



## APEC Pathfinder Dialogue II

STRENGTHENING THE FIGHT AGAINST CORRUPTION AND ILLICIT TRADE

### *Partnerships for Sustainable Security*

*Cebu City, Philippines, Marco Polo Plaza Hotel  
August 26, 2015*

8:00-9:00 Registration and Coffee Service

9:00-9:45 **Introduction**

Mr. David M. Luna, APEC ACT Pathfinder Coordinator and Senior Director, INL, U.S. Department of State

#### **Keynote remarks**

Judge Conchita Carpio-Morales, APEC ACT Chair, the Philippines.

Mr. Eric W. Kneeder, Political Counselor, U.S. Embassy, the Philippines.

His Excellency Thinn Maung, Commissioner of the Anti-Corruption Commission, Myanmar.

The Hon. Greg Hunt MP, Minister for the Environment, Australia (via video) and Assistant Secretary Lyndall Hoitink.

Undersecretary for Fisheries, Mr. Asis D. Perez, the Philippines.

9:45-10:45 **Session 1 – Plenary: Threat Convergence and Regional Cooperation**

This session will provide an overview of strategic drivers, and practical examples of poly-crime threat convergence, and review key elements of multi-agency and international cooperation to combat corruption and criminal convergence.

*Chair: Mr. Peter Ritchie, Anti-Corruption Advisor, American Bar Association*

Panelists:

- Trafficking in Persons: Ms. Tejal Jesrani, Research Officer , UNODC Global Report on Trafficking in Persons Unit
- Wildlife and Fisheries: Mr. Luke Bond, Criminal Intelligence Officer, INTERPOL
- Illegal Logging: Mr. Chen Hin Keong, Global Forest Trade Programme Leader, TRAFFIC Malaysia

10:45-11:00

**Coffee Break**

11:00-12:30

**Session 2a – Breakout Session to Discuss Best Practices on Corruption & Environmental Crime**

This session will focus on developing best practices for combating corruption in the environment, to include, wildlife trafficking, illegal logging, and illegal fishing. Participants will share best practices of proven strategies to reduce corruption and bribery and identify future priorities for action.

*Chair: Ms. Jessica Graham, Senior Advisor for Environmental Crime, INL, U.S. Department of State*

Panelists:

- APEC Perspectives on Wildlife Trafficking:
  - Ms. Klairoong Poonpon, Chief of Wildlife Sanctuary Management, Department of National Parks, Thailand.
  - Dr. Theresa Mundita Lim, Biodiversity Management Bureau, Department of Environment and Natural Resources, the Philippines.
- Mr. Giovanni Broussard, Regional Officer, Global Programme for Combating Wildlife and Forest Crime, UNODC, Thailand.
- Mr. George Phocas, U.S. Fish and Wildlife Service Attaché, U.S. Embassy Bangkok.

**Session 2b – Breakout Session on Corruption & Trafficking in Persons**

This session will highlight policy perspectives and regional and global guidelines on combatting human trafficking and slavery, participants will share knowledge of key trafficking pathways, and identify anti-corruption and law enforcement intervention points. Participants will also consider draft principles to combat corruption and its harmful impact on human trafficking, which will be published as a resource for APEC members.

*Chair: Ms. Lisa Jacobson, Senior Advisor for Border Security and Human Trafficking, INL, U.S. Department of State*

Panelists:

- Global Perspective: Ms. Tejal Jesrani, Research Officer, UNODC Global Program on TIP.
- Regional Perspectives:
  - Ms. Rebecca Miller, Programme Manager - People Smuggling and Trafficking in Persons, Immigration New Zealand.
  - Mr. Janos Bertok, Head of Public Sector Integrity Division, OECD European Experience and UNODC draft principles against corruption in human trafficking.

12:30 – 14:00

**Lunch**

14:00 – 16:30

**Session 3a – Breakout Session to Discuss Strategies and Responses to Combat Corruption & Environmental Crime**

This session will provide a regional perspective on wildlife trafficking and illicit timber trade. It will provide examples of sophisticated investigations that have made effective use of anti-money laundering systems to map the true extent of illicit networks and then disrupt them via criminal charges and major asset seizures. This session will also explore the essential role of the private sector in keeping supply chains free of products obtained by corruption, fraud and other illicit means.

*Chair: Mr. Steve Galster, Founder & Executive Director, Freeland ARREST Program*

Panelists:

- Regional Perspective: Mr. Scott Robertson, Asia Regional Coordinator, Wildlife Conservation Society, Vietnam
- Financial Investigations: Mr. Peerathorn Vimollohakarn, Senior Professional Legal Officer, Anti-Money Laundering Office, Thailand
- Private Sector Perspective: Mr. Mark Gomm, Risk and Sustainability Manager, Bunnings Group, Australia

**Session 3b – Session on Corruption & Trafficking in Persons**

This session will focus on international cooperation and the work of law enforcement practitioners and NGOs in providing training programs, best practices, and support to combat TIP-related corruption. This includes identifying areas of vulnerability to trafficking-related corruption along the spectrum from recruitment, transport, and exploitation of people - with

a focus on transaction points where traffickers are likely to need corrupt public officials in order to traffic people.

*Chair: Mr. Janos Bertok, Head of Public Sector Integrity Division, OECD*  
Panelists:

- Global Perspective: Mr. Jean Gatabazi, Criminal Intelligence Officer, INTERPOL
- Cooperation on Investigations: Mr. Brandon Stiefer, Program Manager, Immigration and Customs Enforcement, U.S. Department of Homeland Security
- Transnational Crime and Law Enforcement Cooperation: Mr. Alex Gordon, Legal Attaché, U.S. Federal Bureau of Investigation
- Mr. Sombat Tuengwiwat, Director of Intelligence Analysis, Freeland Foundation

16:30 – 16:45

Coffee Break

16:45 – 17:30

**Practical Applications for Dismantling Transnational Criminal Networks and Reporting Back to Group**

A Way Forward: Areas to collaborate on corruption and environmental crime and human trafficking. This session will draw together key results from the previous sessions, with a particular focus on (i) supply chain corruption risks, (ii) effective countermeasures, and (iii) opportunities and priorities for future domestic and international cooperation.

*Co-Chairs: Mr. Peter Ritchie, Anti-Corruption Advisor, American Bar Association. Mr. Ryan Keeratithanachaiyos, Anti-Corruption Specialist, UNODC.*

17:30 – 18:00

**Closing Remarks/Adjourn**

Mr. David Luna, Senior Director, INL, U.S. Department of State.



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Economic Cooperation**

## **STRENGTHENING THE FIGHT AGAINST CORRUPTION AND ILLICIT TRADE** APEC Pathfinder Dialogue II *Partnerships for Sustainable Security*

In Cebu City at SOM III, the U.S. and Philippines Governments will co-host the *APEC Pathfinder Dialogue II* on Combating Corruption and Illicit Trade across the Asia-Pacific Region. APEC member economies, including representatives of the Anti-Corruption and Transparency Experts Working Group (ACT), the Experts Group on Illegal Logging and Trade (EGILAT), and other relevant and interested APEC sub-fora attending SOM III, will be invited to participate in the one-day event. The Dialogue will further enable anti-corruption authorities, law and justice officials, and civil society to work together to fight transnational crime and also assist legitimate trade and economic growth through anti-bribery programs.

### **Strategic Context**

Drawing upon the successes of the APEC Pathfinder Dialogue, the APEC ACT supports the Pathfinder Dialogue II in Cebu in August 2015. Corruption and illicit trade harm every facet of our lives, from the environment in which we live to our health, prosperity, and security. The first Pathfinder Dialogue focused on the need to combat corruption and illicit trade networks involved in trafficking in persons, wildlife trafficking, and money laundering. The previous Dialogue emphasized the importance of inter-regional partnerships that sharing information and best practices to detect and disrupt transnational criminal syndicates. Building on this work, the Pathfinder Dialogue II at SOM III will assist all APEC economies to disrupt the growing convergence of corruption and transnational crime—using the powerful law enforcement and criminal justice tools embodied within the UN Convention against Corruption and the Convention against Transnational Organized Crime.

### **Capacity Building Activities**

Capacity building workshops will be held alongside SOM III on Wednesday, August 26, 2015 as a daylong event designed to identify specific anti-corruption measures APEC economies could implement in order to combat corruption in the following forms of illicit trade:

- **Environmental Crime:** Workshop segments will focus on best practices, strategies, and responses to corruption and environmental crime, including wildlife trafficking and illegal logging and fishing. Participants will explore proven strategies, such as financial investigation, multiagency cooperation, multilateral coordination, and joint government-NGO efforts. Participants will also identify priorities for concrete actions to tackle corruption in environmental crime and help to safeguard our rainforests, endangered wildlife, oceans, and vital ecosystems.
- **Human Trafficking and Slavery:** Workshop segments will explore best practices for combatting corruption in human trafficking and review existing knowledge and available resources on the topic. The workshop will also focus on successful multilateral engagement between governments and intergovernmental organizations using anti-corruption strategies to investigate, prosecute, and prevent human trafficking, safeguard our children and human capital, and promote the empowerment of women across Asia Pacific economies.

The Organisation for Economic Cooperation and Development will hold a roundtable on Thursday, August 27 to further explore the role of corruption in human trafficking. Participants will help to refine draft principles to combat corruption in human trafficking, which will be published as a resource for APEC members.

Through correspondence out of session, OFWG, ACT, and EGILAT members will be invited to contribute to the planning of the workshop, including identification of experts and speakers.

### **Registration**

To register or learn more about the event, please go to <http://www.2015PathfinderDialogue.com>. Please note that participants with arresting authority will be required to undergo vetting by the U.S. Embassy in their home jurisdiction. Hosts and organizers will be sponsoring some participant and speaker travel to the event. For information on eligibility or for any other questions please email [2015PathfinderDialogue@abaroli.org](mailto:2015PathfinderDialogue@abaroli.org).



# Integrity Checklist to investigate wildlife and timber trafficking

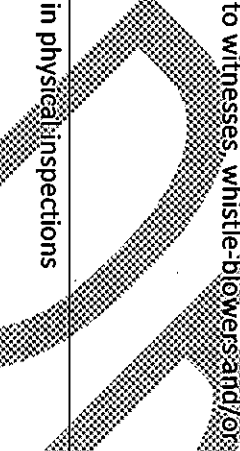
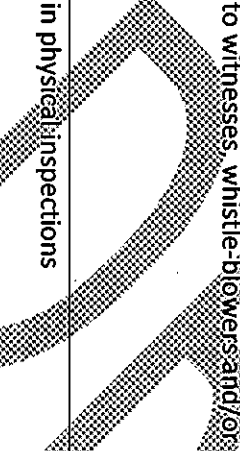
The table below should be intended to help developing a corruption assessment and National Anti-Corruption Strategy to combat wildlife and timber trafficking.

The Integrity Checklist provides a non-exhaustive list of critical points along the supply chains of the legal trades in wildlife and timber. At the same time it provides a corresponding set of measures to reduce the identified risks of corruption.

The list of institutions under the column *Responsible agency/ies* provides a mere indication of the authorities that could have the power to implement the risk mitigation measures. Yet, each Country has its own administrative structure – with different names, powers and responsibilities – which may substantially differ from the institutions listed in this column

Corruption risk		Risk Mitigation Measures		Responsible agency/ies	
Land use decision	Abuse of power, nepotism, patronage, bribery, etc. in land use decisions	Establishment of oversight committees including scientific/academic sector and civil society to decide on land use concessions	Publication of land use plans/maps with clearly defined timeframe (e.g. 10 years)	Office of the Prime Minister / President <sup>1</sup>	Ministry of Forestry (or equivalent)
Issuance of concessions/licences	Abuse of power, nepotism, patronage, bribery, etc. in the selection of concessionaires	Mandatory personal income and asset declaration (including family members) for all members of appointing board		Office of the Prime Minister / President	
		Establishment of Integrity Units within Ministries of Forestry (or equivalent institution issuing concessions) with secondment of integrity teams from Anti-Corruption Commission / Ombudsman / Economic Police, etc.		Office of the Prime Minister / President	

<sup>1</sup> The functions of the Office of Prime Minister and/or President in the Integrity Checklist can be replaced by a multi-agency Oversight Committee responsible for the development and implementation of the National Anti-Corruption Strategy

Step	Corruption risk	Risk Mitigation Measures	Responsible agency/ies
<b>Logging Operations Farming/Hunting Operations</b>	Law enforcement turning a blind eye / not reporting illegal/suspicious operations (including exceeding quota, harvesting protected species, harvesting outside of licensed areas, etc.)	Separation of responsibilities between agencies involved in land use decisions and those involved in issuance of concessions	Office of the Prime Minister / President
		Increased transparency for open and publicly available information -> e.g. website portal for public procurement information	Ministry of Forestry (or equivalent)
		Vetting of bidders based on financial integrity standards and prior administrative/criminal records, and debarment for corrupt actors from bidding process	Ministry of Finance
		Creation of incentive and reward schemes for law enforcement, rangers and private sector through increased royalties, to improve staff performance, transparency and accountability	Inter-ministerial task force
		Adoption of codes of conduct for law enforcement agencies to promote integrity in the fight against wildlife and timber trafficking	Law Enforcement Agencies
		Annual disclosure of company's finance/assets matched to existing concessions	Private Sector
<b>Bribery to witnesses, whistle-blowers and/or media</b>		Establishment of hotlines and awareness raising campaigns for the public and the media	Anti-Corruption Commissions / Ombudsman
		Improving legal protection for witnesses, whistle-blowers, media	Ministry of Justice
		Video recording of inspections and submission of reports to integrity units / investigative task forces	Law Enforcement Agencies
<b>Bribery in physical inspections</b>  <b>Police black mailing/threatening legitimate operations to revoke concessions unless providing bribes (private sector as the victim of corruption)</b>		Establishment of a monitoring and investigating multi-agency task force including ombudsman/AC commissions, police, prosecutors, financial intelligence units, forestry administration – with advisory role for academia and civil society	Office of the Prime Minister / President



Step	Corruption risk	Risk Mitigation Measures	Responsible agency/ies
	Provincial public officials colluding with influential business men to exclude competition and to gain unfair positions of monopoly	As above	Office of the Prime Minister / President Legislative body
	Excessive red tape for filing illegality reports, including corruption in the justice system	Introduction of (criminal) responsibility for legal persons (such as private companies) with adequate penalties including the restoration of the environmental damage	Ministry of Forestry (or equivalent)
	Unlawful confiscations of legal products (e.g. for the purpose of auctioning products for the benefit of one company)	Immediate temporary suspension of concession in case of clearly determined violations	
Transportation of timber/wildlife to processing facilities & storages	Seizure of goods to be entered in auction scheme as part of an illegal goods laundering process	Establishment of hotlines and awareness-raising campaigns for the public and the media	Anti-Corruption Commissions / Ombudsman
	Bribery in physical inspections or at road blocks	Establishment of anti-corruption criteria in the auctions of seized timber and/or wildlife	Ministry of Finance
	Fraud in the issuance of export/import permits including CITES certificates	Video recording of inspections or road checks and submission of reports to integrity units / investigative task forces	Law Enforcement Agencies
Importing and exporting		Mandatory income and asset declarations (including family members) for officials working in departments responsible for trade permits (including CITES Management Authorities)	Anti-Corruption Commissions / Ombudsman
		Criminalization of the facilitation of illegal permits to trade wildlife and/or timber with a maximum penalty of at least 4 years imprisonment	Legislative body
		Joint investigations <sup>2</sup> among anti-corruption commissions / ombudsman of countries of origin, transit and destination	Anti-Corruption Commissions / Ombudsman

<sup>2</sup> Article 49 of the UN Convention Against Corruption explicitly encourages State Parties to enter bilateral or multilateral arrangements among investigative bodies – even on a case-by-case basis – to establish joint investigation teams in one or more States

Step	Corruption risk	Risk Mitigation Measures	Responsible agency/ies
	Private companies gaining trading influence / seeking protection from influential persons (army, politicians, local authorities etc.)	Establishment of a monitoring and investigating multi-agency task force including ombudsman/AC commissions, police, prosecutors, financial intelligence units, forestry administration – with advisory role for academia and civil society Black listing of import/export companies involved in illegal trade	Office of the Prime Minister / President Anti-Corruption Commissions / Ombudsman
Shipment and transportation	Bribery to facilitate customs procedures and avoid inspections  Bribery to turn a blind eye on illegal shipments (including through fraudulent CITES permits, concealment or disguise)	Establishment of multi-agency one-stop services at ports of entry/exit Adoption of codes of conduct – including penalty and rewards measures – for law enforcement agencies Establishment of multi-agency one-stop services at ports of entry/exit Improved use of technology (such as CITES electronic permits) to limit discretion of law enforcement inspections	Office of the Prime Minister / President Law Enforcement Agencies Law Enforcement Agencies CITES Secretariat Agencies
Sale and distribution	Corruption to disguise the unlawful origin of goods (e.g. Ivory) introduced in the wholesale and retail distribution channels	Increased certification for wildlife and timber products on sale Promotion of responsible purchasing policies and due diligence practices Creation of multilingual websites that disclose information on brands, producers, distributors and other companies involved in cases of corruption in timber and wildlife supply chains Creation of multilingual websites that disclose information on good practices, responsible behaviour and high-standard performance for distributors and retailers working with wildlife and timber products Hotlines and phone applications for consumers to report sale of illegal products	Business associations/federations Business associations/federations Civil society and NGO community Civil society and NGO community Civil society and NGO community Civil society and NGO community

Step	Corruption risk	Risk Mitigation Measures	Responsible agency/ies
	Bribery to turn a blind eye on sale of illegal goods in popular markets (including on-line platforms)	<p>Hotlines and phone applications for consumers to report sale of illegal products</p> <p>Increased education of buyers on the certification of products / awareness raising campaigns to increase market base for certified products</p> <p>Immediate suspension of licences for shops involved in the sale of wildlife and timber products in clearly identified violations of environmental protections laws</p> <p>Ban to e-commerce platforms involved in clearly identified violations of national and international wildlife/timber trade regulations</p>	<p>Civil society and NGO community</p> <p>Business associations/federations</p> <p>Ministry of Forestry (or equivalent)</p> <p>Ministry of Telecommunication</p>

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**Asia-Pacific  
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2015/SOM3/ACT/DIA/008

## **Corruption and Trafficking in Persons - Global Perspective**

Submitted by: UNODC



**APEC**  
PHILIPPINES  
2 0 1 5

**APEC Pathfinder Dialogue II on Strengthening the  
Fight Against Corruption and Illicit Trade  
Cebu, Philippines  
26 August 2015**



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# **Corruption and Trafficking in Persons Global Perspective**

Tejal Jesrani, Research Officer  
UNODC

APEC Pathfinder Dialogue II: Strengthening the fight against  
Corruption and Illicit Trade  
Cebu City, the Philippines, 26 August 2015



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## Global situation





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## Trafficking in persons happens everywhere

Victims with 152 citizenships were identified in 124 countries across the globe 2010-2012

At least 510 trafficking in persons flows were identified 2010-2012



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## It impacts millions of people

- 20.9 million people are estimated to be in forced labour at any given time

*(ILO Global Estimate of Forced Labour: Results and Methodology)*

- From these 20.9 million people US\$150 billion in profits are produced annually

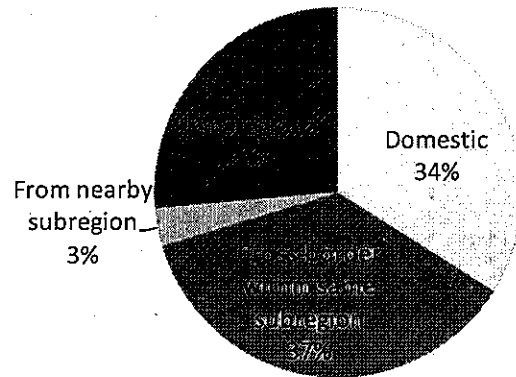
*(ILO, "Forced Labour, Human Trafficking and Slavery," 2015)*



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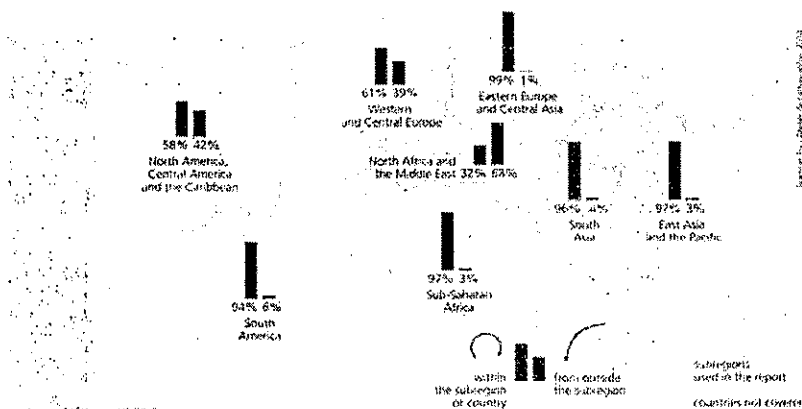
## Most detected victims are trafficked across borders within the same subregion



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## Shares of victims by subregional and transregional trafficking, 2010-2012

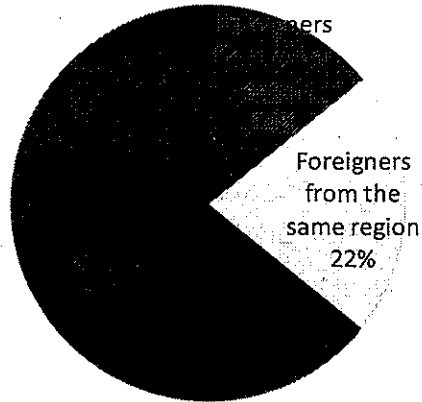






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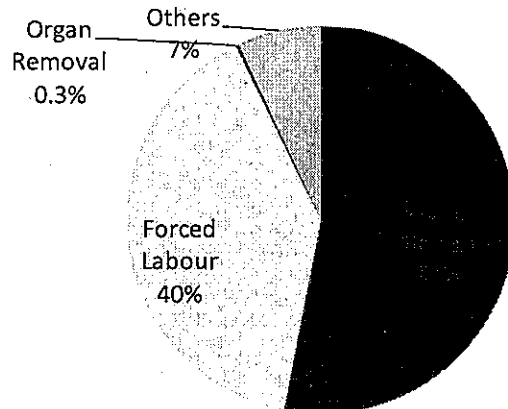
## Most detected traffickers are nationals of the country where they are convicted



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## Sexual exploitation is the most detected form of exploitation globally

(2011)

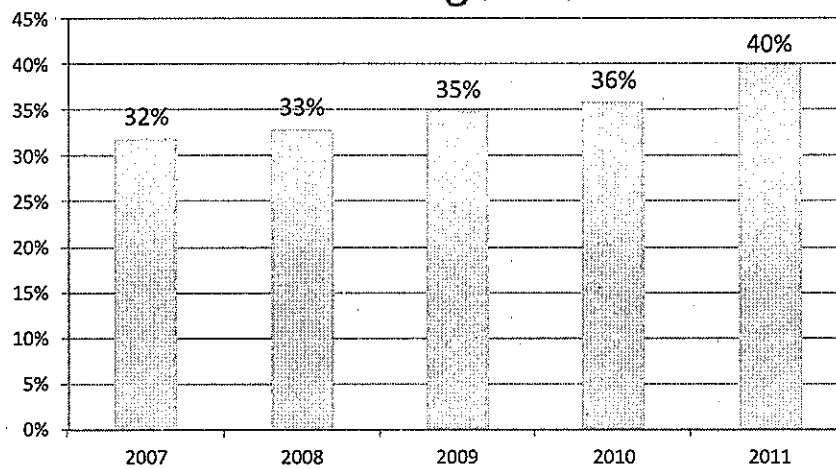




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But the detection of forced labour is increasing (2007-2011)



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Factors increasing the vulnerability to trafficking in persons



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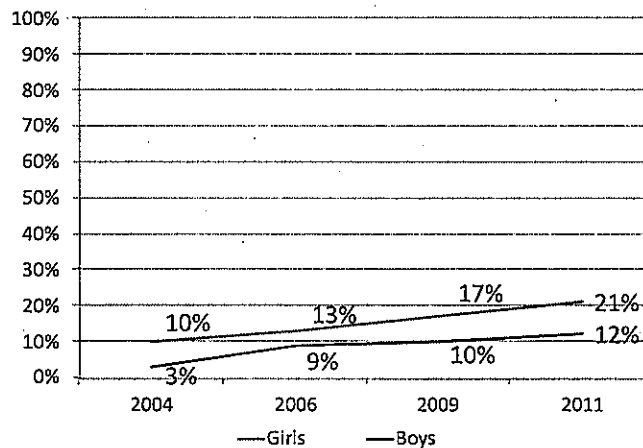
## Age



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## Increasing detection of child victims, 2004-2011

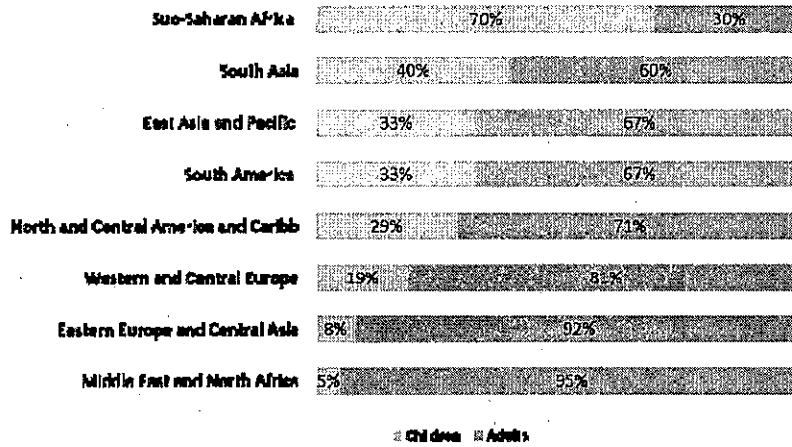




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## Significant regional differences in child trafficking (2010-2012)



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## Gender

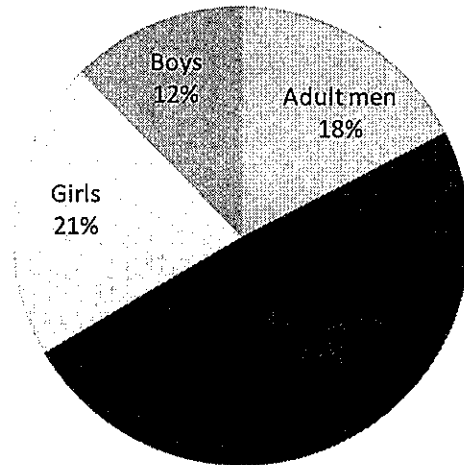




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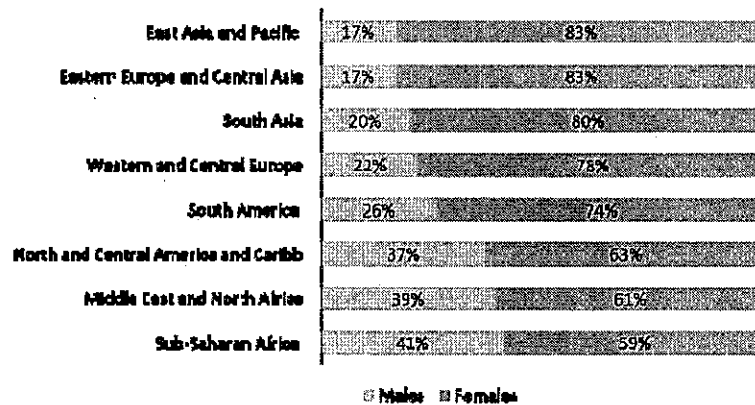
## Most detected victims are women (2011)



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## The detection of women and men varies in different regions (2010-2012)





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## Increasing detection of girl victims, 2004-2011



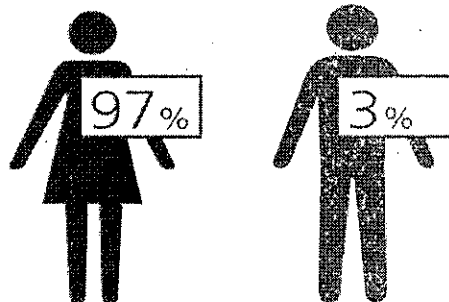
Source: UNODC elaboration on national data.



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## Most detected victims of trafficking for sexual exploitation are women (2010-2012)

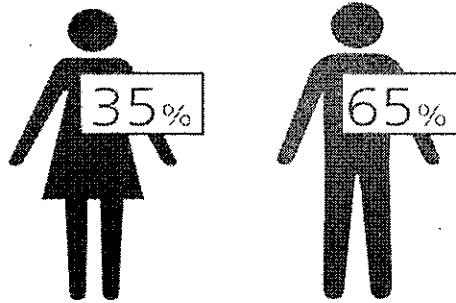


Source: UNODC elaboration on national data.



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## Most detected victims of trafficking for forced labour are men (2010-2012)



Source: UNODC elaboration on national data.

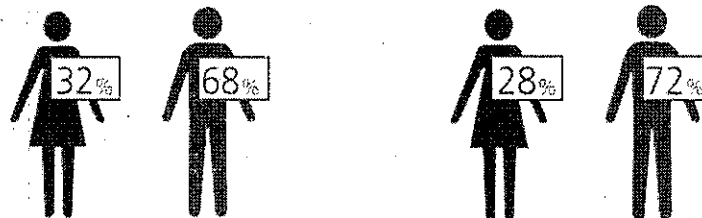


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## The share of female traffickers is exceptionally high (2010-2012)

Prosecuted

Convicted



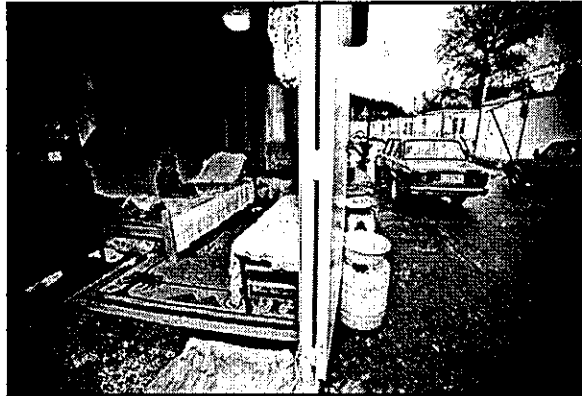
Source: UNODC elaboration on national data.

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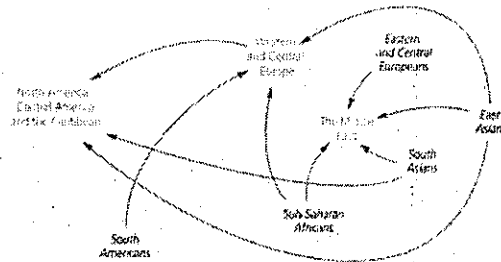
## Economic disparity



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## Trafficking flows from poor regions towards more affluent ones

The arrows show the flows that represent 5% and above of the total victims detected in destination subregions



Source: UNODC, *World Drug Report 2014*

Country not shown

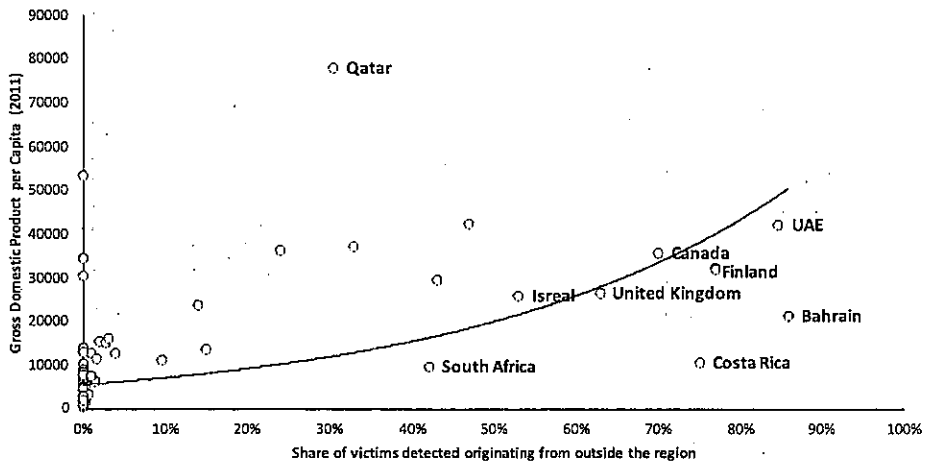




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Victims of transregional trafficking are more often detected in destination countries which have high GDP per capita



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The presence of organized crime





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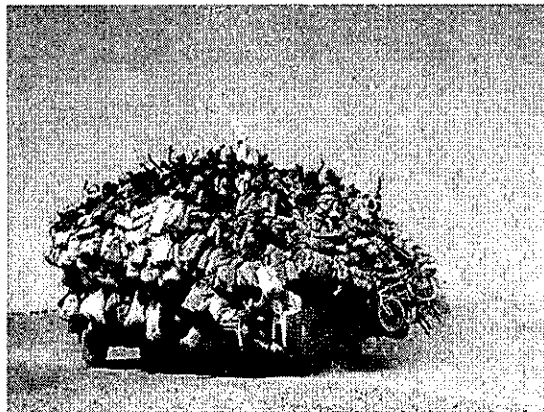
- Cross-border trafficking: the higher the prevalence of organized crime in the origin countries, the more victims of these origin countries are detected in the major destinations.
- Domestic trafficking: happens everywhere, and it seems to be unrelated to the level of organized crime.



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## Conflicts





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- In 2011-2013, eight countries mainly in the Middle East and in Western Europe reported having detected **Syrian victims** - very rarely detected before 2011
- UNICEF reported in May 2014 that at least 6,000 **children** have been recruited by **armed groups** in the Central African Republic
- In the Democratic Republic of the Congo, the UN documented the recruitment of 996 **children** by **armed groups** in 2012-2013



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## Weak criminal justice response

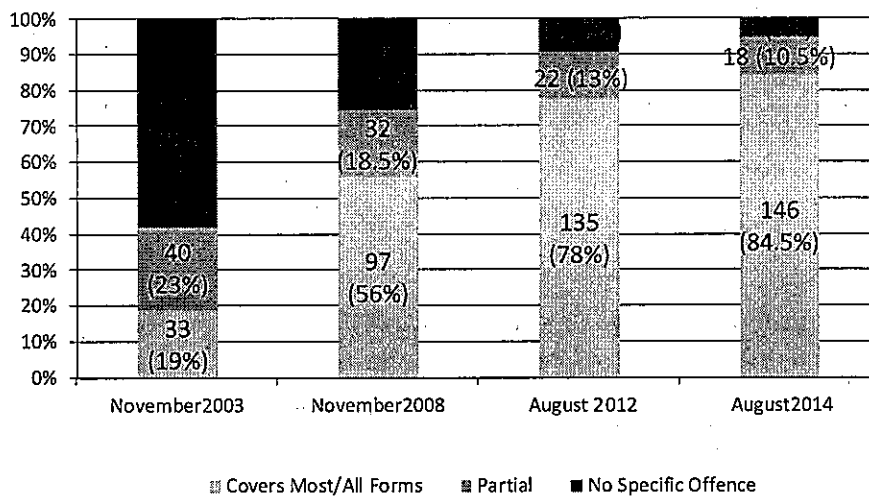




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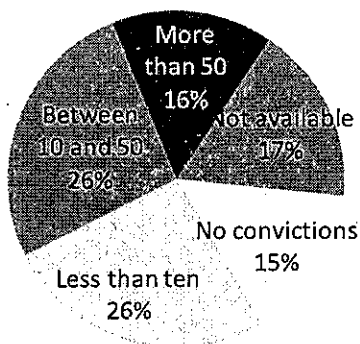
### Most countries criminalize trafficking in persons



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### But the number of convictions remains low



Number of convictions recorded per year, share of countries



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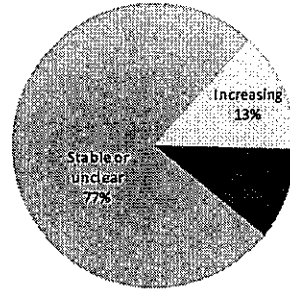
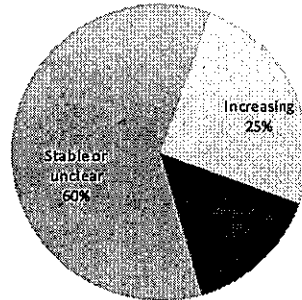
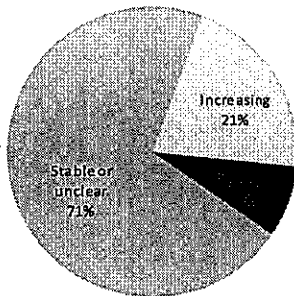
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### Trends in the number of recorded convictions, share of countries, 2003-2012

2003-2007

2007-2010

2010-2012



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### Probability of first-instance conviction for persons investigated for trafficking in persons

Operating traffickers and trafficking networks

**100**  
persons investigated by the police

**45**  
persons prosecuted

**24**  
persons convicted in first instance

Source: Bureau de coopération pénitentiaire



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## Corruption



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## United Nations Convention against Corruption (UNCAC)

- Working definition by the World Bank: the abuse of public power for private benefit
- Includes a large number of manifestations of corruption and calls for ratifying States to criminalize, at a minimum:
  - bribery of public officials
  - embezzlement, trading in influence, abuse of function, and illicit enrichment by public officials
  - bribery and embezzlement in the private sector
  - money laundering
  - obstruction of justice



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## Corruption linked to all phases of the trafficking crime

### Recruitment and transportation:

- fake or unauthorized recruitment agencies
- fake documents or licenses
- non-inspection of documents, vehicles, cargo-holders, vessels

### Exploitation:

- Offering premises for exploitation, warning criminals of raids
- Money laundering

### Responses

- Blocking investigations and prosecutions, intimidating victims and witnesses
- Making victim assistance conditional on the payment of bribes



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## Corrupt behaviour

- Active involvement
  - Violating duties
  - Accepting or transferring bribes
  - Facilitating transactions
- Passive involvement
  - Ignoring indicators that corruption is taking place



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## Research initiative on Corruption and Trafficking in Persons



Sharing Electronic Resources and Links On-Line

The SHERLQOC portal is an initiative to facilitate the dissemination of information regarding the implementation of the UN Convention against Transnational Organized Crime and its Protocols.



### Case Law Database

All comprehensive case law related to the activities of transnational organized crime are being researched across all five courts.



### Database of Legislation

All relevant legislation of States Parties to the Instruments of the Organized Crime Convention and the Protocols thereto is included in the database. The database has been created in Spanish and is available in several languages. For more information, click here.



### CNA Directory

Directory of competent national authorities that have been designated to receive, request and process case law referrals to national focal points in institutions and experts of advisory groups, including if migrants and trafficking victims.



### Bibliographic Database

All documents being widely available in terms of being widely available through the country's information systems and networks. The database is open to researchers and experts in the field, research and policy analysis.

### Newsletter

Want to get the latest updates in your email? Sub to our newsletter and we will keep you in the loop!

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## Studying the links between corruption and trafficking through case law

SHERLQOC

UNODC

NEW RELEASES SEARCH

Case Law Database  
 Database of Legislation  
 CNA Directory  
 Bibliographic Database  
 Trafficking in Persons

HZ110110-00

EN Serbia

UNODC/M/SAR/2013

Court  
Supreme Court of Serbia

TRAFIC

Topic in which a legislative instrument is being reviewed

Purpose of instrument  
to regulate the activities of transnational organized crime

Form of trafficking  
trafficking in persons

TRAFIC

Unions

for  
exploited workers

UNODC

Article  
NGO ASBIA - Anti Trafficking sector  
Belgrade, Serbia

Act  
On the Prohibition of Trafficking in Persons  
Belgrade, Serbia

State  
Serbia  
Belgrade, Serbia

UNODC

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## Combatting corruption and trafficking together

- **Data collection**
  - Identification of vulnerable sectors
  - Investigations and prosecutions of cases
  - Victims, service providers and perpetrators



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## Combatting corruption and trafficking together

- **Legal Framework**
  - Trafficking in persons as a predicate offence for money laundering
  - Codes of conduct for public officials with disciplinary and judicial responses
  - Improvement of protection of victims who report corruption



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## Combatting corruption and trafficking together

- **Strategic Framework**
  - Developing joint strategies
  - Cooperation between actors



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**Thank you!**

**[WWW.UNODC.ORG/GLOTIP](http://WWW.UNODC.ORG/GLOTIP)**



**Asia-Pacific  
Economic Cooperation**

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2015/SOM3/ACT/DIA/016

## **Corruption Related to Trafficking in Persons**

Submitted by: United States

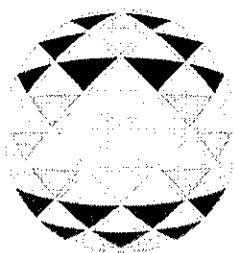


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PHILIPPINES  
2 0 1 5

**APEC Pathfinder Dialogue II on Strengthening the  
Fight Against Corruption and Illicit Trade  
Cebu, Philippines  
26 August 2015**

## Homeland Security Investigations (HSI)

### Corruption Related to Trafficking in Persons



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2 0 1 5



Homeland  
Security  
Investigations



## Homeland Security Investigations (HSI)

### HSI Overview

In 2003, U.S. Customs and U.S. Immigration and Naturalization Service were merged into U.S. Immigration and Customs Enforcement (ICE). In 2010, HSI was formed within ICE from elements of ICE's previous Offices of Investigations, Intelligence and International Affairs.

HSI is the primary investigative arm of the Department of Homeland Security and is a vital U.S. asset in combating criminal organizations illegally exploiting America's travel, trade, financial and immigration systems.

HSI's workforce includes special agents, analysts, auditors and support staff. Its men and women are assigned to cities throughout the United States and to offices around the world.

HSI has broad legal authority to enforce a diverse array of federal statutes. It uses this authority to investigate all types of cross-border criminal activity.



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## Homeland Security Investigations (HSI)

### Office of Professional Responsibility

Maintain and enhance a culture of integrity through a multi-layered approach involving:

- Background Investigations
- Pre-employment and Periodic
- Inspections
- Internal Investigations
- Education

Responsible for investigating criminal and administrative allegations involving more than 120,000 employees and contractors of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection.



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## Homeland Security Investigations (HSI)

### Human Smuggling Vs. Human Trafficking

Human smuggling is the importation of people into a country via the deliberate evasion of immigration laws. This includes bringing illegal aliens into a country, as well as the unlawful transportation and harboring of aliens already in a country illegally.

Human trafficking is the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery; or sex trafficking in which a commercial sex act is induced by force, fraud or coercion, or in which the person induced to perform such act has not attained 18 years of age.



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### Current State of TIP-related Corruption

TIP-related corruption is not currently being identified.

Smuggling and other corruption-related cases are being recognized.

Belief that some of the human smuggling corruption cases are linked to TIP; however, no direct link/knowledge of employee.

TIP investigations not actively seeking to uncover evidence of corruption, but mechanisms available to report.



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## Homeland Security Investigations (HSI)

### Challenges

No significant obstacles to address TIP-related corruption in U.S.

Other parts of the world may have obstacles:

- Cultural acceptance of corruption
- Economic challenge
- Low salaries/income

Must be able to establish a culture of integrity:

- If it doesn't exist, develop it
- If it does, enhance it



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## Homeland Security Investigations (HSI)

### Responses to Corruption

Strong supervision.

Adopting and enforcing zero-tolerance of corruption policy.

Adopting high ethical standards and codes of conduct.

Multiple accountability structures.

Reviewing salary structure.

Identify functions, processes or systems that may be vulnerable.



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## Homeland Security Investigations (HSI)

### Responses to Corruption - continued

Implement good human resources management policies and practices.

Providing adequate resources for prevention, detection, investigation and prosecution.

- Vigorously pursue

Publicize successful corruption investigations.

- Increase in the public's trust
- Increased awareness in workforce that corruption is not tolerated
- Increased reporting of corruption



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## Homeland Security Investigations (HSI)

### International Trainings

#### International Law Enforcement Academy Trainings:

- Bangkok
- Botswana
- Budapest
- El Salvador

#### Trafficking in Persons Training:

- Bangkok
- Peru
- Ecuador
- Haiti (November 2015)

#### Office of Professional Responsibility Training:

- Manila
- Mexico
- Moldova
- Nigeria



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## Homeland Security Investigations (HSI)

### Case Studies

#### Villareal Brothers:

- Two Border Patrol Agent brothers led a smuggling organization, and used their positions to facilitate the smuggling of more than 1,000 aliens into the U.S. from Mexico.
- Both fled to Mexico and were subsequently apprehended and extradited to the U.S.
- Both were indicted in federal court for alien smuggling, money laundering, and witness tampering.
- Sentenced to 35 and 30 years, respectively, and fined \$250,000.00.

#### Guerrero:

- U.S. Customs and Border Protection Officer (CBPO) was facilitating the smuggling of aliens and narcotics into the U.S. from Mexico.
- OPR's investigation revealed the CBPO allowed 13 aliens, 9 pounds of cocaine and 372 pounds of marijuana into the U.S. through the port of entry.
- CBPO and 4 civilian co-conspirators were indicted in federal court for bribery, conspiracy and alien smuggling.
- CBPO was sentenced to 9 years.



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## Homeland Security Investigations (HSI)

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