

# Developing Joint Responses to Transnational Crimes Roundtable Discussion Proceedings

August 2012



**U.S. Embassy in Hanoi, British Embassy, Wildlife Conservation Society, United Nations  
Office on Drugs and Crime, Ministry of Public Security, Ministry of Foreign Affairs**



# **Developing Joint Responses to Transnational Crimes**

## **Roundtable Discussion Proceedings**

**August 30<sup>th</sup> 2012**

### **Executive Summary**

In August 2012, the UK embassy, WCS, US embassy, and UNODC, hosted a roundtable meeting on transnational crimes that was attended by senior levels of the Vietnamese government, including Ministry of Foreign Affairs, Ministry of Public Security, Ministry of Defence and Ministry of Industry and Trade, and by various international organizations and Vietnamese agencies totalling 75 participants. The meeting represented the first gathering of such a range of sectors (trafficking of humans, drugs, counterfeit goods, currency, hazardous waste, and wildlife) to consider the seriousness and how to fight together effectively against transnational crimes. The participants shared information on the issues of each crime, the challenges in combating the crimes and made recommendations to solve the problems.

The seminar was an overriding success with a number of new collaborations formed between organisations and government agencies e.g. AFP are now working with UNODC on the Vietnam Cambodia border, and a new Transnational Crime working group (of which the mandate and membership of this group are currently pending) of concerned partners that could take on some of the meetings recommendations e.g. an analysis of corruption in the cross-border context, development of a communications strategy to align messages. Furthermore, the meeting alone elevated transnational crime issues along the Vietnam – China within the Vietnamese government structures, reaching even the Prime Ministers office that participated in the meeting and also were involved in reviewing the agenda and proceedings.

### **Introduction**

Smuggling along the Vietnam-China border occurs prolifically with recent analysis suggesting high levels of informal and illegal trade in Mong Cai City, Quang Ninh province. Enforcement of border and customs regulations appears ineffective, which can lead to the convergence of serious crimes including smuggling of protected wildlife, humans, drugs, and e-waste. Organized criminal groups often thrive in these unregulated areas and can be involved in other crimes including drug use, intimidation, money laundering, threatening of law enforcement officers, corruption and murder.

There are several initiatives and technical assistance programs by international and national organizations to support the Vietnamese Government in developing sustainable and multi-sectoral measures to ensure effective border crime control. These include assistance to the development of border areas, environment control, health protection, as well as crime prevention and interception. In response to this situation, the Wildlife Conservation Society, the United Nations Office on Drugs and Crime, the U.S. Embassy in Hanoi and the British Embassy hosted a multi-sector roundtable meeting (Annex 1) with the following objectives:

- Facilitate information and experience-sharing between agencies and organisations working on cross-border crime issues;
- Develop a consensus on the priority challenges and obstacles to effective control of cross-border crimes; and
- Identify issues and actions where joint, multi-sectoral approaches would be beneficial.

The meeting included presentations providing an overview to major transnational crimes in Vietnam discussion on approaches to address organised crimes at a regional/global level by inter-governmental organisations and a series of group exercises to identify key challenges and multi-sectoral approaches to improving border security and combating transnational crimes. Seventy-five representatives of relevant

national authorities, and civil society organisations working on border issues and international and inter-governmental organisations attended the meeting (Annex 2).

### **An overview to major transnational crimes in Vietnam**

Presentations were given on the following topics and can be found in full in Annex 5:

- Wildlife trafficking in Quang Ninh, North-eastern Vietnam
- E-waste smuggling
- Human trafficking & smuggling of migrants
- Drug trafficking
- Anti-Money Laundering
- Intellectual Property Rights (counterfeit goods)
- Domestic livestock smuggling/Public health from China to Vietnam
- Government presentations on the policy on international cooperation in combating transnational crime, combating smuggling at border areas and combating drugs and human trafficking.

### **Addressing priority challenges to combating transnational crimes**

All participants were asked to complete a form, marking the top three challenges to the effective control and prevention of transnational crimes in Vietnam. The form listed the following challenges and left space for other additional ones: Technical capacity, corruption, political will/priority/commitment, legislation, international cooperation, inter-agency cooperation, and reducing demand for the product. ‘Corruption’, ‘technical capacity for enforcement’ and ‘limited international cooperation’ ranked the three greatest challenges by participants, and therefore the focus for discussion in the following activity.

Participants were split into three groups, each assigned one priority challenge, to agree upon how they understand the challenge, share their organisations approach to the challenge, and then brainstorm ideas for multi-sectoral, collaborative approaches that would strengthen existing interventions or raise new opportunities. Main results and notes from these discussions are presented below.

#### *1) Technical capacity for law enforcement*

- Modus operandi (MO) of criminals changes frequently so need regular training.
- English language training important to facilitate international collaboration on transnational crimes
- Training on controlled delivery is important as it is a major tool for fighting transnational crimes
- Training needs to be consistent and repeated due to staff rotation and turn-over
- Institutionalising training is important
- Training are generally not followed up on – and knowledge is not retained or used adequately
- Need a practical book with case-studies for prosecutors on how to apply law
- Manuals important
- Hands-on teaching methods preferred
- Qualified trainers critical
- Consideration should be given to the cost-effectiveness and broader strategy for building technical capacity in law enforcement agencies. For example, some participants favour the model of providing regular training programs for large groups whilst others favour providing more long-term training to a much smaller number of trainees through scholarships, secondments etc.

#### *2) International Cooperation*

- Transnational crimes require an international response, unilateral responses will fail
- Regional tensions (e.g. South China Sea etc) are hampering international cooperation
- In terms of cyber crimes, developed countries are often less willing to pass technologies to developing countries

- There is a lack of secure communication channels that adds to a lack of confidence to share information
- There are lots of good experience, structures to tap into and learn from so an inventory of response tools and mechanism to make best use of them would be useful
- International, bilateral and national laws need harmonising, so domestic legislation catches up with int'l treaties signed
- There is an opportunity to use standing resources to fight other areas of crime
- Resource-cost of cooperation, much depends on personal commitment and interest
- Decision-making is led by the executive, not on the ground
- Inter-departmental (e.g. DGS/DGP/Customs/BGC) intelligence and operations unit a critical component of future responses
- Need high-level support of bilateral engagement and communication protocols established
- Should expand use of border liaison officers in scope and localities

### 3) *Corruption:*

- Need to understand and agree upon the typology/definition of corruption and which are the most influential ones in hampering transnational crime enforcement (e.g. criminals evading arrest by paying a bribe, public/private sector, payment for promotions rather than being based on performance)
- Corruption remains a sensitive, and poorly understood issue in Vietnam and challenging to speak about openly
- There are case studies from other countries of successful anti-corruption measures and practices that the Government of Viet Nam would like to see
- Government of Viet Nam needs to recognise and welcome the involvement of civil society and media in monitoring corruption
- The group concluded that there was need for a more thorough discussion on corruption in the border context with a wider group of participants and suggested this as follow-up

### **Proposed collaborative approaches**

- Establish a Transnational Crime Working Group (operating online and offline) to facilitate ongoing communications and coordination of interested civil society groups and international organisations;
- Establish database of training resources for the above working group (e.g. trainers, speakers, materials)
- Joint-studies on transnational crime convergence in selected areas in Vietnam;
- Development of a transnational crime communications package to align messages
- Workshop to analyse corruption and transnational crime law enforcement

## Annex 1: Meeting agenda

Time	Topic	Presenter
0800-0830	<b>Registration</b>	
0830-0840	<b>Welcome remarks</b>	Scott Robertson, Wildlife Conservation Society
0840-0900	<b>Opening</b>	US Ambassador to Vietnam, David B. Shear
<b>Session 1: Transnational organized crimes: global and regional dimension [Chaired: UNODC]</b>		
0900-1000	Overview of Transnational Organized Crimes	Giovanni Broussard, UNODC
	Transnational Crime convergence	Nick Moger, Australian Federal Police
	Overview of the policy on international cooperation in combating transnational crime =	Nguyen Thi Than Ha, Ministry of Foreign Affairs
1000-1015	<i>Coffee Break</i>	
<b>Session 2: Transnational organized crime situation in Viet Nam [Chaired: US Embassy]</b>		
1015-1215	Wildlife trafficking in Quang Ninh, North-eastern Vietnam	Scott Robertson, Wildlife Conservation Society
	E-waste smuggling	Alasdair Cameron, The Environmental Investigation Agency (EIA)
	Human trafficking & smuggling of migrants	Jobst Koehler, The International Organization for Migration (IOM)
	Drug trafficking	Zhuldyz Akisheva The United Nations Office on Drugs and Crime (UNODC)
	Anti-Money Laundering	Zhuldyz Akisheva The United Nations Office on Drugs and Crime (UNODC)
	Intellectual Property Rights (counterfeit goods)	Thomas Treutler, Tilleke & Gibbins
1215-1330	<i>Lunch</i>	
<b>Session 2 contd: Transnational organized crime situation in Viet Nam [Chaired: UK Embassy]</b>		
1330-1530	Combating money laundering	D oan Van Son, The state bank of Vietnam
	Domestic livestock smuggling/Public health from China to Vietnam	Dang Duc Chien, Rural Development Centre (RUDEC)
	Combating smuggling at border areas	Nguyen Sinh Xo, Ministry of Defence
	Combating Drugs and human trafficking	Tran Dai Luong, Ministry of Public Security
	E-waste smuggling	Tran Hung, Ministry of Industry & Trade
1530-1545	<i>Coffee Break</i>	
<b>Session 3: Group exercises to identify key challenges and multi-sectoral approaches to combating transnational crimes</b>		
1545-1700	<b>Participatory group exercise:</b> Multi-sectoral approaches to addressing key challenges to combating transnational crimes	
1700-1715	Wrap-up and recommendations on priority follow-up actions	UNODC/WCS
1715-1730	Closing remarks	Kate Harrison, Embassy of the United Kingdom
1730-2000	<b>Evening reception</b>	

## Annex 2: Participant list

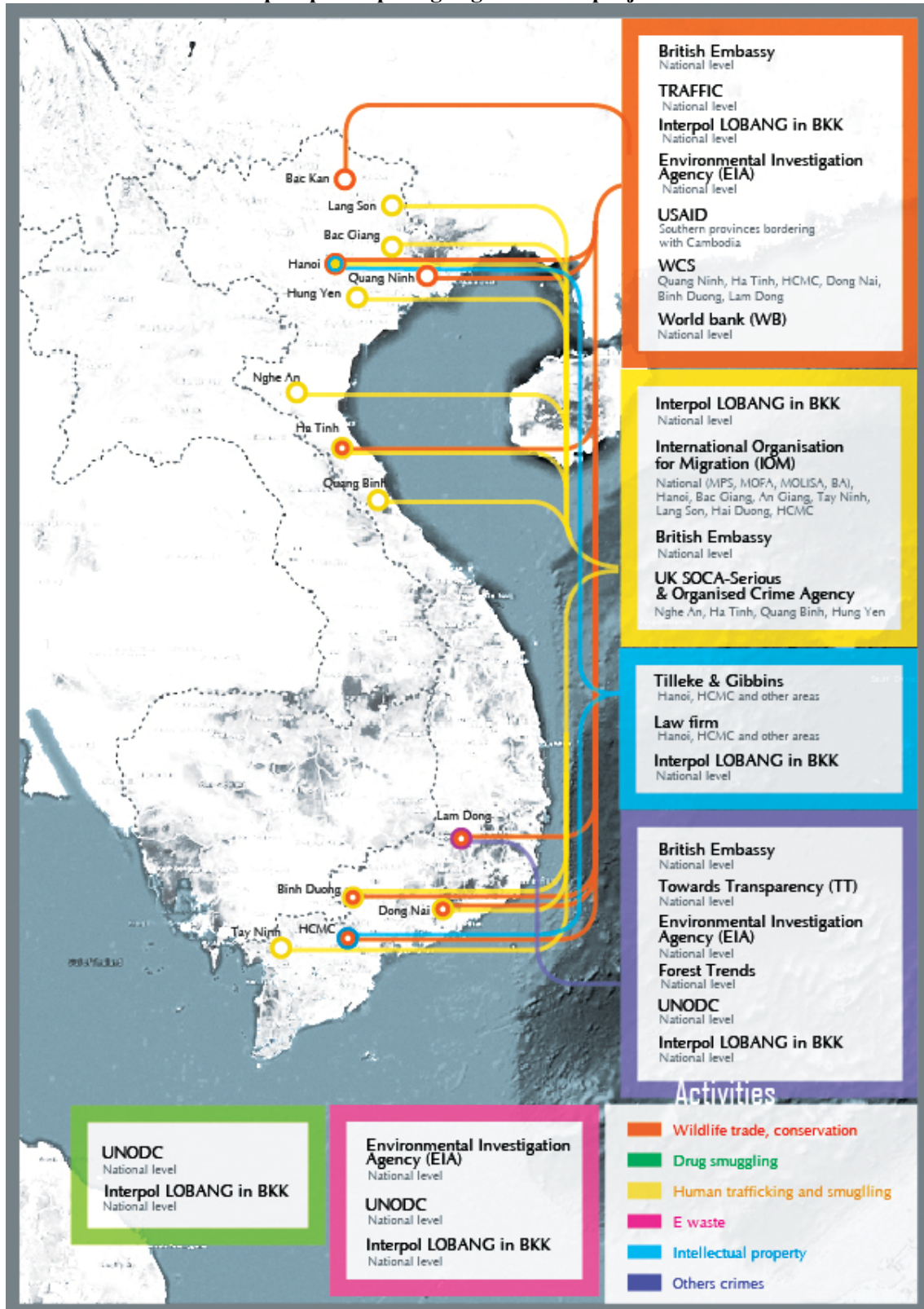
Agency/organization	Name	Title	E-mail	Mobile
Government office	Lê Nhật Quang	Officer		
Institute of Policy and Strategy for Agriculture and Rural Development (RUDEC)	Đặng Đức Chiến	Officer		
MARD: CITES Việt Nam	Đỗ Quang Tùng	Vice Director		
MARD: CITES Việt Nam	Nguyễn Thị Minh Thương	Officer		
MARD: CITES Việt Nam	Vương Tiến Mạnh	Officer		
MARD: Department of Animal Health	Nguyễn Phú Thái	Vice - Head of Animal Quarantine Department		
Ministry of National Defense	Trần Nam Ngạn	Officer		
MND - Department of Foreign Affairs	Thiếu tá Trần Nam Ngạn	Assistant of the Asia and Multilateral department		
MND - Intelligence General Department- Department 2)	Bùi Văn Tùng	Officer		
MND: The Command of Border Army	Major General Nguyễn Sinh Xô	Head of drug trafficking Department		
MoF: Anti-smuggling Department- Vietnam Customs	Lê Hồng Chinh	Vice Head of Advisory Department		
MoFA	Nguyễn Thanh Tùng	Officer		
MoFA: Department of Law and international treaties	Nguyễn Ngọc Hà	Officer		
MoFA: Department of Law and international treaties	Nguyễn Thị Thanh Hà	Head of department		
MoIT: Market Control	Trần Hùng	Vice Head		
MoIT: Market control Legislation department	Trịnh Việt Dũng	Officer		
MoIT: Market control ICD	Trần Quỳnh Anh	Department Head		
MoIT: Mountainous affairs dept	Vũ Thị Mai Hoa	Officer		
MoNRE: ICD (TPP negotiators)	Hoàng Xuân Huy	Officer		
MoST: International Cooperation Department	Mai Hà	Head of department		
MPS- Criminal Police Department	Hoàng Văn Vĩnh	Officer		
MPS- Drug Investigation Department	Trần Như Nhận	Officer		
MPS- Drug prevention Dept	Tạ Đức Minh	Trưởng phòng chống Ma Túy		
MPS- Environment Police	Đặng Văn Hành	Officer		

MPS- General Department of Police	Nguyễn Huy Hùng	Officer		
MPS- General Department of Police	Trần Thị Loan	Officer		
MPS- General Department of Police	Trương Sơn Lâm	Officer		
MPS: Criminal investigation and prevention - (General dept 6)	Thiếu tướng Trần Trọng Lượng	Vice head		
MPS: General Department of Security	Nguyễn Bá Trình	Officer		
MPS: Interpol NCB	Đỗ Thị Quỳnh Phương	Head of Team 2		
MPS: Interpol NCB	Trần Thu Nga	Vice Head of the Office		
The state bank: Department of anti-money laundering	Đoàn Văn Sơn	Officer		
VAE- Waste management Department	Biện Tuấn Anh	Officer		
VAE- Waste management Department	Nguyễn Thành Lam	Officer		
	Nguyễn Việt Trung	Officer		
Japanese Embassy	Satoshi Iwase	First secretary Political section		
UK Embassy - Hanoi	Kate Harrison	Chargé d'affaires		
UK Embassy - Hanoi	Mark Norton	Head of Migration Crime Team		
UK Embassy - Hanoi	Richard Homer	Political Officer		
US Embassy - Hanoi	Greg Edgreen	Foreign Area Officer		
US Embassy - Hanoi	Jason Hwang	Political Officer		
US Embassy - Hanoi	Taylor Tinney	ESTH Officer		
US Embassy - Hanoi	Scott Sutherland	Drug Enforcement Agency (DEA) attaché		
US Embassy - Hanoi	Adam Fields	Officer		
Australian Federal Police	Nick Moger			
DAI-USAID STAR	Trần Hương Giang	Legal Advisor		
DAI-USAID STAR	Vũ Lê Phương	Legal Program Officer		
Interpol LOBANG	EO Yun Bin	Officer		
IOM Vietnam	Florian Forster	Chief of Mission		
IOM Vietnam	Nguyễn Văn Anh	Project officer		
Tilleke & Gibbins	Nguyễn Thị Mai Linh	Lawyer		
Tilleke & Gibbins	Mai Duy Linh	Consultant		
Tilleke & Gibbins	Lê Xuân Lộc	Lawyer		
Tilleke & Gibbins lawfirm	Thomas Treutler	Partner and Managing Director		

UNODC	Giovanni Broussard	Associate Expert		
UNODC	Zhuldyz Akisheva	Country Director		
USAID	Tim Meinke	Senior infectious diseases advisor		
World Bank	Emanuela Stephens	Consultant		
EIA	Alasdair Cameron	Campaigner		
Forest Trends	Tô Xuân Phúc	Senior Policy Analyst		
TRAFFIC Vietnam	Ms Naomi Doak	National coordinator		
Transparency International (TT)	Conrad F Zellmann	Deputy Executive Director		
WCS	Scott Robertson	Country Rep		
WCS	Dương Việt Hồng	Communications Manager		
WCS	Hoàng Kim Thành	Program officer		
WCS	Trần Xuân Việt	Program officer		



**Annex 3: Institutional map of participating organizations project areas in Viet Nam**



## Annex 4: Meeting photographs



TNC organizers



Opening remarks by David Shear, US ambassador to Vietnam



General Nguyen Sinh Xo, Border Army, MoD giving speech



Presentation by Zhuldyz Akisheva, Country Director of UNODC



Group discussion on challenges in fighting corruption



Group discussion on International cooperation

**Annex 5: Presentations**