

The partners

Around the world, partnerships between customs administrations, police and other law enforcement agencies are developing ever more effective ways to detect and uncover illegal drug trafficking. In this article, the WORLD CUSTOMS ORGANIZATION (WCO) outlines why these partnerships must be fostered to deal with the growing threat posed by transnational organised crime.*

INTER-AGENCY COOPERATION

The role played by Customs administrations in drug enforcement differs from country to country, however almost all have some kind of responsibility for interdicting drugs at the border. The involvement of a border agency and a domestic policing agency in drug enforcement invariably gives rise to questions of jurisdiction and the respective responsibilities of each agency.

Whether we like to admit it or not, occasional conflicts of interest and rivalries between agencies do occur and these are always counterproductive. Fortunately, the relationship between police and customs agencies is marked by far more cooperation than conflict and in recent years the degree of collaboration has been increasing. In 1997, over 300 interceptions of drugs recorded on the WCO database were joint seizures made as a result of Customs and police agencies working in combined operations.

This cooperation recognises the fact that international drug trafficking comprises a series of inter-linked tasks and processes. These processes cover the cultivation and manufacture of illicit drugs, their movement via numerous transit points, smuggling of

drug shipments into a target country and ultimate distribution through various levels of suppliers and dealers to users. This may involve large numbers of individuals playing different roles, as smugglers, money launderers, couriers, organisers, and distributors.

If a country's drug enforcement strategy is to be successful, these aspects cannot be addressed in isolation by law enforcement agencies; an integrated approach is required.

Customs interceptions of drugs at the border can provide an excellent opportunity to identify syndicate organisers and distribution networks, especially through controlled delivery procedures. Information obtained by police during investigations is equally important in informing customs about domestic distribution networks.

Both agencies have the potential to learn and share information by questioning offenders and gaining an insight into the illegal trafficking world through contact with informants. Taken together all these sources of information should provide customs with the necessary intelligence to develop and refine their border targeting strategies.

The growing threat presented by transnational organised crime creates a real need for agencies to work more closely together. In response, a number of WCO member countries have amended their enforcement structures in order to maximise Customs and police efforts.

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hip approach

TO DRUG ENFORCEMENT

The National Criminal Intelligence Service (NCIS) in the United Kingdom is an example of this type of arrangement. In other countries, the use of temporary or standing joint taskforces, to focus on particular risk areas or high profile targets is an accepted and highly successful technique.

The G7/P8 Senior Experts group on Transnational Organised Crime, drafted 40 recommendations on combating this phenomenon. Two of their recommendations (Numbers 18 and 28) are highly relevant to the role of Customs in helping to combat transnational organised crime. They follow:

18. Commend the work done by Interpol and the World Customs Organization, calling upon these organisations to maintain and develop their support for operational activity, facilitating as rapid as possible an exchange of information between law enforcement agencies. We call upon them to focus on a strategic overview of the methods and trends in transnational organised crime for the benefit of all their member countries.

28. Building on current cooperative arrangements, the different agencies in our countries will develop their work together in specific law enforcement projects targeted on transnational organised crime. We have formulated practical guidance on project-based action and commend this approach to all states.

Project-based action involving bilateral and multilateral priority setting, targeting, resourcing and assessment of law enforcement operations drawing on the strength of the full range of competent agencies.

The impact of organised crime

The involvement of organised crime groups in the drug trade is ironically helping to bring the different law enforcement agencies closer together. These syndicates are often involved in a multiplicity of interrelated criminal activities.

Examples of this might be the procuring of false travel documents for use by drug couriers, or the use of weapons and violence to protect drug networks. Funds from one form of criminal activity will often be used to finance another.

Effective targeting of organised crime syndicates will therefore require a coordinated approach by several agencies with the pooling of resources. Information sharing is also vital, since critical information and intelligence on targets, their associates and activities, may be held by a number of separate agencies. It is often only when this information is brought together that a full picture of the drug organisers and their activities starts to emerge.

Cooperation is clearly the way forward, despite impediments such as the lack of legislative empowerment and traditional agency attitudes. Joint taskforces, designated liaison officers, information sharing and cooperative agreements between agencies will become more common in the next few years and customs officers will find themselves working alongside their counterparts more and more often.

The degree of cooperation between Customs and police agencies in respect of paedophile crimes is an excellent example of what can be achieved.

While the cooperation on drug enforcement is most common with the police it is acknowledged that in some countries border guards, the military, and coast guard all play a role in combating drug trafficking. It should also be remembered that Immigration Services and Revenue Collection agencies can also contribute to drug enforcement through shared targeting strategies or information exchange.

Each of the agencies may have an interest in a particular individual or group and can utilise their particular skills and legislative powers to assist in the overall enforcement objectives.

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Sydney Customs House, Circular Quay.

The building's revival for the 1990s follows a major refurbishment by the Victorian Government to establish an Immigration Museum and Hellenic Archaeological Museum.

It will include a resource centre for research into immigration issues, an education area for schools, and a theatre for performances, festivals, film nights and meetings.

Given the role of Customs Houses in fostering trade and welcoming new arrivals, it is appropriate that the new immigration museum will recognise the thousands of migrants who settled in Victoria, and invested their energies in the city and the State.

SYDNEY

Although Sydney has had a Customs presence since 1800, it was not until 1845 that the first substantial Customs House was built.

Designed by Mortimer Lewis in a Greek revival style, the original structure was built by people registered to an unemployment scheme that had been established at the time. Unfortunately some of the work proved to be substandard, and significant structural repairs were required in the years immediately following its opening.

In later years as Sydney became the primary gateway to Australia, the Customs House became a focal point for merchants with more than 55 ships arriving each week for clearance. In addition, the Collector of Customs controlled 22 inland border Customs posts for maintenance of tariffs over interstate trade.

With its latest redevelopment, Customs House will again be the centre of attention in Sydney. As well as being a shopping centre, it will feature an exhibition centre for plans and models of landmark city developments as well as displays related to key city infrastructure.

The development, being undertaken by the Sydney City Council, will also feature a rooftop restaurant, centres for contemporary craft, chamber music, Aboriginal and Pacific Islander craft, and retail stores.

One of the redeveloped building's chief goals, according to Sydney Lord Mayor, Frank Sartor, as quoted in *The Sydney Morning Herald*, will be to highlight the planning processes for Sydney.

"If you want to know what's happening in Sydney, that's where you'll go," Lord Mayor Sartor said.

"It will be very accessible and make the entire development and planning process more transparent."

- television programs
- Internet sites
- displays, exhibitions and demonstrations, and
- sponsorship opportunities.

International cooperation

Effective drug enforcement is increasingly an international business. The growing diversity of drug trafficking routes, combined with the increasing influence of organised crime networks, requires customs administration to seek international cooperation, rather than to simply deal with the symptom of drug problems in isolation.

Drug traffickers targeting Western Europe can be applying the same concealment methods and the same modus operandi when targeting the Asian drug market. In this internationalised drug trade environment, the need for customs administrations to work more closely together at regional and global levels has never been greater.

Successful drug enforcement strategies will require the free flow of tactical and strategic intelligence between agencies, coordinated operational targeting, assistance in investigations and the exchanging of ideas on operational and investigative techniques.

Customs staff are becoming more experienced in working in the international environment and more initiatives in this field can be expected in the years to come.

Fortunately, the nature of customs work is such that most officers quickly gain experience in international trade and become familiar with the global perspective concerning the movement of goods and people between countries. This provides an optimistic outlook on future developments in the customs international environment.

It will be important, however, for Customs to recognise and formulate strategies for dealing with a number of barriers which can frustrate cooperation and information exchange between law enforcement administrations in different countries.

These include: a reluctance to share sensitive intelligence, privacy legislation, different legal systems, different and often competing operational objectives, traditional prejudices, and different powers and jurisdiction among agencies.

While these factors can prove an impediment, the outlook is still very positive. The general direction in the past few years has been towards a far greater degree of cooperation between international drug enforcement agencies.

During 1997, a number of successful international controlled delivery cases were reported to the CIS Unit. These are excellent examples of administrations from different countries working closely and professionally together.

Cooperative initiatives

There are several international instruments and initiatives designed to facilitate the cooperation and coordination of drug enforcement matters.

Principal among these is the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which contains a number of specific provisions relating to mutual assistance and cooperation in judicial matters. It also promotes the use of a number of techniques and strategies that have implications for customs, such as international controlled deliveries.

The WCO's own Nairobi Convention is designed to promote cooperation in the investigation of Customs related offences. The WCO has also promoted the signing of bilateral agreements between customs administrations to further enhance cooperation and the exchange of information and ideas on enforcement matters.

One of the most important priorities of the WCO Compliance Sub-Directorate over the past few years has been to encourage cooperation at regional level.

Nowhere is this more visible than in the RILO program, which is specifically designed to improve customs enforcement through faster, more effective communication. There now are over 100 administrations communicating with the 10 Regional Intelligence Offices (RILOs) throughout the world.

The WCO has been forging alliances with other international bodies to enhance the customs response to the fight against the illicit drug trade. In 1996, the WCO signed an MOU with the United Nations International Drug Control Program (UNDCP).

This MOU covered the exchange of information on drug seizures and trends, technical cooperation to assist national or regional drug initiatives and, coordination of technical meetings and missions to the fullest degree.

There are a number of joint projects being undertaken by the WCO and the UNDCP. Three of the 10 Regional Intelligence Liaison Offices (South America, Eastern Europe and East Africa), were established with UNDCP funding. Similar support is also soon to be provided for the West African RILO.

In addition the WCO, the UNDCP and Interpol are currently working on a new drug data sharing project, which when fully developed will give each agency access to a fully comprehensive worldwide drug seizure database. This will allow the three participating agencies a much improved world view of drug trafficking trends and will lead in the future to joint projects and strategic analysis. Such analysis will be disseminated to customs, police and health department frontline staff, in order to improve deployment of resources and improve efficiency.