

DRAFT REPORT OF PANEL DISCUSSIONS

1. THE FIRST PANEL DISCUSSION

The first panel discussion considered the issue of *International Cooperation in Combating Corruption*. Mr. Taehoon Lee (Attorney at Law, Korea) acted as the Chairperson of the first panel of the Commemorative Symposium.

Dr. Ye Feng (Director General of the International Judicial Cooperation Department of the Supreme People's Republic of China) explained that the Chinese Prosecution Service acted at four levels from the central level to the county level. He stated that there were between 20 and 30 prosecutors who were solely responsible for prosecuting corruption and bribery cases in China. The speaker said that an ever-present relation of corruption was money laundering. Chinese prosecutors often find that money is laundered by public officials who try to explain that their sudden acquisition of wealth has been derived from other family members. It was further explained by the speaker that money laundering at banks has only been brought to the attention of the authorities recently. Before 1999 anyone could put money into Chinese banks but now the banks are aware of potential money launderers and checks are in place in the banking system. It was further stated that there have been a number of cases where government money has been taken by officials and this has been deposited in foreign countries.

Mr. Bernardo R. Calibo (Director, National Police Commission, the Philippines) spoke of the partnership between the World Bank and NAMFREL (the National Citizens' Movement for Free Elections) in combating corruption. The World Bank has made arrangements with NAMFREL (which is the umbrella organization for the Concerned Citizens of Abra for Good Government or CCAG) to act as a monitoring mechanism in relation to World Bank loans and grants for the socio-economic development of the Philippines. Corruption is the foundation of various forms of crime. The corporate world faces a much bigger threat from corruption and bureaucracy than it does from terrorism and organized crime according to the Economic Intelligence Unit. The speaker gave a case history of CCAGG whose vision is, "to establish a self-reliant community of a politically mature and economically emancipated citizenry who will work for good government." In effect, when the World Bank saw the potential offered by NAMFREL, it saw that a global problem could be addressed with a parochial approach. NAMFREL has for many years now been at the forefront against corruption in elections through its Operation Quick Count which is government accredited and has acted to prevent manipulation in elections. This expertise in monitoring election results will now be expanded to monitor corruption and crime. In a way non-governmental organizations such as NAMFREL now constitute an alternative world government.

Mr. Harry Macleod (Deputy Director of Public Prosecutions, Hong Kong) considered modern measures to counter corruption. He suggested that the fight against corruption is composed of three elements - an effective anti-corruption legal infrastructure, international partnerships for mutual legal assistance and the political will to make the first two work. In relation to an effective anti-corruption legal infrastructure a specialized agency structured to deal with the full ambit of corruption should be developed. Further, laws must be appropriate to the offences committed in each individual state. For example, in Hong Kong there is a distinction between civil

servants, public servants and private sector agents and there are distinct offences for each group. In relation to civil servants special offences can be very strict - for example, it is an offence for a civil servant to maintain a standard of living or possess property out of proportion to his official income. The burden of proof lies upon the defendant. The speaker also stated that crucial to the effective implementation of a country's anti-corruption law is a law enforcement agency that has the political support of the country's leaders and public support. In Hong Kong the Independent Commission Against Corruption (ICAC) has its independence constitutionally protected. Independent does however not mean unaccountable. The ICAC is accountable to the Chief Executive and to various committees that scrutinize it. The speaker further explained that international cooperation is essential in the fight against corruption. Countries require modern, comprehensive mutual legal assistance and extradition laws and a wide net of bi-lateral and multi-lateral treaties. Ultimately it matters not how comprehensive a network of laws a country puts in place but there has to be the political will to confront corruption.

Dr. Deepa Mehta (Inspector General of Police, Haryana, India) stated that corruption is a very big problem in India. If corruption in India were to drop by 15% then GDP growth would improve by 1.3%. Corruption breeds a distrust of public institutions. In India, various institutions have been established to deal with corruption such as the Administrative Vigilance Division in the Ministry of Home Affairs. The Central Vigilance Commission was set up in 1964 and acts as an apex body for exercising general superintendence and control over vigilance matters in administrative and probity in public life. The Central Vigilance Commission has brought out the Citizen's Guide to Fighting Corruption, which encourages public participation in the fight against corruption. In this regard education is vital. Ethics should form part of the education system and children in schools should be mobilized to create a social climate to make corruption unacceptable.

Professor Atsushi Yamaguchi (University of Tokyo, Japan) considered the legislation available to fight corruption. The comprehensiveness of the anti-corruption laws in Japan is one of the remarkable characteristics. In 2000 a new law on corruption was enacted. This was the result of a loss of faith in the political system in Japan as a result of a number of scandals. The concept of a public official and the scope of conduct punished are now defined in the Penal Code. Bribery is defined by the Penal Code. Professor Yamaguchi talked about how there are still certain problems with the existing laws in Japan in relation to bribery. For example, in relation to active bribery this must be committed in Japan for an offence to take place. The Diet is now considering widening this provision to cover those Japanese nationals who are outside of Japan.

Ms. Radziah Basir (Section Head, Corruption Prevention Department, Anti-Corruption Agency, Malaysia) gave a history of the Anti-Corruption Agency, stating that it began its formal operations on 1 October 1967. The main objective of the Anti-Corruption Agency (ACA) is to prevent and eradicate all forms of corruption, abuse of power and malpractices and focuses on 9 functions, which the speaker outlined. She further detailed the organizational structure of the ACA. In 1996 the ACA formulated its vision and mission to help build a corrupt-free society by 2020. In July 1997 a new Anti-Corruption Act was passed, this law provided the ACA with new investigative powers and enhances punishment of offenders. The ACA is now

actively engaged in a three-pronged strategy against corruption, namely; the education strategy, the preventive strategy and the punitive strategy.

Mr. Dorj Odbayar (Governor, Dornod Province, Mongolia) stated that corruption had to be combated at the domestic and international level. Corruption is a universal challenge, no country is free from it. As a country in transition, Mongolia has a growing problem of corruption. The government of Mongolia recognizes that in order to combat corruption there must exist certain conditions such as; the political will, strong laws, and a clear, coherent and competent strategy to tackle corruption. As regards the laws in Mongolia, the Criminal Code and the Anti-Corruption Law contain the essential offences against corruption. For the purpose of success at the international level the speaker stated the following; regional and international strategies need to be developed to enhance accountability and transparency, independent organizations' initiatives should be supported to prevent, control and fight corruption, countries should enter mutual legal assistance treaties, developing countries should build on the capacity and knowledge of developed countries in fighting corruption, and an international criminal intelligence organization should be established.

2. THE SECOND PANEL DISCUSSION

The second panel discussion considered the theme of *Combating Transnational Organized Crime*. The discussion was chaired by Mr. Severino Gaña, Jr. (Assistant Chief State Prosecutor, the Philippines) who gave the first presentation. The speaker stated that the technological advancement and the era of globalization have made it possible for criminal syndicates to globalize. He explained that the Anti-Money Laundering Law of 2001 is the recent manifestation of the Filipino government's commitment to fight money laundering although the Financial Action Task Force has refused to move the Philippines from the list of uncooperative countries in the fight against money laundering. The speaker further considered in the Philippines the position of trafficking in persons, terrorism, drug trafficking, piracy, intellectual property rights, firearms trafficking and cyber crime. He emphasized the need to ratify the United Nations Convention against Transnational Organized Crime and to harmonize and criminalize all forms of transnational crime.

Ms. San Yuenwah (Social Affairs Officer, Health and Development Section, Emerging Social Issues Division, United Nations ESCAP) looked at the position of HIV/AIDS, drugs and human trafficking in a globalizing world. The speaker argued that, with globalization, HIV/AIDS, drugs and human trafficking are interlinked and stand at the core of human insecurity. Over 7 million people in the Asia-Pacific region are now infected with HIV and projections indicate that the region must act within the next two years to reduce the spread of HIV or the opportunity will be lost. With regard to the field of criminal justice and crime prevention it is noteworthy that HIV is spreading among prison populations. The speaker also spoke of the increasing abuse of drugs despite tough laws in the region. The Asia-Pacific region faces the "twin epidemics" of drug abuse and HIV/AIDS. The speaker observed that human trafficking is organized crime's fastest growing industry. She spoke specifically of the trafficking of children for sexual exploitation where it is estimated that over 1 million children are engaged in commercial sexual work around the world.

Mr. Ian McWalters (Senior Assistant Director of Public Prosecutions, Hong Kong) argued that in the fight against transnational organized crime, territorial boundaries tend to frustrate and hinder the investigation of crime and the pursuit of justice. The speaker considered international cooperation to be divided loosely between informal and formal methods of cooperation. Informal assistance may include arranging non-intrusive surveillance, providing criminal records and public records and so on. The basic elements of formal international cooperation are; mutual legal assistance schemes, extradition treaties, money laundering legislation and provisions concerning the restraint and confiscation of the proceeds of crime. Most countries with laws and treaties for international cooperation have a central authority to coordinate requests to and from the country, which is essential to ensure appropriate and prompt attention for requests for assistance. The speaker stated that although Interpol has its shortcomings there is great room for this agency to develop as a criminal intelligence database. The speaker also considered the problems with the mutual legal assistance process, believing that as a tool of justice MLA often promises more than it delivers. Further, he argued that states do not only need money laundering legislation but such legislation must have bite. In this regard the criteria laid down by the FATF were commended. The speaker also spoke of methods to restrain and confiscate the proceeds of crime.

Dr. B. N. Chatttoraj's (Professor and Head of Department of Criminology, Ministry of Home Affairs, India) presentation considered five aspects of organized crime; its characteristics, its impact, its manifestations, its forms and its control strategies (including international cooperation). The speaker observed that organized crime has become a grave concern the world over in both developing and developed countries yet its visibility is often low although the dynamics of its operations are often complex. The major forms of organized crime include; drug trafficking, terrorism, smuggling and mafia type operations, secret flows of money, illicit trafficking in firearms, kidnapping for ransom, and trafficking in human beings. India has various laws to deal with the various forms of organized crime. In terms of international cooperation India has recognized that this is essential in the fight against organized crime and India has made mutual legal assistance arrangements with several countries in the recent past. India is also a signatory to the South Asia Association for Regional Cooperation Convention for the Suppression of Terrorism.

Mr. Mardjono Reksodiputro's (Professor of Law and Criminology, Ministry of Home Affairs, India) paper focused on Indonesian illegal migrant workers who have been expelled from Malaysia. Recently 500,000 illegal Indonesian workers opened the eyes of the Indonesian government to the illegal operation of labor recruitment companies in Indonesia. Whilst recognizing United Nations' efforts in this regard, the speaker stated that future ACPF world conferences could concentrate on combating such organized crime with much more of an Asian perspective. The speaker further stressed that public participation is vital to the control of organized crime and this can be galvanized by the mass media. The speaker urged UNAFEI and ACPF to establish a research project to study the phenomena of transnational organized crime not only from the traditional standpoint but also from different perspectives (e.g. the perspectives of the political economy). It was the speaker's opinion that labor racketeering in Indonesia stems from a combination of social, political, economic and cultural conditions.

Mr. Kolitha Dharmawardena (Attorney at Law, Sri Lanka) concentrated on the electronic dimensions of organized crime. He stressed that criminal responses had to try and keep abreast of criminal activity and with each new era (such as the industrial revolution and the technological revolution), new forms of crime develop and these must be controlled by fresh strategies. The problem is that control strategies tend to come a long time after new types of crime and so enforcement agencies are always trying to play “catch up”.

Mr. Richard Hoffman (Assistant Attorney, USA) explained that the U.S. government is committed to combating transnational organized crime both nationally and internationally. The modern forms of transnational organized crime can only be combated effectively when the affected nations work together. The U.S. government is now stationing more law enforcement personnel (from the immigration service, the FBI, the DEA, etc.) around various countries throughout the world. Occasions such as this are very important to international cooperation as they provide forums for law enforcement personnel from around the world to gather together and exchange ideas.

Mr. Pham Nam Tao (Deputy Director General, General Police Department, Vietnam) spoke of the dangers that transnational organized crime poses to the security of nations and how, inevitably, Vietnam is effected by this. There is a need for an integrated and comprehensive strategy from the international community to combat international crime. In 1998 the government of Vietnam adopted the National Action Plan on combating narcotic drug crimes. This is a manifestation of the efforts of the government of Vietnam to mobilize the public and political systems and all public and private businesses to take part in the fight against crime. Up until now Vietnam has signed bilateral treaties with 14 countries on the prevention of crime, specifically for the prevention of drug offences.

3. THE THIRD PANEL DISCUSSION

The third panel discussion considered the theme of *The Treatment of Offenders in the New Century*. It was chaired by Mr. H. G. Darmadasa (Attorney at Law, Sri Lanka) who gave the first presentation. He presented a brief history of modern rehabilitation philosophy to the symposium. The speaker spoke of how rehabilitation theory suffered in the 1970's as a result of the “Nothing Works” theory which gained widespread support and led to ‘tougher’ prison sentencing in the 1980's. The speaker stated that in spite of heavier penalties and an increase in the number of prisoners, crime has still been rising. As the ‘get tough policy’ appears to have failed, the State should recognize the need to involve the public and achieve greater community responsibility in the field of criminal justice. There is no doubt that for the majority of convicted offenders the strategy for corrections in the new century should be more community-based. The new path that should be followed is one which lies between that of rehabilitation and that of the ‘get tough’ policy.

Mr. Aisea Taoka (Commissioner of Prisons, Fiji) gave a jurisdictional version of the treatment of offenders. The economic and historic growth of every country influences the way criminals and punishment are perceived by collective society, which in turn effects government policies. The speaker said that penal reform is necessary because prisons are of small benefit to society, disrupt the life of prisoners and give little satisfaction to victims. Penal reform is particularly important in Fiji due to the disproportionately high percentage of young male offenders in prison.

Forty-seven percent of prisoners are under the age of 25 and 86 percent are under the age of 40.

Mr. Satoru Oohashi (Assistant to the Director of the Security Division, Correction Bureau, Ministry of Justice, Japan) gave a presentation of the International Transfer of Prisoners. He stated that Japan has decided to accede to the Convention on the Transfer of Sentenced Persons, which was drawn up by the Council of Europe. He forwarded some of the reasons for Japan acceding to this Convention. The number of foreign prisoners has been greatly increasing in Japan over the last ten years. Foreign prisoners (Class F) have increased from 274 in 1991 to 2,315 as at the end of 2001. The speaker explained that penal institutions have made every effort to ensure rehabilitation and re-socialization but there are obvious problems in the treatment of foreign prisoners in Japan (that is, language, customs, religion and the loss of contact with families). At present, the number of prisoners that will be subject to the convention is small but the effects of transfer are necessary for prisoners' rehabilitation and re-socialization.

Dr. Kittipong Kittayarak (Director General, Department of Probation, Thailand) considered new community-based treatment measures and criminal justice reform in Thailand. He said that there is a new era for community-based treatment of offenders, which is to be promoted by the criminal justice system in Thailand. There are a number of reasons for the promotion of community-based treatment. These reasons are as follows; there is a great backlog in the number of cases in the court system, there is a changing policy on drug problems looking more at rehabilitation and treatment, there is also a growing interest in the concept of restorative justice. The speaker spoke of the new Drug Rehabilitation Law, which has been approved and is soon to be enacted. This law introduces "compulsory treatment programmes" to complement the voluntary ones. The law is intended to create very large diversion programmes for those normally charged with drug offences. This year has seen restorative justice gaining ground at the policy making level and the Correction Bureau has recently initiated a project where restorative justice methods will be applied to inmates prior to parole. In conclusion the speaker hoped that community-based treatment programmes are not only seen as alternatives but also seen as far better options for the treatment of offenders.

Mr. Md Mortuza Hossain Munshi (Director General, Department of Social Services, Ministry of Social Welfare, Bangladesh) spoke of how Bangladesh has been subject to a great increase in crime as a result of rapid economic growth coupled with diversified social change after independence. The speaker gave a brief summary of the criminal justice, police, and prisons administrations in Bangladesh. Further, he gave an overview of crime statistics in Bangladesh. The speaker explained how there has been a Family Court in Bangladesh since 1985 and that mediation is the main tool used in family proceedings. Village Courts have existed since 1976. Although these courts have no powers of imprisonment, if they find a person guilty he/she may be ordered to pay a fine. Again mediation and conferencing methods are very frequently used in these courts. In Bangladesh, non-institutional methods are preferred to institutional programmes and are seen as the most effective methods for the treatment and successful rehabilitation of offenders.

Dr. Norio Takahashi (Professor, University of Waseda, Japan) talked of how restorative justice had developed extremely quickly. The speaker spoke of the merits of retributive justice as opposed to restorative justice. Noteworthy points of restorative justice are that crime is not seen as an abstract concept but as a harm that has to be righted. Further, the feelings of the victim are seen as crucial in the criminal justice process. The speaker gave various definitions of restorative justice saying that they fell into two broad definitions – the Purist and the Maximalist Models. The Purist Model literally realizes restorative justice because the participation of all parties concerned is an absolute condition for restorative justice. The Maximalist model extends the meaning of restorative justice to include elements of the Purist Model and looks to attain the restoration of the harm done so coercion from the viewpoint of restoration is acceptable. The speaker stated that he was more in agreement with the Maximalist Model. People often say that restorative justice can only be used for minor cases but they can be used for more serious offences and have been used in this way in the United States. As for using restorative justice in Japan, he believed that the formal criminal justice system should be used first and then restorative justices should be considered and so a hybrid system should be followed in Japan. Each country however should choose to what extent it should use restorative justice approaches appropriate to its political, economic and cultural conditions.

4. THE FOURTH PANEL DISCUSSION

The fourth panel discussion considered the theme of *Poverty and Terrorism*. It was chaired by Dr. Enamul Huq (President of the ACPF, Bangladesh).

Mr. D. P. Kumarasingha (President's Counsel, Sri Lanka) stated that poverty lies at the root of the threats to peace, security and democracy. It is the breeding ground for violence and despair. There is a global consensus that poverty and desperate conditions breed and catalyze terrorism. The speaker quoted academic studies that have been conducted into the link between terrorism and poverty. A feature of terrorism is that although the perpetrators often come from the middle or upper classes, poverty provides a fertile recruitment ground for the terrorists. The speaker told the Symposium that Sri Lanka has suffered incredibly from terrorism that has wrecked the nation's economy. The world must see the eradication of poverty as essential to the battle against terrorism and developing countries are making progress in reducing the numbers of people suffering from poverty. Terrorism has to be fought on all fronts by all countries in order to achieve lasting peace.

Mr. Kedal Paudel (Under Secretary, Ministry of Law, Justice and Parliamentary Affairs, Nepal) reiterated that terrorism is a serious threat to international peace, security and development. The speaker spoke specifically of the problems Nepal faces in terms of poverty. He considered that while the root cause of terrorism may be poverty those responsible for terrorism are often from the educated classes who commit terrorism in the name of the poor. In Nepal, the country is fighting against terrorism and it has been forced to divert its attention and limited resources towards this fight.

Mr. Zillur Rahman (Inspector General of Prisons, Bangladesh) presented the chairman, Dr. Enamul Huq's paper. The speaker told the Symposium that third world debt and increasing disparities between incomes throughout the world have contributed to the rise of international crime, particularly terrorism. The definition of

terrorism is more complicated than is ordinarily realized and the speaker gave examples of our differing conceptions of what a terrorist is. Article 56 of the UN Charter of the International Bill of Human Rights should be the guiding principle and the magna carter for mankind. The speaker argued that the colonial concept of multi-tier bureaucracy causes a great deal of red tapism and affects the transparency of public agencies.

Mr. Josaia Naigulevu (Director of Public Prosecutions, Fiji) urged all delegates to recognize the importance of UN Security Council resolution 1373 in combating terrorism. The attacks of September 11th were attacks not just upon the USA but also upon the whole world. The speaker urged the Symposium to be vigilant and diligent in the global fight against terrorism. In the Pacific region island states recognize the threat posed by terrorism and the role they must play in the fight against terrorism. The island states can be particularly vulnerable to the threats of terrorism as they lack the resources to adequately monitor terrorist operations. In the case of the Pacific islands, the main risk was the laundering of money through the financial system. The speaker also spoke of the problems of achieving a global definition of a terrorist act. A sectoral approach to the definition of terrorism should be followed where the elements of a terrorist offence are focused on rather than individual persons or groups. The speaker concluded his presentation by stating how policies should be developed that set out to alleviate extreme poverty and thereby prevent the marginalisation of vulnerable groups.

Dr. Hira Singh (International Director of ACPF, India) spoke of three world conferences which he had recently attended. In all of these conferences there seemed to be a common theme that poverty is a breeding ground for terrorism and there is a strong opinion that there is a need to analyze the connection between poverty and terrorism. The speaker spoke of the nexus between poverty and terrorism. There are five points. Firstly, terrorism can be looked at in terms of supply and demand. Secondly, in a democratic set up, those who do not achieve their will and turn to violence are seen as irrational to the rest of the populace. Thirdly, terrorism cannot be eradicated without removing poverty. Fourthly, poverty not only destabilizes societies but also leaves a wide field for terrorism to thrive. The final point is that many social activists contend that terrorism has to be viewed as a symptom of social pathology in which poverty, hunger and disease are major elements. The speaker put forward five points on an agenda for action. He said there must be a greater emphasis placed upon development, any drive against terrorism depends upon mutual legal cooperation, the SAARC Convention on the Suppression of Terrorism is a splendid example of convergence of thinking on combating terrorist activity in the Asia region, at the national level there must be good governance based on democratic values so that citizens have a sense of belonging, NGO's should be seen as a vital resource in the fight against terrorism.

Mr. Chorinox Manek (Chief Public Prosecutor, Papua New Guinea) stated that he shared the sentiments of his colleague from Fiji in relation to the problems faced by the South Pacific islands in terms of terrorism and poverty. He reiterated Article 25 of the Universal Declaration of Human Rights. The speaker spoke of the increasing migration to Papua New Guinea from people in nearby countries and an increase of asylum seekers. The Symposium was made aware of the strong family bonds that exist in rural Papua New Guinea and how these bonds act beneficially for

society as a whole. The speaker spoke of how corruption was increasing in his country. In PNG there is an ombudsman commission that makes governing bodies at a local and national level accountable to the people. The speaker said that the single biggest problem facing PNG is proper, transparent and even distribution of resources and the creation of balance opportunities for the populace particularly the youth and women to meaningfully realize and participate.

5. THE FIFTH PANEL DISCUSSION

The fifth panel discussion looked at the theme of *Criminal Justice Challenges in the Age of Globalization* and was chaired by Mr. Kampree Kaocharern (Deputy Attorney General, Thailand).

Mr. A.K.M. Shirajul Islam (Executive Director, Bangladesh Association for Social Advancement, Bangladesh) spoke of the acceleration in the globalization process that has led to the widening of the gap between rich and poor nations. The speaker spoke of the close links between trafficking in humans, drugs, arms and cross border organized crimes. He looked at the major challenges faced by globalization. Human trafficking is rapidly increasing and can only be combated by international cooperation. Drug trafficking is said to be one of the most profitable forms of organized crime. The speaker further talked of the challenges faced by money laundering and computer and internet related crimes. The speaker also looked at the global problems faced by international terrorism, corruption and poverty and economic inequality. He spoke of the way European states have a concept of EUROJUST where Europe aims to deal with crimes as a single entity. Such an approach should be looked at as an example for Asian countries.

Dr. Harkristuti Harkrisnowo (Chair, Department of Criminal Law, University of Indonesia) proposed that globalization could be good, bad and ugly. As regards the good, globalization enables a speedier and more accurate means of communication, which should be read in context with freedom of information and the right to privacy. As for the bad, the gulf between developing and developed nations has widened, some information can be misleading and there has been a spread of pornography, there has been a certain loss of human interaction. As for the ugly, there has been a development of cyber crimes, there has been a widening of illicit activities committed by criminal organizations, computer hacking has developed and all these forms of crime can be difficult to detect and prosecute. The speaker proposed greater mutual legal assistance and cooperation among criminal justice agencies, enhancing capacity building measures for criminal justice personnel, improvement and promotion of laws on information technology-related crimes, collaboration of the criminal justice agencies with professional and legal education institutions to conduct research and draft bills.

Ms. Celia Sanidad Leones (Director III, Crime Prevention and Coordination Service, National Police Commission, the Philippines) stated that the Symposium had been given a great deal of information on globalization and so she would look at the situation in the Philippines specifically. The speaker talked of the Presidential approaches and policy approaches and in particular she outlined the President's State of the Nation Address delivered on 22 July 2002. The speaker further spoke of the holistic approach followed in the Philippine Criminal Justice System, which follows a 5 pillar approach. She informed the Symposium of how citizens groups and NGOs

are forging alliances with the government in the fight against crime. The speaker talked about the Report from the Conference on Globalization and Regional Security: an Asian perspective, which was held in Hawaii in 1999. Finally the speaker spoke about the international initiatives which the Philippine government have been following especially at the UN level.

Mr. Liew Thiam Leng (Senior State Counsel, Criminal Justice Division, Attorney General's Chambers, Singapore) reinforced the views already expressed by the panel on the effects of globalization. The speaker spoke of the environmental aspects of crime and how this can cross borders. He observed that criminals often make use of information technology to avoid detection. The speaker specifically considered the crime of money laundering. The challenges faced by the globalization of securities markets were highlighted. The speaker also considered corruption in Singapore, which can span every level of government. He looked at the issues of jurisdiction and as a result of the problems faced in the battle against transnational organized crime there is a need to go beyond jurisdiction. The speaker also discussed custody issues in family courts in Singapore and how mediation and reconciliation are widely used. He concluded by saying that as regards globalization there is a need for international organizations to look at the challenges and the UN and ACPF do this admirably.

Mr. Sirisak Tiyanpan (Executive Director, Attorney General Litigation Department, Thailand) considered the definition of globalization. He gave an overview of the benefits and costs of globalization. In addition to the emergence of modern crime the advent of globalization has brought a new way of thinking in the modern world. Concepts such as democracy, good governance, transparency, non-discrimination and so on are now part of the world language. Criminal justice must also embrace these concepts. The criminal justice system must have 2 significant functions; one is to ensure human security and the other is to strengthen and promote the rule of law. Originally the notion of human security related to the basic need to defend families and the community from outside attack but the enemy is no longer our neighbors but the traffickers, money launderers, corrupt officials and terrorists. The speaker concluded by emphasizing the important international role that UNAFEI and ACPF play.

Dr. Deepa Mehta (Inspector General of Police, Haryana, India) spoke of how important the community is in the fight against crime. Unfortunately rapid globalization has caused the breakdown of communities. Although globalization has provided great wealth, there have been a great number of people, in both developing and developed countries, who have suffered. The speaker stated that the breakdown of communities meant that they could no longer act as safety nets for vulnerable people. It is imperative that developing countries receive aid to educate and assist in matters of criminal justice and institutions such as UNAFEI are invaluable in this regard.