

**Remarks by Deputy Attorney General David W. Ogden at the 78th Interpol General Assembly**

SINGAPORE ~ Monday, October 12, 2009

In Bucharest, a little over a year ago, my predecessor U.S. Deputy Attorney General, Mark Filip, joined by the Romanian Prosecutor General, announced criminal charges in a case that was emblematic of the evolution of transnational organized crime. That case charged that a racketeering enterprise in Romania joined forces with other criminals around the world -- including street gangs in Los Angeles -- to use the Internet to defraud thousands of people and hundreds of financial institutions. The defendants operated from locations in the United States, Canada, Pakistan, Portugal, and Romania -- and were citizens or permanent residents of the United States, Romania, Cambodia, Pakistan, Vietnam, and Mexico.

As that case so dramatically illustrates, perhaps in no area has globalization progressed so radically as in organized crime. The ease of international travel, the ability to instantly communicate worldwide without regard for borders, and the emergence of a global economy have enabled criminals to commit their crimes far away from where they live. A member of a transnational criminal organization can now victimize people and institutions in distant nations without ever physically entering those nations.

Encumbered in many ways, law enforcement has not been as quick to adapt to globalization, and criminals are well aware of this fact. Transnational criminal organizations exploit the inherent difficulties of international law enforcement to conduct their illegal activities and hide their illicit proceeds in ways that minimize the risk that they will ever be arrested or prosecuted, or forfeit their assets.

Indeed, transnational organized crime has accelerated with the pace of globalization. By one estimate, organized crime today comprises up to 15 percent of the global gross domestic product. Whatever the actual number, criminal organizations undoubtedly wield economic clout sufficient to neutralize and turn to their own unlawful ends political, judicial and law enforcement institutions, especially those in failed or fragile states destabilized by conflict or economic woes. Criminal organizations can and do use their economic power to target individual public officials, public institutions, and even entire countries to look for new victims and new markets. In so doing, they rob millions of people of the opportunity to live normal lives, free from the fear of crime. We are now witnessing in many parts of the world, what U.S. Attorney General Robert F. Kennedy almost a half century ago presciently condemned in my own country as the "private government of organized crime."

In recognition of the continued evolution and globalization of organized crime, the U.S. Department of Justice brought together nine of the major U.S. federal law enforcement agencies under the auspices of the Attorney General's Organized Crime Council. I chair that Council on the Attorney General's behalf. Together, we have begun to devise and implement a strategy to respond to transnational organized crime -- both within the United States and in partnership with you, our international counterparts.

Our new Strategy emphasizes four key elements:

First, we must marshal all available intelligence about transnational criminal organizations, including information from law enforcement, our international partners, and the private sector.

Second, because hundreds - if not thousands - of transnational criminal organizations are active across the globe, we cannot expect to simultaneously target every one. We must focus our efforts and prioritize law enforcement action against those transnational criminal organizations that pose the greatest threat and do the most damage.

Third, because by their nature these organizations cannot be effectively confronted by one country alone, we must build partnerships with our international law enforcement colleagues to pursue investigations in multiple countries at once. And together gradually mount a coordinated, multi-national effort to disrupt the organized criminal activity of our priority targets.

Finally, in this way, we must seek to dismantle entire criminal organizations -- including the leaders of these organizations -- with long-term patient investigation, using the most sophisticated criminal enforcement techniques, and multi-layered prosecutions.

On May 29 of this year, the Attorney General announced the first significant step taken under his leadership to implement the strategy - the new International Organized Crime Intelligence and Operations Center (or IOC-2). IOC-2 has already started operating. It allows partner agencies working across the United States to focus and prioritize joint efforts, combine data, and produce actionable leads for investigators and prosecutors. IOC-2 also provides a forum for coordinating the multi-jurisdictional investigations and prosecutions that result from these leads.

IOC-2 is a start. It combines the tools and powers of U.S. agencies to cut across previously existing bureaucratic obstacles toward a successful response. But as our new strategy recognizes -- as this very forum recognizes -- like you, the United States, can succeed only as part of a global response. Transnational organized crime is one of the great challenges facing the world in the 21<sup>st</sup> century. It is entirely a shared challenge. Transnational criminal organizations threaten the lives and security of those in every nation it touches -- and it touches us all. Together, we must meet this threat through thoughtful and coordinated action.

This Ministerial and gatherings like it present the chance to bridge geographic divides and other obstacles toward a shared success. A first item of joint action should be a commitment to the full implementation of the UN Convention Against Corruption at the Conference of State Parties that will be held in Doha, Qatar, next month. This Convention strikes at one of the most important sources of power for organized crime: the corrupt public officials who serve their own selfish interests and those of criminals, rather than the public good. Together, we have the opportunity to diminish this base of power -- the "private government of organized crime," that Robert F. Kennedy long ago saw and warned against.

If our global fight against transnational organized crime and corruption is to be successful, the UN Convention Against Corruption must include an effective review mechanism, and this is what is at stake next month in Doha. The vast majority of parties to the Convention recognize this, and that this review process must be credible, transparent, and effective. It must include country visits, discussion of information from all sources, and publicizing final reports.

Our efforts will also be buttressed if we adopt a second action: a commitment to put into place in every country laws that strike at the financial assets of organized crime. Strong asset forfeiture and money laundering laws are essential weapons to deprive global criminals of their ill-gotten gains, to seize the instrumentalities of their trade, and to use the power of asset forfeiture to destroy their illegal enterprises. Like any modern business, transnational criminal organizations need capital to survive and they operate for the purpose of amassing assets. Take away this capital, remove the profits, and the organization dies. Right now, international organized crime pays -- we need to change that.

And to change it, we must all ensure that we have asset forfeiture laws that do not require precedent criminal convictions. This tool is essential in transnational cases where the crime is committed in one country but the illicit proceeds are located in another. And traditional criminal forfeiture efforts are too often frustrated because the criminals have fled or are somehow able to escape prosecution. Therefore, we must have laws in place to make certain that the criminals forfeit their criminal proceeds -- each non-conviction based forfeiture solves this problem.

Moreover, a global partnership against international criminal organizations requires each of us to have in place laws that allow us to enforce the criminal and non-conviction based judgments and freeze orders of other nations. The United States is committed to using all of its forfeiture authority to seize criminal assets, enforce the forfeiture judgments of our partners, and to share the proceeds of those efforts whenever appropriate. We urge other nations to implement such a commitment.

And if I could suggest one final action item for us to consider collectively: let us reaffirm the critical nature of the organization that has brought us together here: INTERPOL. Today we will have the opportunity to help strengthen INTERPOL's critical role in building law enforcement capacity in the failed or fragile states in which transnational criminal organizations thrive.

Under the visionary leadership of Secretary General Noble, INTERPOL is already at the forefront of the battle against globalized crime. To highlight just one of the many critical steps he has taken: he has modernized the 'I-24/7' network, which is used thousands of times each day and millions of times each year to conduct the cross-border police work necessary to find and arrest wanted persons, and to solve and prevent crimes. Thanks to Secretary Noble and his team, INTERPOL is leading the way to make policing a global team effort.

The job before us in confronting the criminal organizations that threaten us in this newly-globalized criminal world is monumental and unprecedented. Only by confronting this together, we rise to the challenge of protecting our citizens and institutions the world over. The United States looks forward to working with all of you to meet that challenge.