

Transnational Crime

Commitment:

We are deepening these efforts at home and abroad, with the aim of reducing substantially global trade in pirated and counterfeit goods, and efficiently combating the transnational networks that support it. In particular, we will take further concrete steps to:

“Improve co-ordination of anti-counterfeiting and anti-piracy crime strategies, and ensure closer co-operation among enforcement officials, including through shared risk analysis, exchange of best practice, enhanced existing cooperation at international borders, and between governments and the private sector;”

*-Reducing IPR Piracy and Counterfeiting Through More Effective Enforcement*⁹²⁷

Background:

At Gleneagles, G8 members emphasized the growing problem of pirated and counterfeit goods, particularly its link to the financing of organized crime. G8 states committed to “reducing IPR piracy and counterfeiting through more effective enforcement.”⁹²⁸ As part of the commitment it was understood that increased trade in pirated and counterfeit goods “threatens employment, innovation, economic growth, and health and safety of consumers in all parts of the world.”⁹²⁹ Accepting that piracy and counterfeiting are global problems, the G8 emphasized the importance of working together and with international organizations such as “the World Intellectual Property Organization, World Trade Organization, World Customs Organization, Interpol and other relevant organizations to combat piracy and counterfeiting more effectively.”⁹³⁰ Further, G8 members reiterated the need for cooperation between states to solve the problem of transnational crime as well as to provide a basis for education about the possible consequences of not fighting piracy and counterfeiting.⁹³¹

⁹²⁷ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit (Gleneagles), 8 July, 2005. Accessed: 15 January 2006. www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁹²⁸ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit (Gleneagles), 8 July, 2005. Accessed: 15 January 2006. www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁹²⁹ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit (Gleneagles), 8 July, 2005. Accessed: 15 January 2006. www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁹³⁰ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit (Gleneagles), 8 July, 2005. Accessed: 15 January 2006. www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁹³¹ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit (Gleneagles), 8 July, 2005. Accessed: 15 January 2006. www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

Assessment:

	Lack of Compliance -1	Work in Progress 0	Full Compliance +1
Canada			+1
France			+1
Germany			+1
Italy			+1
Japan			+1
Russia			+1
United Kingdom			+1
United States			+1
European Union			+1
Overall			1.00

Individual Country Compliance Breakdown:

1. Canada: +1

Canada fully complied with Gleneagles' commitment to combat the trade in counterfeit and pirated goods by reiterating its support of anti-counterfeiting measures and taking international action to reduce intellectual property (IP) crime.

On 15 and 16 November 2005, Canada participated in the Seventeenth APEC Ministerial Meeting in Busan, Republic of Korea.⁹³² The meeting's joint statement reiterated support for APEC's Anti-Counterfeiting and Piracy Initiative, adopted at the June 2005 APEC trade ministers meeting, and called on members "to take further steps that build on the APEC Anti-Counterfeiting and Piracy Initiative...in consultation with the private sector so as to reduce trade in counterfeit and pirated goods, curtail online piracy, and increase cooperation and capacity building in this area."⁹³³

Canada also took steps to reduce IP crime through international action. Since Gleneagles, federal law enforcement officials participated in a number of significant bilateral anti-counterfeiting operations, including the 'Royal Charm' and 'Smoking Dragon' efforts, which "represented a coordinated effort between federal, state and local law enforcement officials in the United States with the cooperation of the Royal Canadian Mounted Police."⁹³⁴

At the same time, it should be noted that Canada's efforts have been criticized for not going far enough. Among others, the International Anti-Counterfeiting Coalition, an international private sector coalition representing the interests of companies concerned with product counterfeiting and copyright piracy, has criticized Ottawa for "inadequate coordination among enforcement bodies, poor cooperation among the authorities and industry in most regions, and gaps in relevant legislation", all of which pose serious obstacles to "effective and deterrent enforcement in

⁹³² 2005 17th APEC Ministerial Meeting, APEC (Busan), 16 November, 2005. Date accessed: 15 January 2006. www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁹³³ 2005 17th APEC Ministerial Meeting, APEC (Busan), 16 November, 2005. Date accessed: 15 January 2006. www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁹³⁴ United States, Canada Dismantle Smuggling Organization, State Department (Washington), 23 August 2005. Date of Access Dec 16th, 2005 usinfo.state.gov/wh/Archive/2005/Aug/23-811048.html.

Canada.”⁹³⁵ Nevertheless, Canada’s participation in international IP enforcement measures and vocal support for existing international anti-counterfeiting schemes means that Canada complied fully with Gleneagles’ transnational crime commitment.

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2. France: +1

France fully complied with its Gleneagles transnational crime commitment through domestic efforts and participation in international meetings. In April 2006, the French national Anti-Counterfeiting Committee (NAC), in collaboration with various government agencies, launched a national publicity campaign to crackdown on counterfeiting activity in France. The campaign focuses on consumer awareness of the costs and risks related to buying counterfeit products.⁹³⁶

While no formal statements by the government of France on the issue were found, Paris hosted and attended a number of conferences that dealt with issues surrounding transnational crime: the Global Congress on Counterfeiting in Lyon on 14 November 2005⁹³⁷; a European Anti-Fraud Office (OLAF) seminar entitled “Fostering mutual trust between journalists and anti-fraud services in Europe”⁹³⁸, and the first⁹³⁹ and second⁹⁴⁰ sessions of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in September 2005 and October 2005, respectively.

The French government also hosted several gatherings of specialized agencies aimed at enhancing cooperation and coordination between countries and international organizations in their fight against counterfeiting and piracy. It facilitated a gathering of EU customs agencies from 7 to 9 December 2005, the goal of which was to create a single, common way to codify merchandise.⁹⁴¹ Further, the Banque de France’s Institute Bancaire et Financier International

⁹³⁵ Submission of the International AntiCounterfeiting Coalition to the U.S. Trade Representative, IACC (Washington, DC), 10 February 2006. Accessed: 10 June 2006. www.nema.org/gov/anti-counterfeiting/upload/301-2006.pdf.

⁹³⁶ News from France 2006, French Embassy in the United States (Washington, DC), 3 May 2006. Date of Access: 10 June 2006. www.ambafrance-us.org/publi/nff/NFF0605.pdf.

⁹³⁷ Global Congress on Counterfeiting opens Monday in Lyon, Interpol (Lyon), 14 November 2005. Accessed: 20 December 2005. www.interpol.int/Public/news/2005/counterfeiting20051110.asp.

⁹³⁸ Fostering mutual trust between journalists and anti-fraud services in Europe, European Commission (Brussels), 15 November 2005. Accessed: 5 January 2006. europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/16&format=HTML&aged=0&language=EN&guiLanguage=en.

⁹³⁹ Conference of the Parties to the United Nations Convention against Transnational Organized Crime, United Nations Office on Drugs and Crime (Vienna), 9 September 2005. Accessed: 5 January 2006. www.unodc.org/pdf/ctoccop_2005/V0587889e.pdf.

⁹⁴⁰ Conference of the Parties to the United Nations Convention against Transnational Organized Crime, UN Office on Drugs and Crime (Vienna), 3 October 2005. Accessed: 5 January 2006. www.unodc.org/pdf/ctoccop_2005/untoc_2005_introduction.pdf.

⁹⁴¹ Les douanes de l’Union européenne se réunissent à Tourcoing pour discuter du classement des marchandises, Direction générale des douanes et droits indirects (Paris), 6 December 2005. Accessed: 5 January 2006. www.douane.gouv.fr/pdf/actualite/tarif.pdf.

held a seminar in Paris that invited “representatives of more than 30 central banks throughout the world ... to discuss counterfeit currency concerns.”⁹⁴²

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3. Germany: +1

Germany demonstrated compliance with its Gleneagles commitment by attending and organizing several meetings that discuss intellectual property (IP) piracy and counterfeiting. Germany, as a member of European Union (EU), was part of the creation of legislation against money laundering.⁹⁴³ At the International Monetary and Financial Committee of the International Monetary Fund, Joaquin Almunia, European Commissioner for Economic and Monetary Affairs, emphasized the European Council’s “3rd Money Laundering Directive and the Regulation on payer’s information accompanying funds’ transfers.”⁹⁴⁴

Germany hosted the 74th session of the Interpol General Assembly, in Berlin from 19 to 22 September 2005, and the government of Germany adopted resolution 12 entitled “Information on Money Laundering.”⁹⁴⁵ The resolution emphasized the importance of establishing a unit that would be responsible for investigating economic crimes and processing the information via Interpol channels.⁹⁴⁶ Interpol had a follow-up meeting on 12 March 2006 to review currency counterfeiting.⁹⁴⁷ Germany also joined its G8 European Partners at the 4th ASEAN-European Meeting to discuss organized transnational crime from December 5th to 7th, 2005.⁹⁴⁸

In addition, the EU was represented at the Second Global Congress on Combating Counterfeiting and Piracy, which was held on 14 and 15 November 2005, where it adopted the Lyon Declaration.⁹⁴⁹ The declaration reiterated the commitment made at the Gleneagles summit on reducing IP piracy and counterfeiting.⁹⁵⁰ The declaration clearly states that the participants “agreed that the promotion and protection of Intellectual Property is a key element of economic

⁹⁴² Interpol's participation in meetings to address currency counterfeiting, Interpol (Paris), 10 November 2005. Accessed: 20 December 2005. www.interpol.int/Public/FinancialCrime/CounterfeitCurrency/recentEvents.asp.

⁹⁴³ International Monetary and Financial Committee, International Monetary Fund (Washington), 24 September 2005. Accessed: 3 January 2006. www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf.

⁹⁴⁴ International Monetary and Financial Committee, International Monetary Fund (Washington), 24 September 2005. Accessed: 3 January 2006. www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf.

⁹⁴⁵ Money Laundering Information, Interpol (Lyon), 22 September 2005. Accessed: 4 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁴⁶ Money Laundering Information, Interpol (Lyon), 22 September 2005. Accessed: 4 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁴⁷ European Conference to address regional policing issues, Interpol (Lyon), 12 May 2006. Accessed: 14 May 2006. www.interpol.int/Public/News/2006/Minsk20060512.asp.

⁹⁴⁸ ASEM, European Migration Chiefs to Discuss Organized Transnational Crime. Antara-Jakarta. 28 November 2005.

⁹⁴⁹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Lyon), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

⁹⁵⁰ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

development and agreed to enhance efforts to raise awareness and political will; improve cooperation and coordination among and between the public and private sectors; build national, regional and global capacity; and, promote more effective legislation and enforcement.”⁹⁵¹ Therefore the German government can be seen to have taken steps towards fulfilling its Gleneagles transnational crime commitment through its status as an EU Member State.

Germany is also working with the Council of Europe to set up a convention on counterfeiting medicine.⁹⁵² As a member of the OECD, Germany is contributing to improving the factual understanding and awareness of infringement of intellectual property via the OECD’s “Prospects on Counterfeiting and Privacy.”⁹⁵³

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4. Italy: +1

Italy fully complied with its commitment to reduce intellectual property (IP) piracy and counterfeiting. In late December 2005, Rome jointly organized, with the World Intellectual Property Organization, an international symposium on intellectual property and the competitiveness of small and medium sized enterprises.⁹⁵⁴ Among other things, the symposium discussed how to effectively use international IP enforcement tools in the fashion industry.

However, most of Rome’s actions were accomplished through the European Union (EU) and Interpol. Italy is a member of Interpol and Italy’s law enforcement organization, la Guardia di Finanza, is a main member of the Interpol Intellectual Property Crime Action Group (IIPCAG).⁹⁵⁵ Italy attended the Seventy-Fourth Session of the Interpol General Assembly, from 19 to 25 September 2005.⁹⁵⁶ There, it participated in the Interpol General Assembly meeting that adopted resolution 12 entitled “Information on Money Laundering.”⁹⁵⁷ Interpol members were encouraged to “Authorize Financial Intelligence Units or national agency responsible for

⁹⁵¹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

⁹⁵² Council of Europe launches action to combat counterfeit drugs, Council of Europe (Brussels), 15 September 2005. Accessed: 3 June 2006. www.coe.int/NewsSearch/Default.asp?p=nwz&id=7034&lmLangue=1.

⁹⁵³ OECD project on Counterfeiting and Piracy, OECD (Paris), Accessed: 3 June 2006. www.oecd.org/document/27/0,2340,en_2649_34173_35650907_1_1_1_1,00.html.

⁹⁵⁴ Italy and WIPO to host conference on intellectual property, WIPO (Geneva), 20 July 2005. Accessed: 10 June 2006. www.wipo.int/edocs/prdocs/en/2005/wipo_ma_2005_20.html.

⁹⁵⁵ Intellectual Property (IP) Crime, Interpol (Paris), 31 December 2005. Date of Access: 15 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Default.asp

⁹⁵⁶ Money Laundering Information, Interpol (Paris), 22 September 2005. Accessed: 15 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁵⁷ Money Laundering Information, Interpol (Paris), 22 September 2005. Accessed: 15 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

investigating economic crimes to process information on significant cases via Interpol channels.”⁹⁵⁸ The resolution was agreed to by all other G8 members.⁹⁵⁹

In September 2005, the European Commission adopted the “3rd Money Laundering Directive and the Regulation on payer’s information accompanying funds’ transfers.”⁹⁶⁰ Italy, as a member of the European Commission, was an integral part of this decision. In addition, the EU was represented at the Second Global Congress on Combating Counterfeiting and Piracy, held on 14 and 15 November 2005. There, it joined governments and other international organizations in adopting the Lyon Declaration. The declaration reiterated the commitment made at the Gleneagles summit to reducing IP piracy and counterfeiting.⁹⁶¹ The declaration clearly states that the participants “agreed that the promotion and protection of Intellectual Property is a key element of economic development and agreed to enhance efforts to: raise awareness and political will; improve cooperation and coordination among and between the public and private sectors; build national, regional and global capacity; and, promote more effective legislation and enforcement.”⁹⁶²

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5. Japan: +1

Japan fully complied with Gleneagles’ commitment to improve anti-counterfeiting and piracy measures. In late March 2006, Tokyo’s Ministry of Economy, Trade, and Industry announced a new joint initiative with the U.S. Department of Commerce on intellectual property rights (IPR) protection and enforcement. Among other things, the initiative committed the two states to enhance information exchange on IPR enforcement and protection, share information on IPR actions taken with third countries, and to explore possibilities for cooperation with companies and industry associations in both countries.⁹⁶³

In mid-November 2005, at the Second Global Congress on Combating Counterfeiting and Piracy, Tokyo presented a proposal outlining a proposed treaty on the non-proliferation of counterfeited and pirated goods and the measures necessary to ensure such a treaty’s success.⁹⁶⁴

⁹⁵⁸ Money Laundering Information, Interpol (Paris), 22 September 2005. Accessed: 15 January 2006.

www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁵⁹ Money Laundering Information, Interpol (Paris), 22 September 2005. Accessed: 15 January 2006.

www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁶⁰ International Monetary and Financial Committee, International Monetary Fund (Washington), 24 September 2005. Accessed: 15 January 2006. www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf.

⁹⁶¹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005.

Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

⁹⁶² Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005.

Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

⁹⁶³ A joint D.O.C.-METI initiative for enhanced U.S.-Japan cooperation, METI (Tokyo), 30 March 2006. Accessed: 10 June 2006. www.meti.go.jp/english/information/downloadfiles/060330IPRjointini_US.pdf.

⁹⁶⁴ Japan’s Strategy to Combat Counterfeiting and Piracy, Interpol (Paris), 14 November 2005. Accessed: 2 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/HisamitsuAraiSpeech.pdf.

In addition, Japan showed considerable determination to enhance its partnership with the Association of Southeast Asian Nations (ASEAN) in the area of IP crime. In mid-November 2006, Japan participated in the Seventeenth APEC Ministerial Meeting in Busan, Republic of Korea. The meeting's joint statement reiterated support for APEC's Anti-Counterfeiting and Piracy Initiative, adopted at the June 2005 APEC trade ministers meeting, and called on members "to take further steps that build on the APEC Anti-Counterfeiting and Piracy Initiative...in consultation with the private sector so as to reduce trade in counterfeit and pirated goods, curtail online piracy, and increase cooperation and capacity building in this area."⁹⁶⁵

Further, in mid-December 2005 at the Ninth ASEAN-Japan Summit, an agreement to "intensify bilateral as well as multilateral cooperation between ASEAN and Japan to eradicate the threat posed by transnational crimes, piracy, human trafficking and drugs" was concluded.⁹⁶⁶ Japan committed to sharing its knowledge and resources in combating transnational crime with ASEAN, a positive initiative to reduce illicit global trade.⁹⁶⁷ On 7 October 2005, Malaysian ambassador to the UN Hamidon Ali, on behalf of ASEAN, noted that Japan has worked with ASEAN to "promote cooperation in combating transnational crime, both at the ministerial and senior official levels."⁹⁶⁸

It should also be noted that the Japanese government has not yet ratified the UN Convention on Transnational Crime.⁹⁶⁹

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6. Russia: +1

The government of the Russian Federation demonstrated compliance with its Gleneagles commitment on co-operation tackling intellectual property (IP) piracy and counterfeiting. Russia has participated in international conferences that dealt with the anti-piracy and anti-counterfeiting strategies. At the APEC meeting on 15 and 16 November 2005, the Russian government supported the adoption of the APEC Anti-Counterfeiting and Piracy Initiative adopted in June 2005 during the meeting of APEC Ministers Responsible for Trade.⁹⁷⁰ Furthermore, the Russian Federation along with other G8 members were cited for their progress

⁹⁶⁵ 2005 17th APEC Ministerial Meeting, APEC (Busan), 16 November, 2005. Date accessed: 15 January 2006. www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

Joint Statement of the Ninth ASEAN-Japan Summit, Office of the Prime Minister of Japan (Tokyo), 13 December 2005. Accessed: 2 January 2006. www.kantei.go.jp/foreign/koizumispeech/2005/12/13seimei_e.html.

⁹⁶⁷ Joint Communiqué of the Second ASEAN Plus Three Ministerial Meeting on Transnational Crime (AMMTC+3), Association of Southeast Asian Nations (Jakarta), 30 November 2005. Accessed: 2 January 2005. www.aseansec.org/17940.htm.

⁹⁶⁸ Address by H. E. Ambassador Hamidon Ali on behalf of ASEAN at the United Nations, United Nations (New York), 7 October 2005. Accessed: 26 December 2005. www.un.int/malaysia/GA/60thGA/6020.PDF.

⁹⁶⁹ United Nations Convention against Transnational Organized Crime, UN Office on Drugs and Crime (Vienna). Accessed: 3 January 2006. www.unodc.org/unodc/en/crime_cicp_signatures_convention.html.

⁹⁷⁰ The Seventeenth APEC Ministerial Meeting, Asia-Pacific Economic Cooperation (Busan), 15-16 November 2005. Accessed: 3 January 2006. www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

in establishing Intellectual Property Rights Service Centres to improve international coordination in the area of IP crime.⁹⁷¹

The Russian Federation also took part in the “Comprehensive Programme of Action to Promote Cooperation between the Association of Southeast Asian Nations and the Russian Federation 2005-2015.”⁹⁷² The heads of state of the Southeast Asian Nations (or ASEAN), including Russian president Vladimir Putin, signed the Joint Declaration on Progressive and Comprehensive Partnership on 13 December 2005 in Kuala Lumpur, Malaysia.⁹⁷³ As part of its mandate, the program seeks to “enhance cooperation in combating money laundering.”⁹⁷⁴

At the Seventy-Fourth Session of the Interpol General Assembly, the Russian Federation was among those states and international organizations that adopted resolution 12 entitled “Information on Money Laundering.”⁹⁷⁵ It encouraged each government to authorize Financial Intelligence Units that would integrate various national networks. This action was taken in co-operation with all the other members of the G8.⁹⁷⁶

In addition, the Russian Federation was represented at the Second Global Congress on Combating Counterfeiting and Piracy, which was held on 14 and 15 November 2005. There, it joined governments and other international organizations in adopting the Lyon Declaration.⁹⁷⁷

The Russian Federation has also taken important steps to address counterfeiting and piracy crime at home. Moscow's regional Economic Crime Police has been busy mounting raids and spot checks on illegal DVD plants. High level officials have been publicly discussing the issue and the importance of addressing it. First Deputy Prime Minister Dmitri Medvedev has been active in implementing copyright laws and chairing special commissions on the subject.⁹⁷⁸ In 3 February 2006, Russian President Putin stated that “protection of intellectual property remains an acute problem. Experts reckon that almost 70 per cent of video goods and almost 90 per cent of

⁹⁷¹ The Seventeenth APEC Ministerial Meeting, Asia-Pacific Economic Cooperation (Busan), 15-16 November 2005. Accessed: 3 January 2006.

www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁹⁷² Comprehensive Programme of Action to Promote Cooperation between the Association of Southeast Asian Nations and the Russian Federation 2005-2015, Association of Southeast Asian Nations (Jakarta), 3 January 2006. Accessed: 3 January 2006. www.aseansec.org/18073.htm.

⁹⁷³ Comprehensive Programme of Action to Promote Cooperation between the Association of Southeast Asian Nations and the Russian Federation 2005-2015, Association of Southeast Asian Nations (Jakarta), 3 January 2006. Accessed: 3 January 2006. www.aseansec.org/18073.htm.

⁹⁷⁴ Comprehensive Programme of Action to Promote Cooperation between the Association of Southeast Asian Nations and the Russian Federation 2005-2015, Association of Southeast Asian Nations (Jakarta), 3 January 2006. Accessed: 3 January 2006. www.aseansec.org/18073.htm.

⁹⁷⁵ Money Laundering Information, Interpol (Lyon), 22 September 2005. Accessed: 4 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁷⁶ Money Laundering Information, Interpol (Lyon), 22 September 2005. Accessed: 4 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁷⁷ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Lyon), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

⁹⁷⁸ Russian deputy premier says anti-piracy measures live up to WTO standards, BBC Monitoring Former Soviet Union, BBC (London), 9 March 2006.

software on the Russian market are pirated. Almost all the programs are pirated.”⁹⁷⁹ He also drew attention to the impact of counterfeiting medicines and housing construction frauds on Russia’s economy.⁹⁸⁰ He stated that the counterfeiting problem was “discrediting Russia as a reliable business partner.”⁹⁸¹ He vowed to close legal loopholes and empower prosecutors to act accordingly. Recently, Russia also tabled legislation to change regulations related to scientific and technical results, trademarks, service marks, name or origin law, IPR and neighboring rights law, and regulation of rules of selling certain goods.⁹⁸² Russia is also prepared to tackle piracy at sea and prevent trafficking of illegal goods in Russian territorial waterways.⁹⁸³

Russia needs to work with its international partners to reduce illegal global trade. By implementing and standardizing national copyright legislation, Russia is one step closer to meeting the international standards necessary to become a member of the World Trade Organization.⁹⁸⁴

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7. United Kingdom: +1

The government of the United Kingdom demonstrated an adequate commitment to improving “co-ordination of anti-counterfeiting and anti-piracy crime strategies, and ensure closer co-operation among enforcement officials,”⁹⁸⁵ and has, therefore, fully complied with the Gleneagles pledge on co-operation tackling intellectual property (IP) piracy and counterfeiting.

Through the European Commission, the government of Britain was involved in the creation of legislation against money laundering. One of them is the September 2005 “3rd Money Laundering Directive and the Regulation on payer’s information accompanying funds.”⁹⁸⁶ These actions were made in co-operation with France, Germany, and Italy.⁹⁸⁷

⁹⁷⁹ Putin demands action over video, software piracy, BBC Monitoring Former Soviet Union, BBC (London), 3 February 2006.

⁹⁸⁰ Putin demands action over video, software piracy, BBC Monitoring Former Soviet Union, BBC (London), 3 February 2006.

⁹⁸¹ Putin demands action over video, software piracy, BBC Monitoring Former Soviet Union, BBC (London), 3 February 2006.

⁹⁸² Key Measures for Protecting Intellectual Property (IP), Russian Federation Informational and Analytical Centre, 27 March 2006. Accessed: 1 July 2006.

www.economy.gov.ru/UnidocFileServlet/FileServlet?unidoc_id=1143652175359&template_id=4

⁹⁸³ Russia to fight piracy at sea in line with international treaties, BBC Monitoring Former Soviet Union, BBC (London), 20 January 2006.

⁹⁸⁴ Russia, U.S. May agree on WTO entry Before G8 Summit — Ambassador, Daily News Bulletin (Moscow), 18 April 2006.

⁹⁸⁵ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit (Gleneagles), 8 July, 2005. Accessed: 15 January 2006. www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁹⁸⁶ International Monetary and Financial Committee, International Monetary Fund (Washington), 24 September 2005. Accessed: 3 January 2006. www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf.

⁹⁸⁷ International Monetary and Financial Committee, International Monetary Fund (Washington), 24 September 2005. Accessed: 3 January 2006. www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf.

British officials also attended the Seventy-Fourth Session of the Interpol General Assembly, held from 19 to 25 September 2005.⁹⁸⁸ There, they participated in the Interpol General Assembly meeting that adopted resolution 12 entitled “Information on Money Laundering.”⁹⁸⁹ Interpol members were encouraged to “Authorize Financial Intelligence Units or a national agency responsible for investigating economic crimes to process information on significant cases via Interpol channels.”⁹⁹⁰ This resolution was agreed to by all G8 members.⁹⁹¹

In addition, the EU was represented at the Second Global Congress on Combating Counterfeiting and Piracy, which was held on 14 and 15 November 2005. There, it joined governments and other international organizations in adopting the Lyon Declaration.⁹⁹² The declaration reiterated the commitment made at the Gleneagles summit on reducing IP piracy and counterfeiting.⁹⁹³ The declaration states that the participants “agreed that the promotion and protection of Intellectual Property is a key element of economic development and agreed to enhance efforts to: raise awareness and political will; improve cooperation and coordination among and between the public and private sectors; build national, regional and global capacity; and, promote more effective legislation and enforcement.”⁹⁹⁴

Moreover, on 1 April 2006, the UK Government created the Serious Organized Crime Agency (SOCA). SOCA’s mandate includes collaborating with partners in the UK and internationally to maximize efforts to reduce harm, and to provide a level of support to SOCA’s operational partners.⁹⁹⁵ These international efforts are to include agreements with partners on “comprehensive control strategies to address the range of organised crime threats”, and the “provision of information and advice to the private sector and others to enhance preventative measures and encourage target hardening.”⁹⁹⁶ SOCA, which brings together 4000 people from

⁹⁸⁸ Money Laundering Information, Interpol (Paris), 22 September 2005. Accessed: 15 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁸⁹ Money Laundering Information, Interpol (Paris), 22 September 2005. Accessed: 15 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁹⁰ Money Laundering Information, Interpol (Paris), 22 September 2005. Accessed: 15 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁹¹ Money Laundering Information, Interpol (Paris), 22 September 2005. Accessed: 15 January 2006. www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp.

⁹⁹² Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

⁹⁹³ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

⁹⁹⁴ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

⁹⁹⁵ SOCA’s Aims, Serious Organized Crime Agency (London), 1 April 2006. Accessed: 5 June 2006. www.soca.gov.uk/aboutUs/aims.html.

⁹⁹⁶ SOCA Annual Plan 2006/07, Serious Organized Crime Agency (London), 1 April 2006. Accessed: 5 June 2006. www.soca.gov.uk/aboutUs/aims.html.

various UK enforcement agencies, has also attracted attention from enforcement agencies from other countries, which view the new agency as a model fighting organized crime.⁹⁹⁷

Analysts: Anastasia Litchak and Aaron Rath

8. United States: +1

Due to its new domestic initiatives, and its bilateral and multilateral efforts to collaboratively combat intellectual property crime, the US is fully compliant with its Gleneagles commitment. Following the appointment by President Bush in July 2005 of Chris Israel to the post of International Intellectual Property Coordinator at the US Department of Commerce, the US increased its efforts to “improve co-ordination of anti-counterfeiting and anti-piracy crime strategies”⁹⁹⁸ at both the domestic and international levels. These include the “appointment of Intellectual Property Rights (IPR) Experts in key overseas countries including Brazil, China, India and Russia, a new Small Business Outreach program to educate U.S. small businesses on how to protect their intellectual property rights, and a Global Intellectual Property Academy that will provide training programs for foreign government officials on global IPR issues.”⁹⁹⁹

One example of American efforts to engage in the exchange of information and closer cooperation among enforcement officials is the joint US-Chinese enforcement operation: Operation Ocean Crossing. This initiative disrupted an organization “engaged in the large-scale trafficking of counterfeit pharmaceuticals,” resulting in “numerous arrests in China and the United States and the capture of hundreds of thousands of fake pharmaceuticals.”¹⁰⁰⁰ This collaboration included a trip by U.S. Attorney General Alberto Gonzales to China the week of 13 November 2005 to coordinate efforts with the Chinese government “to seek new effective ways of cooperation and coordination among the two countries’ law enforcement agencies on intellectual property crimes.”¹⁰⁰¹ Under-Secretary of State for Economic, Business and Cultural Affairs Josette Shiner, when referring to the G8 program to combat piracy and counterfeit, also noted: “We are debating which mechanism would be the best and what agencies to involve.”¹⁰⁰²

⁹⁹⁷ RCMP Studying British 'Super Crime Agency, CBC News (Toronto), 12 April 2006. Accessed: 6 June 2006. www.cbc.ca/story/canada/national/2006/04/12/rcmp-soca060412.html?ref=rss

⁹⁹⁸ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit (Gleneagles), 8 July, 2005. Accessed: 15 January 2006. www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁹⁹⁹ Commerce Secretary Carlos Gutierrez Unveils Initiatives To Fight Intellectual Property Theft, US Department of Commerce, Washington, 21 September 2005. Accessed: 8 June 2006. www.commerce.gov/opa/press/Secretary_Gutierrez/2005_Releases/September/09-21-05%20IPR%20initiatives.htm

¹⁰⁰⁰ Testimony of Chris Israel Coordinator for International Intellectual Property Enforcement Before the Senate Commerce, Science and Transportation’s Subcommittee on Trade, Tourism and Economic Development: “Piracy and Counterfeiting in China,” Senate of the United States (Washington), 8 March 2006. Accessed: 7 June 2006. www.ogc.doc.gov/ogc/legreg/testimon/109s/israel0308.htm

¹⁰⁰¹ United States Seeks Tougher, Updated Intellectual Property Laws, United States Diplomatic Mission to Italy (Rome), 10 November 2005. Accessed: 15 January 2006. italy.usembassy.gov/viewer/article.asp?article=/file2005_11/alia/a5111013.htm.

¹⁰⁰² United States Seeks Tougher, Updated Intellectual Property Laws, United States Diplomatic Mission to Italy (Rome), 10 November 2005. Accessed: 15 January 2006. italy.usembassy.gov/viewer/article.asp?article=/file2005_11/alia/a5111013.htm.

Additionally, US president George W. Bush and Brazilian president Luiz Inácio Lula da Silva announced on 6 November 2005 an agreement to “strengthen bilateral cooperation to combat the narcotics trade, trafficking in wildlife, terrorism, and money laundering, with an emphasis on information sharing between the two countries' financial intelligence units.”¹⁰⁰³

The United States government also showed a desire to develop its partnership with the Association of Southeast Asian Nations (ASEAN) to strengthen maritime and border security, helping to reduce illicit trade.¹⁰⁰⁴ In a 17 November 2005 joint statement,¹⁰⁰⁵ ASEAN and the US indicated that the United States has an interest in expanding on the ASEAN-United States Joint Declaration for Cooperation to Combat International Terrorism, signed in 2002.¹⁰⁰⁶ Furthermore, the United States participated at the Seventeenth Asia-Pacific Economic Corporation (APEC) Ministerial Meeting held in November, in which issues of anti-corruption and transparency were discussed.¹⁰⁰⁷ Further, the United States ratified the United Nations Convention on Transnational Crime on 3 November 2005.¹⁰⁰⁸ In support of the Convention, the United States provided US\$816,500 to the UN Crime Prevention and Criminal Justice Fund.¹⁰⁰⁹

In addition, the United States government sent a delegation to the Second Global Congress on Combating Counterfeiting and Piracy, which was held on 14 and 15 November 2005. There, it joined governments and other international organizations in adopting the Lyon Declaration.¹⁰¹⁰ The declaration reiterated the commitment made at the Gleneagles summit on reducing IP piracy and counterfeiting.¹⁰¹¹ The declaration states that the participants “agreed that the promotion and protection of Intellectual Property is a key element of economic development and agreed to enhance efforts to: raise awareness and political will; improve cooperation and coordination

¹⁰⁰³ Joint Statement on the Occasion of the Visit by President George W. Bush to Brazil, Office of the President of the United States (Washington), 5-6 November 2005. Accessed: 4 January 2006. www.whitehouse.gov/news/releases/2005/11/20051106-2.html.

¹⁰⁰⁴ Joint Vision Statement on the ASEAN-U.S. Enhanced Partnership, Office of the President of the United States (Washington), 17 November 2005. Accessed: 4 January 2006. www.whitehouse.gov/news/releases/2005/11/20051117-4.html.

¹⁰⁰⁵ Joint Vision Statement on the ASEAN-U.S. Enhanced Partnership, Office of the President of the United States (Washington), 17 November 2005. Accessed: 4 January 2006. www.whitehouse.gov/news/releases/2005/11/20051117-4.html.

¹⁰⁰⁶ Joint Vision Statement on the ASEAN-U.S. Enhanced Partnership, Office of the President of the United States (Washington), 17 November 2005. Accessed: 4 January 2006. www.whitehouse.gov/news/releases/2005/11/20051117-4.html.

¹⁰⁰⁷ 2005 17th APEC Ministerial Meeting, APEC (Busan), 16 November, 2005. Date accessed: 15 January 2006. www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

¹⁰⁰⁸ United Nations Convention against Transnational Organized Crime, UN Office on Drugs and Crime (Vienna). Accessed: 3 January 2006. www.unodc.org/unodc/en/crime_cicp_signatures_convention.html.

¹⁰⁰⁹ Conference of the Parties to the United Nations Convention Against Transnational Organized Crime, United Nations (Vienna), 10-21 October 2005. Accessed: 6 January 2006. www.unodc.org/pdf/ctoccop_2005/V0587889e.pdf.

¹⁰¹⁰ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

¹⁰¹¹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

among and between the public and private sectors; build national, regional and global capacity; and, promote more effective legislation and enforcement.”¹⁰¹²

Analysts: Lilianne Vicente and Aaron Rath

9. European Union: +1

The European Union fully complied with its transnational crime commitment made at the Gleneagles Summit. The EU kept its promise of “closer cooperation among enforcement officials...and between governments and the private sector”¹⁰¹³. It has achieved this by making “the Europol Information System [...] available to authorised law enforcement staff in all 25 member States”¹⁰¹⁴. The system went online on 10 October 2005, less than a year after “[t]he decision of the final structure of the system [...] was made by the Europol Management Board in December 2004”¹⁰¹⁵.

The EU was also a leader at a European Anti-Fraud Office (OLAF) seminar on 15 November 2005 entitled “Building mutual trust between anti-fraud services and journalists.”¹⁰¹⁶ Both the European Commission’s Vice-President Siim Kallas, Commissioner in charge of anti-fraud policy, and his Head of Cabinet, Mr. Henrik Hololei, emphasized the importance of transparency for public institutions and reaffirmed Gleneagles’ transnational crime commitment.¹⁰¹⁷ Mr. Kallas stated that “My main message here today is the importance of cooperation and coordination...with other services within the Commission and [with] all Non-State Actors. We need to strengthen cooperation with Member States, beneficiary countries and international financial organisations... I would like to encourage this cooperation, especially when it comes to risk analysis and sector specific patterns [of intellectual property crime].”¹⁰¹⁸

¹⁰¹² Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

¹⁰¹³ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit (Gleneagles), 8 July, 2005. Accessed: 15 January 2006. www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

¹⁰¹⁴ Information System made available for all EU Member States, Europol (The Hague), 10 October 2005. Accessed: 20 December 2005. www.europol.eu.int/index.asp?page=news&news=pr051010.htm.

¹⁰¹⁵ Information System made available for all EU Member States, Europol (The Hague), 10 October 2005. Accessed: 20 December 2005. www.europol.eu.int/index.asp?page=news&news=pr051010.htm.

¹⁰¹⁶ Fostering mutual trust between journalists and anti-fraud services in Europe, European Commission (Brussels), 15 November 2005. Accessed: 5 January 2006. europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/16&format=HTML&aged=0&language=EN&guiLanguage=en.

¹⁰¹⁷ Fostering mutual trust between journalists and anti-fraud services in Europe, European Commission (Brussels), 15 November 2005. Accessed: 5 January 2006. europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/16&format=HTML&aged=0&language=EN&guiLanguage=en.

¹⁰¹⁸ Opening speech by Siim Kallas, Vice-president of the European Commission responsible for Administrative Affairs, Audit and Anti-Fraud at the OLAF Fraud and Aid conference, European Commission (Brussels), 6 October 2005. Accessed: 5 January 2006. europa.eu.int/rapid/pressReleasesAction.do?reference=SPEECH/05/579&format=HTML&aged=0&language=EN&guiLanguage=en.

Europol announced on 7 November 2005 that it had forged a significant cooperative link with the US Secret Service to combat transnational financial crime.¹⁰¹⁹ This was followed by a similar personal data sharing agreement announced on 24 November 2005 by Europol and the Royal Canadian Mounted Police.¹⁰²⁰ The EU also attended the OLAF Conference on Fraud and Aid Funds in Brussels on 7 October 2005.¹⁰²¹ European Commission Vice President Kallas, described the purpose of the conference as “[a]n exchange of experience and a further strengthening of international co-operation” on issues related to fraud.¹⁰²² In addition, the EU was represented at the Second Global Congress on Combating Counterfeiting and Piracy, held on 14 and 15 November 2005. There, it joined governments and other international organizations in adopting the Lyon Declaration.¹⁰²³ The declaration reiterated the Gleneagles commitment to combat IP piracy and counterfeiting.¹⁰²⁴ The declaration states that the participants “agreed that the promotion and protection of Intellectual Property is a key element of economic development and agreed to enhance efforts to: raise awareness and political will; improve cooperation and coordination among and between the public and private sectors; build national, regional and global capacity; and, promote more effective legislation and enforcement.”¹⁰²⁵

Analyst: Raluca David

¹⁰¹⁹ US Secret Service and Europol Partners in fighting organized crime, Europol (The Hague), 7 November 2005. Accessed: 20 December 2005. www.europol.eu.int/index.asp?page=news&news=pr051107.htm.

¹⁰²⁰ Royal Canadian Mounted Police as point of contact for Europol, Europol (The Hague), 24 November 2005. Accessed: 20 December 2005. www.europol.eu.int/index.asp?page=news&news=pr051124.htm.

¹⁰²¹ OLAF Conference on Fraud and Aid Funds, European Commission (Brussels), 7 October 2005. Accessed: 5 January 2006. europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/15&format=HTML&aged=0&language=EN&guiLanguage=en.

¹⁰²² OLAF Conference on Fraud and Aid Funds, European Commission (Brussels), 7 October 2005. Accessed: 5 January 2006. europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/15&format=HTML&aged=0&language=EN&guiLanguage=en.

¹⁰²³ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

¹⁰²⁴ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.

¹⁰²⁵ Second Global Congress on Combating Counterfeiting and Piracy, Interpol (Paris), 15 November 2005. Accessed: 16 January 2006. www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf.