

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;”⁸¹⁶

*- Reducing IPR Piracy and Counterfeiting Through More Effective Enforcement*⁸¹⁷

Background

The members of the G8 have emphasized the growing problem of pirated and counterfeit goods as linked to the funding of organized crime groups.⁸¹⁸ As such, one of the commitments made at the G8 Summit in Gleneagles, Scotland in July 2005 was “Reducing IPR Piracy and Counterfeiting through more Effective Enforcement.”⁸¹⁹ 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.”⁸²⁰ The members of the G8, having accepted that piracy and counterfeiting are global problems, have 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.”⁸²¹ The G8 members have 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.⁸²²

Team Leader: Francesca Mattacchione

⁸¹⁶ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit, (Gleneagles), 8 July, 2005. Date of Access: 15 January 2006.

http://www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁸¹⁷ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit, (Gleneagles), 8 July, 2005. Date of Access: 15 January 2006.

http://www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁸¹⁸ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit, (Gleneagles), 8 July, 2005. Date of Access: 15 January 2006.

http://www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁸¹⁹ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit, (Gleneagles), 8 July, 2005. Date of Access: 15 January 2006.

http://www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁸²⁰ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit, (Gleneagles), 8 July, 2005. Date of Access: 15 January 2006.

http://www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁸²¹ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit, (Gleneagles), 8 July, 2005. Date of Access: 15 January 2006.

http://www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁸²² Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit, (Gleneagles), 8 July, 2005. Date of Access: 15 January 2006.

http://www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

Assessment

Score	Lack of Compliance -1	Work in Progress 0	Full Compliance +1
Country			
		0	
<i>Canada</i>		0	
<i>France</i>		0	
<i>Germany</i>		0	
<i>Italy</i>		0	
<i>Japan</i>		0	
<i>Russia</i>		0	
<i>United Kingdom</i>		0	
<i>United States</i>		0	
<i>European Union</i>			+1
Overall			0.11

Individual Country Compliance Breakdown

1. Canada: 0

The Canadian government demonstrated partial compliance with its Gleneagles commitment to combat the trade in counterfeit and pirated goods through international co-ordination and cooperation with other states. However, beyond reiterating support for the commitment and taking part in two bilateral enforcement actions, Ottawa has not acted significantly to fully meet its Gleneagles transnational crime commitment.

The Royal Canadian Mounted Police and Health Canada hosted a joint training workshop on counterfeit pharmaceuticals aimed for government officials and some representatives of the industry in October 2005. On 15 and 16 November 2005, in Busan, Republic of Korea, Canada was present at the Seventeenth APEC Ministerial Meeting.⁸²³ The joint statement that came out of the meeting emphasized the importance of “Strengthened Intellectual and Property Protection and Enforcement.”⁸²⁴ While acknowledging the importance of fighting piracy and the distribution of counterfeit goods for “boosting economic development, promoting investment, spurring innovation, developing creative industries and driving economic growth,”⁸²⁵ the participants of the APEC Ministerial Meeting “fully supported the APEC Anti-Counterfeiting and Piracy Initiative adopted at the June 2005 meeting of APEC Ministers Responsible for Trade.”⁸²⁶ It was also reiterated at the Meeting that “Given the importance of strong IPR regimes in the region, Ministers instructed economies to take further steps that build on the APEC Anti-Counterfeiting and Piracy Initiative in the coming year, 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.”⁸²⁷ In addition, Canada was represented at the Second Global Congress on Combating Counterfeiting and Piracy, which was held on 14 and 15 November 2005.

⁸²³ 2005 17th APEC Ministerial Meeting, APEC, (Busan), 16 November, 2005. Date accessed: 15 January 2006. http://www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁸²⁴ 2005 17th APEC Ministerial Meeting, APEC, (Busan), 16 November, 2005. Date accessed: 15 January 2006. http://www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁸²⁵ 2005 17th APEC Ministerial Meeting, APEC, (Busan), 16 November, 2005. Date accessed: 15 January 2006. http://www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁸²⁶ 2005 17th APEC Ministerial Meeting, APEC, (Busan), 16 November, 2005. Date accessed: 15 January 2006. http://www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁸²⁷ 2005 17th APEC Ministerial Meeting, APEC, (Busan), 16 November, 2005. Date accessed: 15 January 2006.

The Canadian government also acted to partially fulfill its commitment to the reduction of Intellectual Property (IP) crime through international action. Since Gleneagles, Canadian federal law enforcement officials have participated in a number of significant the bilateral coordination of 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."⁸²⁸

Analyst: Kevin Jarus and Francesca Mattacchione

2. France: 0

The French government partially complied with its Gleneagles transnational crime commitment. No formal statements by the government of France on this issue were found. This being said, the government of France hosted and attended some conferences that dealt with issues surrounding transnational crime: the Global Congress on Counterfeiting in Lyon on 14 November 2005⁸²⁹; a European Anti-Fraud Office (OLAF) seminar entitled "Fostering mutual trust between journalists and anti-fraud services in Europe"⁸³⁰, and the first⁸³¹ and second⁸³² 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. Firstly, 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.⁸³³ The Banque de France's Institute Bancaire et Financier International also held a seminar in Paris that invited "representatives of more than 30 central banks throughout the world ... to discuss counterfeit currency concerns."⁸³⁴

The French city of Lyon hosted the Second Global Congress on Counterfeiting on 14 and 15 November 2005,⁸³⁵ suggesting that the government of France was involved in organizing the conference. There is, however, no evidence that France took an active, leadership role in complying with the G8 commitment. The European Union, however, was represented at the conference, where it joined governments and other international organizations⁸³⁶ in adopting the Lyon Declaration.⁸³⁷ The declaration reiterated the

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

⁸²⁸ United States, Canada Dismantle Smuggling Organization, State Department, (Washington), 23 August 2005. Date of Access: Dec 16th, 2005

<http://usinfo.state.gov/wh/Archive/2005/Aug/23-811048.html>.

⁸²⁹ Global Congress on Counterfeiting opens Monday in Lyon, Interpol, (Lyon), 14 November 2005. Date of Access: 20 December 2005. <http://www.interpol.int/Public/news/2005/counterfeiting20051110.asp>.

⁸³⁰ Fostering mutual trust between journalists and anti-fraud services in Europe, European Commission, (Brussels), 15 November 2005. Date of Access: 5 January 2006.

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/16&format=HTML&aged=0&language=EN&guiLanguage=en>.

⁸³¹ Conference of the Parties to the United Nations Convention against Transnational Organized Crime, United Nations Office on Drugs and Crime, (Vienna), 9 September 2005. Date of access: 5 January 2006.

http://www.unodc.org/pdf/ctoccop_2005/V0587889e.pdf.

⁸³² Conference of the Parties to the United Nations Convention against Transnational Organized Crime, UN Office on Drugs and Crime, (Vienna), 3 October 2005. Date of Access: 5 January 2006.

http://www.unodc.org/pdf/ctoccop_2005/untoc_2005_introduction.pdf.

⁸³³ 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. Date of Access: 5 January 2006.

<http://www.douane.gouv.fr/pdf/actualite/tarif.pdf>.

⁸³⁴ Interpol's participation in meetings to address currency counterfeiting, Interpol, (Paris), 10 November 2005. Date of Access: 20 December 2005. <http://www.interpol.int/Public/FinancialCrime/CounterfeitCurrency/recentEvents.asp>.

⁸³⁵ Global Congress on Counterfeiting opens Monday in Lyon, Interpol, (Paris), 14 November 2005. Date of Access: 20 December 2005. <http://www.interpol.int/Public/news/2005/counterfeiting20051110.asp>.

⁸³⁶ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

Gleneagles commitment to combat IP piracy and counterfeiting⁸³⁸ 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.”⁸³⁹ Therefore, the French government can be seen to have taken steps towards fulfilling its Gleneagles transnational crime commitment through its status as an EU Member State.

Analyst: David Raluca

3. Germany: 0

Germany has demonstrated partial compliance with its commitment to tackle intellectual property (IP) piracy and counterfeiting through cooperation and coordination with other states. Germany as a member of European Union (EU) was part of the creation of legislation against money laundering.⁸⁴⁰ 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.”⁸⁴¹ There is thus some indication that, at the European level, the German government has worked to fulfil its transnational crime commitments in coordination with its EU allies, including France, Italy, and Britain.⁸⁴²

Furthermore, Germany hosted the 74th session of the Interpol General Assembly, in Berlin from 19 to 22 September 2005.⁸⁴³ The government of Germany, together with other members of the G8 and Interpol, adopted resolution 12 entitled “Information on Money Laundering”.⁸⁴⁴ The resolution emphasized the importance of pushing to “Authorize Financial Intelligence Units or a national agency responsible for investigating economic crimes to process information on significant cases via Interpol channels”.⁸⁴⁵ This action was done on a multilateral level with other members of the G8.⁸⁴⁶

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.⁸⁴⁷ The declaration reiterated the commitment

⁸³⁷ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006. <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸³⁸ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006. <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸³⁹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006. <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁴⁰ International Monetary and Financial Committee, International Monetary Fund, (Washington), 24 September 2005. Date of Access: 3 January 2006. <http://www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf>.

⁸⁴¹ International Monetary and Financial Committee, International Monetary Fund, (Washington), 24 September 2005. Date of Access: 3 January 2006. <http://www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf>.

⁸⁴² International Monetary and Financial Committee, International Monetary Fund, (Washington), 24 September 2005. Date of Access: 3 January 2006. <http://www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf>.

⁸⁴³ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 4 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁴⁴ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 4 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁴⁵ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 4 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁴⁶ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 4 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁴⁷ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006. <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

made at the Gleneagles summit on reducing IP piracy and counterfeiting.⁸⁴⁸ 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.”⁸⁴⁹ 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.

Analyst: Kevin Jarus and Francesca Mattacchione

4. Italy: 0

Italy partially complied with its commitment to reduce intellectual property (IP) piracy and counterfeiting. Most of Italy’s actions have been accomplished through the European Union (EU) and through 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).⁸⁵⁰ In September 2005, the European Commission adopted the “3rd Money Laundering Directive and the Regulation on payer’s information accompanying funds’ transfers.”⁸⁵¹ Italy as a member of the European Commission is also an integral part of this decision.

The Italian government attended the Seventy-Fourth Session of the Interpol General Assembly, held from 19 to 25 September 2005.⁸⁵² There, it participated in the Interpol General Assembly meeting that adopted resolution 12 entitled “Information on Money Laundering”.⁸⁵³ Interpol members were encouraged to “Authorize Financial Intelligence Units or national agency responsible for investigating economic crimes to process information on significant cases via Interpol channels”.⁸⁵⁴ This resolution was also agreed to by all other G8 members.⁸⁵⁵

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 organizations⁸⁵⁶ in adopting the Lyon Declaration.⁸⁵⁷ The declaration reiterated the commitment made at the Gleneagles summit on reducing IP piracy and counterfeiting.⁸⁵⁸ The declaration

⁸⁴⁸ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁴⁹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁵⁰ Intellectual Property (IP) Crime, Interpol, (Paris), 31 December 2005. Date of Access: 15 January 2006.

www.interpol.int/Public/FinancialCrime/IntellectualProperty/Default.asp

⁸⁵¹ International Monetary and Financial Committee, International Monetary Fund, (Washington), 24 September 2005. Date of Access: 15 January 2006. <http://www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf>.

⁸⁵² Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006.

<http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁵³ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006.

<http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁵⁴ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006.

<http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁵⁵ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006.

<http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁵⁶ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁵⁷ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁵⁸ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

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.”⁸⁵⁹ Therefore the Italian government can be seen to have taken steps towards fulfilling its Gleneagles transnational crime commitment through its status as an EU Member State.

Analyst: Francesca Mattacchione

5. Japan: 0

Japan demonstrated interest in strengthening existing regional and international cooperation to combat transnational crime; however, it only partially complied with the G8 Gleneagles commitment to fight intellectual property (IP) piracy and counterfeiting. While moving to improve the coordination of anti-counterfeiting and anti-piracy crime strategies, the Japanese government suggested the introduction of a Treaty on Non-Proliferation of Counterfeited and Pirated Goods. A Japanese proposal was presented at the Second Global Congress on Combating Counterfeiting and Piracy, held on 14 and 15 November 2005, outlining the treaty and the measures necessary to ensure its success.⁸⁶⁰

In addition, Japan has shown considerable determination to enhance its partnership with the Association of Southeast Asian Nations (ASEAN) in the area of transnational IP crime. 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.⁸⁶¹ Japan committed to sharing its knowledge and resources in combating transnational crime with ASEAN, a positive initiative to reduce illicit global trade.⁸⁶² 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”.⁸⁶³

It should also be noted that the Japanese government has not yet ratified the UN Convention on Transnational Crime.⁸⁶⁴

Analyst: Lilianne Vicente

6. Russia: 0

The government of the Russian Federation demonstrated partial compliance with its Gleneagles commitment on co-operation tackling intellectual property (IP) piracy and counterfeiting. 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

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁵⁹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁶⁰ Japan's Strategy to Combat Counterfeiting and Piracy, Interpol, (Paris), 14 November 2005. Date of Access: 2 January 2006.

<https://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/HisamitsuAraiSpeech.pdf>.

⁸⁶¹ Joint Statement of the Ninth ASEAN-Japan Summit, Office of the Prime Minister of Japan, (Tokyo), 13 December 2005. Date of Access: 2 January 2006. http://www.kantei.go.jp/foreign/koizumispeech/2005/12/13seimei_e.html.

⁸⁶² Joint Communiqué of the Second ASEAN Plus Three Ministerial Meeting on Transnational Crime (AMMTC+3), Association of Southeast Asian Nations, (Jakarta), 30 November 2005. Date of Access: 2 January 2006. <http://www.aseansec.org/17940.htm>.

⁸⁶³ Address by H. E. Ambassador Hamidon Ali on behalf of ASEAN at the United Nations, United Nations, (New York), 7 October 2005. Date of Access: 26 December 2005. <http://www.un.int/malaysia/GA/60thGA/6020.PDF>.

⁸⁶⁴ United Nations Convention against Transnational Organized Crime, UN Office on Drugs and Crime, (Vienna). Date of Access: 3 January 2006. http://www.unodc.org/unodc/en/crime_cicp_signatures_convention.html.

Responsible for Trade.⁸⁶⁵ Furthermore, the Russian Federatuib along with other G8 members were cited for their progress in establishing Intellectual Property Rights Service Centres to improve international coordination in the area of IP crime.⁸⁶⁶

The Russian Federation took part in the “Comprehensive Programme of Action to Promote Cooperation between the Association of Southeast Asian Nations and the Russian Federation 2005-2015”.⁸⁶⁷ 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.⁸⁶⁸ As part of its mandate, the program seeks to “enhance cooperation in combating money laundering”.⁸⁶⁹

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”.⁸⁷⁰ It encouraged the governments of countries to “Authorize Financial Intelligence Units or a national agency responsible for investigating economic crimes to process information on significant cases via Interpol channels”.⁸⁷¹ It promotes the integration of various national networks so that successful networks can be established. This action was taken in co-operation with all the other members of the G8.⁸⁷²

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.⁸⁷³ The declaration reiterated the commitment made at the Gleneagles summit on reducing IP piracy and counterfeiting.⁸⁷⁴ 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.”⁸⁷⁵

Analyst: Anastasia Litchak

⁸⁶⁵ The Seventeenth APEC Ministerial Meeting, Asia-Pacific Economic Cooperation, (Busan), 15-16 November 2005. Date of access: 3 January 2006. http://www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁸⁶⁶ The Seventeenth APEC Ministerial Meeting, Asia-Pacific Economic Cooperation, (Busan), 15-16 November 2005. Date of access: 3 January 2006. http://www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁸⁶⁷ 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), 03 January 2006. Date of Access: 3 January 2006. <http://www.aseansec.org/18073.htm>.

⁸⁶⁸ 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), 03 January 2006. Date of Access: 3 January 2006. <http://www.aseansec.org/18073.htm>.

⁸⁶⁹ 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), 03 January 2006. Date of Access: 3 January 2006. <http://www.aseansec.org/18073.htm>.

⁸⁷⁰ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 4 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁷¹ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 4 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁷² Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 4 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁷³ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006. <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁷⁴ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006. <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁷⁵ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006. <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

7. United Kingdom: 0

The government of the United Kingdom demonstrated partial compliance with its Gleneagles commitment 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.”⁸⁷⁶ These actions were made in co-operation with France, Germany, and Italy.⁸⁷⁷

The British government attended the Seventy-Fourth Session of the Interpol General Assembly, held from 19 to 25 September 2005.⁸⁷⁸ There, it participated in the Interpol General Assembly meeting that adopted resolution 12 entitled “Information on Money Laundering”.^{879,880} 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”.⁸⁸¹ This resolution was also agreed to by all other G8 members.⁸⁸²

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.⁸⁸³ The declaration reiterated the commitment made at the Gleneagles summit on reducing IP piracy and counterfeiting.⁸⁸⁴ 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.”⁸⁸⁵ Therefore the UK government can be seen to have taken steps towards fulfilling its Gleneagles transnational crime commitment through its status as an EU Member State.

Analyst: Anastasia Litchak

8. United States: 0

The government of the United States demonstrated partial compliance with Gleneagles’ transnational crime commitment. 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

⁸⁷⁶ International Monetary and Financial Committee, International Monetary Fund, (Washington), 24 September 2005. Date of Access: 3 January 2006. <http://www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf>.

⁸⁷⁷ International Monetary and Financial Committee, International Monetary Fund, (Washington), 24 September 2005. Date of Access: 3 January 2006. <http://www.imf.org/External/AM/2005/imfc/stmt/eng/ec.pdf>.

⁸⁷⁸ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁷⁹ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁸⁰ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁸¹ Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁸² Money Laundering Information, Interpol, (Paris), 22 September 2005. Date of Access: 15 January 2006. <http://www.interpol.int/Public/ICPO/GeneralAssembly/AGN74/resolutions/AGN74RES12.asp>.

⁸⁸³ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁸⁴ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁸⁵ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

narcotics trade, trafficking in wildlife, terrorism, and money laundering, with an emphasis on information sharing between the two countries' financial intelligence units".⁸⁸⁶

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.⁸⁸⁷ In a 17 November 2005 joint statement,⁸⁸⁸ 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 2002.⁸⁸⁹ 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.⁸⁹⁰ Further, the United States ratified the United Nations Convention on Transnational Crime on 3 November 2005.⁸⁹¹ In support of the Convention, the United States provided US\$816,500 to the UN Crime Prevention and Criminal Justice Fund.⁸⁹²

The United States continued to reiterate its domestic and bilateral commitment to fighting IP piracy and counterfeiting. U.S. Attorney General Alberto Gonzales described the US government's presentation in November 2005 of a proposed legislative package regarding intellectual property law as "a good way to ensure that our laws are in step with the changing nature of intellectual property crimes."⁸⁹³ Mr. Gonzales also travelled to China the week of November 13 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."⁸⁹⁴ Under-Secretary of State for Economic, Business and Cultural Affairs Josette Shiner, when referring to the G8 program to combat piracy and counterfeit stated: "We are debating which mechanism would be the best and what agencies to involve."⁸⁹⁵

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.⁸⁹⁶ The declaration reiterated the commitment made at the Gleneagles summit on reducing IP piracy and counterfeiting.⁸⁹⁷ 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

⁸⁸⁶ 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. Date of Access: 4 January 2006. <http://www.whitehouse.gov/news/releases/2005/11/20051106-2.html>.

⁸⁸⁷ Joint Vision Statement on the ASEAN-U.S. Enhanced Partnership, Office of the President of the United States, (Washington), 17 November 2005. Date of Access: 4 January 2006. <http://www.whitehouse.gov/news/releases/2005/11/20051117-4.html>.

⁸⁸⁸ Joint Vision Statement on the ASEAN-U.S. Enhanced Partnership, Office of the President of the United States, (Washington), 17 November 2005. Date of Access: 4 January 2006. <http://www.whitehouse.gov/news/releases/2005/11/20051117-4.html>.

⁸⁸⁹ Joint Vision Statement on the ASEAN-U.S. Enhanced Partnership, Office of the President of the United States, (Washington), 17 November 2005. Date of Access: 4 January 2006. <http://www.whitehouse.gov/news/releases/2005/11/20051117-4.html>.

⁸⁹⁰ 2005 17th APEC Ministerial Meeting, APEC, (Busan), 16 November, 2005. Date accessed: 15 January 2006. http://www.apec.org/apec/ministerial_statements/annual_ministerial/2005_17th_apec_ministerial.html.

⁸⁹¹ United Nations Convention against Transnational Organized Crime, UN Office on Drugs and Crime, (Vienna). Date of Access: 3 January 2006. http://www.unodc.org/unodc/en/crime_cicp_signatures_convention.html.

⁸⁹² Conference of the Parties to the United Nations Convention Against Transnational Organized Crime, United Nations, (Vienna), 10-21 October 2005. Date of Access: 6 January 2006. http://www.unodc.org/pdf/ctoccop_2005/V0587889e.pdf.

⁸⁹³ United States Seeks Tougher, Updated Intellectual Property Laws, United States Diplomatic Mission to Italy, (Rome), 10 November 2005. Date of Access: 15 January 2006.

http://italy.usembassy.gov/viewer/article.asp?article=/file2005_11/alia/a5111013.htm.

⁸⁹⁴ United States Seeks Tougher, Updated Intellectual Property Laws, United States Diplomatic Mission to Italy, (Rome), 10 November 2005. Date of Access: 15 January 2006.

http://italy.usembassy.gov/viewer/article.asp?article=/file2005_11/alia/a5111013.htm.

⁸⁹⁵ United States Seeks Tougher, Updated Intellectual Property Laws, United States Diplomatic Mission to Italy, (Rome), 10 November 2005. Date of Access: 15 January 2006.

http://italy.usembassy.gov/viewer/article.asp?article=/file2005_11/alia/a5111013.htm.

⁸⁹⁶ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁹⁷ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

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.”⁸⁹⁸

Analyst: Lilianne Vicente

9. European Union: +1

The European Union is on the right track to achieving full compliance with its transnational crime commitment made at the Gleneagles Summit. The EU has kept its promise of “closer cooperation among enforcement officials...and between governments and the private sector”⁸⁹⁹. The EU has achieved this by making “the Europol Information System [...] available to authorised law enforcement staff in all 25 member States”⁹⁰⁰. 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”⁹⁰¹.

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”.⁹⁰² Both the European Commission’s Vice-President Siim Kallas, Commissioner in charge of anti-fraud policy, and his Head of Cabinet, Mr. Henrik Hololei, emphasised the importance of transparency for public institutions and reaffirmed Gleneagles transnational crime commitment.⁹⁰³ 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].”⁹⁰⁴

Europol announced on 7 November 2005 that it had forged a significant cooperative link with the US Secret Service to combat transnational financial crime.⁹⁰⁵ This was followed by a similar personal data sharing agreement announced on 24 November 2005 by Europol and the Royal Canadian Mounted Police.⁹⁰⁶ The EU also attended the OLAF Conference on Fraud and Aid Funds in Brussels on 7 October 2005.⁹⁰⁷ Mr. Siim Kallas, European Commission Vice President, described the purpose of the conference as “[a]n exchange of experience and a further strengthening of international co-operation” on issues

⁸⁹⁸ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006. <http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁸⁹⁹ Reducing IPR piracy and counterfeiting through more effective enforcement, G8 Summit, (Gleneagles), 8 July, 2005. Date of Access: 15 January 2006. http://www.g8.utoronto.ca/summit/2005gleneagles/ipr_piracy.pdf.

⁹⁰⁰ Information System made available for all EU Member States, Europol, (The Hague), 10 October 2005. Date of Access: 20 December 2005. <http://www.europol.eu.int/index.asp?page=news&news=pr051010.htm>.

⁹⁰¹ Information System made available for all EU Member States, Europol, (The Hague), 10 October 2005. Date of Access: 20 December 2005. <http://www.europol.eu.int/index.asp?page=news&news=pr051010.htm>.

⁹⁰² Fostering mutual trust between journalists and anti-fraud services in Europe, European Commission, (Brussels), 15 November 2005. Date of Access: 5 January 2006.

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/16&format=HTML&aged=0&language=EN&guiLanguage=en>.

⁹⁰³ Fostering mutual trust between journalists and anti-fraud services in Europe, European Commission, (Brussels), 15 November 2005. Date of Access: 5 January 2006.

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/16&format=HTML&aged=0&language=EN&guiLanguage=en>

⁹⁰⁴ 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. Date of Access: 5 January 2006.

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=SPEECH/05/579&format=HTML&aged=0&language=EN&guiLanguage=en>

⁹⁰⁵ US Secret Service and Europol Partners in fighting organized crime, Europol, (The Hague), 7 November 2005. Date of Access: 20 December 2005. <http://www.europol.eu.int/index.asp?page=news&news=pr051107.htm>.

⁹⁰⁶ Royal Canadian Mounted Police as point of contact for Europol, Europol, (The Hague), 24 November 2005. Date of Access: 20 December 2005. <http://www.europol.eu.int/index.asp?page=news&news=pr051124.htm>.

⁹⁰⁷ OLAF Conference on Fraud and Aid Funds, European Commission, (Brussels), 7 October 2005. Date of Access: 5 January 2006. <http://europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/15&format=HTML&aged=0&language=EN&guiLanguage=en>.

related to fraud.⁹⁰⁸ 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.⁹⁰⁹ The declaration reiterated the Gleneagles commitment to combat IP piracy and counterfeiting.⁹¹⁰ 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.”⁹¹¹

Analyst: Raluca David

⁹⁰⁸ OLAF Conference on Fraud and Aid Funds, European Commission, (Brussels), 7 October 2005. Date of Access: 5 January 2006.

<http://europa.eu.int/rapid/pressReleasesAction.do?reference=OLAF/05/15&format=HTML&aged=0&language=EN&guiLanguage=en>
⁹⁰⁹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁹¹⁰ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.

⁹¹¹ Second Global Congress on Combating Counterfeiting and Piracy, Interpol, (Paris), 15 November 2005. Date of Access: 16 January 2006.

<http://www.interpol.int/Public/FinancialCrime/IntellectualProperty/Meeting/2ndGlobalCongress20051114/OutcomesStatement20051115.pdf>.