as the trafficking in drugs, weapons, stolen vehicles, works of art and counterfeit goods, as well as tax fraud and the misuse of corporate property.

Since global efforts to combat money laundering began in the early 1990’s, there have been many successful initiatives undertaken by the international community. Money laundering is now criminalized in almost all countries. Banks and financial institutions are better protected against penetration by criminal organizations and a network of financial intelligence units is in place to provide a rapid response to money transfers for criminal purposes. However crime still pays! Money launderers exploit any weakness in legislative and institutional frameworks, both at the domestic level and at the international level. They take advantage of any failures in international cooperation, particularly in informal, unregulated and unsupervised sectors. Loopholes are found wherever they exist, such is the tenacity of these criminals.

Confiscation of assets remains the most effective weapon in combating transnational crime. However, this is far from easy. In the wake of globalization and trade liberalization, organized crime syndicates and enterprising individuals are profiting from open borders, privatization, free trade areas, infrastructural and capacity weaknesses in certain countries, off-shore banks, electronic fund transfers and other internet-age banking techniques to launder the profits generated by this trafficking every single day.

The international community agrees that a coordinated multilateral effort based on information exchange and standard rules among others is needed to combat money laundering and the risks posed by alternative remittance systems. Among these illicit money transfer systems, the practice known as “cash couriers” or “money remitters”, in other words individuals transporting ready cash, remains problematic and topical.

Cash couriers leave no paper trail

The use of money remitters for funds transfer remains widely used, some regions in the world being more affected than others. Cash couriering and smuggling are indeed a common method of moving value in countries with small or weak formal banking systems for a great number of legitimate financial transactions - including, for example, foreign workers’ remittances. However, they can also become an attractive conduit for channeling terrorist and other illicit funds, since they typically do not leave a paper trail. In September 2008, 28 WCO member customs administrations participated in Operation Athena; a joint anti-money laundering operation. During the week-long operation, more than 45 million Euros were found, resulting in the launch of around 50 investigations into money laundering.

Strong evidence published after the September 11 attack in the United States suggests that Al-Qaeda used couriers to move cash rather than banks to carry wire transfers. The International Policy Institute for Counter-Terrorism (ICT) reported that all too often Al-Qaeda operations bypass the more traditional money laundering techniques – such as the use of electronic transfers and offshore accounts – that might provide clues to sources and methods. In many cases, there is no ‘paper trail’ to follow; cash is simply packed into a suitcase and carried by a courier to its recipients.

Deficiencies in tracking illegal cash movements

Attempts to combat money laundering are incorporated into various international instruments, including resolutions, conventions, and treaties. The Financial Action Task Force (FATF) produced its 40+9 Recommendations in this field, and adopted Special Recommendation IX on Cash Couriers in October 2004.
These recommendations were followed in February 2005 by a FATF International Best Practices document which specifically asks countries to take measures to detect the physical cross-border transportation of cash and bearer negotiable instruments, and to introduce a declaration system or other declaration obligations. The WCO Secretariat undertook an analysis of the progress that had been made in implementing Special Recommendation IX on Cash Couriers based on 59 mutual evaluation reports drawn up by WCO Members. Ensuring universal and consistent application of international standards has proven difficult, and the WCO assessment identified a number of deficiencies. The common themes and shortcomings that stand out include: an inadequate number of officials responsible for the prevention and repression of this crime; poor use of police resources and techniques; the fact that forensic science, a highly specialized discipline, still remains embryonic in many countries; national laws are not always compatible; and penalties – whether financial and/or criminal such as seizures, confiscations, prison terms, fines, etc – remain too tentative in many countries.

**Sharing knowledge to improve controls and investigations**

To respond to these shortcomings, the WCO and INTERPOL have over the past two-years jointly organised International Conferences on Illicit Cash Couriers; providing a platform for experts to discuss case studies and best practices. These events are aimed at helping officials from customs, financial intelligence units, police authorities and other enforcement services to develop a practical knowledge that could be used to improve controls and investigations.

At the Second International Conference, which was held from 27 to 30 April 2009 at WCO headquarters in Brussels, topics discussed ranged from measures to take in the face of a legal vacuum to implementing a cash declaration system, and from interrogation techniques to maintaining the integrity of seizures amongst others. One particular future challenge raised was that pertaining to the use of prepaid payment cards in lieu of ready cash by cash couriers, showing how criminal activities quickly adapt to take advantage of other avenues to launder money, such as the rapidly expanding Internet financial services sector. These cards pose numerous problems as they are not linked to a bank account, can be purchased from non-financial sales outlets, and are anonymous, easily transportable, and exchangeable, representing a real opportunity for criminals. Faced with this phenomenon, it is essential to develop proper awareness, to forge partnerships with commercial institutions providing these products, and to put in place suitable regulations.

Speakers called on all countries to participate actively in the fight against cash couriers by ensuring that agencies such as customs and the police were properly trained: only by improving the expertise of their agents can enforcement services effectively combat this scourge and respond to the vulnerabilities exploited by criminals. Representatives of field services were also encouraged to become involved in the work of the FATF by ensuring that they were part of national delegations attending FATF meetings. The meeting concluded with a series of 16 recommendations for members of the WCO and INTERPOL aimed at strengthening the fight against cash couriers.

**International cooperation for better national outcomes**

Among the challenges lies cooperation between competent services at national level and at the international level.

Cooperation is, in fact, crucial in interception operations and in ensuing enquiries as it facilitates efforts to determine the origin and nature of the money, and to unravel often-complex threads. In this regard, the WCO and INTERPOL have set up different cooperation mechanisms and tools to improve intra- and inter-agency communication. In addition, both Organizations have established databases to facilitate access to and the sharing of intelligence.

The WCO has developed a number of mutual assistance instruments for the exchange of information and intelligence for its members, including a Model Bilateral Agreement on Mutual Administrative Assistance. The Organization’s Customs Enforcement Network (CEN) – a global data and information gathering system for customs intelligence purposes – provides WCO members with the possibility to exchange and disseminate information on customs offences in a reliable and secure manner, with direct access round the clock. This enables Customs administrations to issue alerts and share analyses, photos and documentation on trafficking or seizures. Analysis of currency seizure characteristics reported in the CEN assist in the development of risk profiles. The WCO CEN is bolstered by CENcomm, a secure messaging system specially designed for cross-border operations.

INTERPOL’s National Central Bureaux (NCB) facilitate cooperation between police services at the global level as they are in direct contact with INTERPOL headquarters and those in other countries. Their I-24/7 – a global secure police communications system – allows the NCB’s to exchange essential information on perpetrators and illegal activities 24 hours a day, seven days a week. NCB’s can also carry out searches and cross-checks via the databases which contain information on suspected terrorists, wanted persons, fingerprints, and lost or stolen travel documents. Both the WCO and INTERPOL will continue to work together on this issue in cooperation with other international bodies and our respective stakeholders. Strengthening customs and police officials at the coal face will ensure better national outcomes, safer borders, safer people, and a more secure supply chain underpinned by effective enforcement. Coordinated action, enhanced communication and sharing information are the tools we need to combat this form of crime and ensure economic and social prosperity!

* Kunio Mikuriya is the Secretary General of the World Customs Organization (WCO).
23 August 2009

Mito, Japan

13th World Society of Victimology International Symposium on Victimology

Hosted by Tokiwa University, sub-themes to be discussed in this conference are the theory on Victimology and Human Security, the Draft UN Convention on Victims in the light of international instruments and national norms, and the work of the UNHCR. Others include victims of human trafficking, sexual exploitation and other transnational victimizations, victim issues in the national justice systems, especially in Asia, and responses to disaster victimization.

More information: www.isv2009.com

23-26 August 2009

Perth, Western Australia

Woman and Policing Conference

The theme of the 2009 conference is “Making it Happen” and will explore practical and innovative solutions to how policing is being improved for women - how police services respond to their female employees and how policing responds to women in the community. Police, researchers, advocates and practitioners are encouraged to consider contributing a paper to the conference.

More information: www.acwap.com.au

02-05 September 2009

Sorrento, Italy

5th Annual Western Hemispheric Port Security Conference and Trade Exhibition

The 2009 EAPL's Conference has been planned to provide a worldwide perspective on Psychology and Law. The aim is to integrate new methods, tools and methodologies with the latest research finding, ideas and theory in the field of psychology and law.


29-30 September 2009

Basel, Switzerland

Conference on Governance and Cultural Properties: Preservation and Recovery

Academics and practitioners from different fields will cover topics ranging from the roles and responsibilities of museums, cultural property protection in conflict situations, the grey area of art business between legality and misdemeanour, outright theft and money-laundering through arts, (inter)national legal means and voluntary initiatives trying to prevent such lawful acts, mechanisms of recovering stolen artefacts and how to repatriate such objects to their places of origin and, eventually, to questions of cultural property and (state) identity.

More information: www.gcocp.org
05 October 2009

Terre Haute, Indiana, USA

Crime, Media & Popular Culture Studies Conference: A Cross Disciplinary Explorat

The Annual International Crime, Media and Popular Culture Studies Conference was established to encourage an international cross-disciplinary exchange between both academic scholars and practitioners who are engaged in research, teaching and practices associated with crime, media and popular culture. The conference serves as a forum for the dissemination of knowledge associated with these areas of study in an effort to engender further growth of the discipline among students, academicians and practitioners.

05 October 2009

Strasbourg, France

GRECO 10th Anniversary International Conference

International conference, commemorating the 10th anniversary of GRECO (Group of States against Corruption, of the Council of Europe), a key event of GRECO’s history. The Group of States against Corruption (GRECO) was established in 1999 by the Council of Europe to monitor States’ compliance with the organization’s anti-corruption standards.


10-17 October 2009

Passau, Germany

The Economics of Corruption

It is directed towards anti-corruption policymakers and practitioners, as well as towards graduate and post-graduate students and faculty in the social sciences. Survey techniques and statistical analysis confront theory with data. Interactive tools such as games, poster presentations and case studies involve participants and make them acquainted with today’s challenges on topics such as measuring corruption, international conventions, contract penalties, compliance systems, debarment, procurement, leniency and corporate liability.

29 October 2009

Brussels, Belgium

EIPA Seminar on Antimoney laundering and anti-terrorist financing

The fight against money laundering and terrorist financing continues to be an important priority for the European Union. Therefore, this seminar will address the efforts undertaken by the European Union – following international standards – to combat these particular problems.

Beyond Terror and Martyrdom: The Future of the Middle East
Gilles Kepel - Harvard University Press, 2008

This book explores about the current affairs in the Middle East and explains why both Bush and Bin Laden regimes have concluded that force or violence to be a required step to create change in the Middle East. This book examines the propagation behind the “war on terror” and the reasons why it eventually led to “the fiasco in Iraq”. Kepel provides thorough historical and cultural context of the internal regional politics and conflicts between various national and sectarian Muslim groups and that have resulted derailing from the U.S policy. This book then analyzes how the “war on terror” brought different national policies of integration and multiculturalism between France and England. Kepel also gives an insight as to why this war on terror backfired for both Bush and Bin Laden administrations- it is because the international community criticized beheading of helpless victims and also the sufferings of detainees at Guantánamo Bay.

Stealing the Network: How to Own a Continent
FX, Paul Craig, Joe Grand, Tim Mullen, Fyodor, Ryan Russel, Jay Beale - Syngress Publishing, 2004

This book is written by some of the leading security and counter-terrorism experts and depicts the prospect of evil forces unleashing out cyber-terrorism attack into a reality in this novel. This novel is a sequel to the “Stealing the Network” book. Whereas the first book focused on the individual hacker, this second book shows the reader what a group of hackers can do to terrify the world. It outlines a plot to “own the box” on a truly global scale by compromising an entire continent’s network infrastructure. The authors bring to life a scary cast of characters and set them on a course of imminent cyber-attack, shedding light on some of the most lethal hacks yet imagined. In-the-know readers will recognize the technologies, scenarios, and threatened intrusions.

Lords of Corruption
Kyle Mills - Vanguard Press, 2009

In this suspense novel, the protagonist Josh Hagarty accepts his new job offer from New Africa, which is a charity organization that operates in Africa. Shortly after his arrival, Josh learns that his predecessor didn’t quit as he’d been led to believe, but was found dismembered in the jungle after asking questions that no one wanted answered. Worse yet, Josh discovers that his employer is not a benevolent charity as it claims to be and realizes that he has become an unwitting player in a billion dollar industry. Escape is impossible and the only option he has to survive is to bring the whole institution down.

http://lordsofcorruption.com/about.html
Based on two decades of extensive research, Bertil and Black tell a story of amphetamine-type stimulants (ATS), a synthetic and very profitable drug in Myanmar. The book explains why this drug industry is so attractive: “There is no dependence on growing seasons; no large workforce is required; necessary chemicals are easily obtained; it is easy to locate laboratories near consumer markets; and there is a high profit return on their investment.” The authors point that the Chinese drug-lord Wei Xuegang is the head of this drug empire and he and his partners are making lucrative businesses from this industry by selling to residents in Myanmar and also by exporting this drug to nearby countries such as Thailand. This book explores the details of how this drug is produced, transported, and sold to its customers, which has led to murders, stabbings, and kidnappings of innocent people. Merchants of Madness delivers a strong message about the destructive effects of the ATS and how Myanmar’s drug issue is a political issue that ultimately requires a political solution.

Similar to books such as Freakonomics and Malcolm Gladwell, Economic Gangsters explores economics in the non-traditional sense: this book takes readers into the secretive, chaotic, and brutal worlds inhabited by lawless and violent thugs. The authors tackle economic development issues in Africa, Asia and Latin America and ask the question “After decades of independence and billions in foreign aid, why are so many developing countries still mired in poverty?” They contend that the big reason is corruption and illustrates fascinating cases such as the high correlation between UN diplomats’ parking violations and corruption in the home country. This book proposes some solutions to make a difference to the world’s poor, such as cash infusions to defuse violence in times of drought.

Written by a professor of anthropology, A Culture of Corruption explores corruption in Nigeria. Smith states that corruption is so widespread in Nigeria to the point that Nigerians accept it as a part of their culture. Scams such as e-mails proposing an “urgent business relationships” contribute to Nigeria’s largest source of foreign revenue after oil. Nigerians are deeply ambivalent about this issue—resigning themselves to it, justifying it, or complaining about it. They are painfully aware of the damage corruption does to their country and see themselves as their own worst enemies, but they have been unable to stop it. This book is written in a sympathetic attempt to understand the dilemmas average Nigerians face to survive in a society riddled with corruption.
Juarez, a Mexico border city just across from the Rio Grande from El Paso, Texas, has been and still is experiencing brutal killings of hundreds of young women. This book explores the stories behind these killings. The victims are slender and poor and they have been kidnapped, raped, mutilated, and murdered. Only small amount of real information has been gathered even though the U.S government sent top criminal profilers from the FBI and some of the leading members of the American press have been covering this story. Unfortunately, the answer still remains unknown as to who is behind the killings. Some argue that the victims are killed due to illegal trafficking in human organs, ritualistic satanic sacrifices, copycat killers, and a conspiracy between members of the powerful Juarez drug cartel and some corrupt Mexican officials who have turned a blind eye to the felonies.

http://www.theworld.org/?q=node/7899

Sayan investigates why the economies of the Middle East and North Africa (MENA) region are in dire need of substantial institutional reform. He points corruption in that region to be the main cause of impeding development. To provide job security and fight poverty and income inequality in those regions, he argues that it is necessary to reduce the risk of social unrest and domestic/regional conflicts and to assure stability of energy supply to the rest of the world. The book also explores the relationship between institutional factors and growth and development, comparing the experiences of the MENA countries with the rest of the world. He states that factors such as democratic accountability, judicial system efficiency, military involvement in politics and corruption affect the economies in MENA and explains why the institutional reform is needed to boost the economies in those regions.

Intended for those interested in gaining a basic knowledge of natural resources and conservation, this book describes the ecological principles, policies, and practices required to create a sustainable future. It emphasizes practical, cost-effective, sustainable solutions to these problems that make sense from social, economic, and environmental perspectives. This book covers varies topics such as Managing Water Resources Sustainability, Water Pollution, Fisheries Conservation, Rangeland Management, Forest Management, Plant and Animal Extinction.