

CONCLUDING ADDRESS BY DIRECTOR, CBI DURING THE VALEDICTORY SESSION OF “THE INTERNATIONAL CONFERENCE ON EVOLVING COMMON STRATEGIES TO COMBAT CORRUPTION AND CRIME” (XXth CONFERENCE OF CBI AND STATE ANTI-CORRUPTION BUREAUX-2013)

(November 13, 2013 Vigyan Bhawan, New Delhi)

Today, we come to the end of two-and-a-half days of deliberations that we will cherish for a long time.

2. In accordance with tradition, I will try to recapitulate the sense of our exchanges. Around six months ago, when we started conceptualizing the Conference, I had one overpowering idea in my mind: THAT THE PROBLEMS OF TODAY CANNOT BE SOLVED BY USING THE SKILLS AND KNOWLEDGE OF YESTERDAY. So, I tasked the Organizing Committee to explore and experiment with a new format by reaching out to our international counterparts and domain experts in relevant areas to break the existing boundaries of our thoughts and bring new knowledge and understanding. Now as we conclude our deliberations, I feel convinced that we have had a very meaningful dialogue over the last few days. The deliberations clearly brought out that laws and systems in most countries have not kept pace with the changing realities and it is time to look at fresh legislations and protocols, particularly in the field of international cooperation which will enable us to better cope with the 21st century challenges. While making new laws would in itself be a difficult and challenging exercise, it would be far more difficult to bring in the necessary changes in the systems processes and procedures of international law enforcement cooperation. As we listened to a wide variety of experts and delegates from states and countries, we absorbed several new ideas. Importantly, at the same time, we discovered that many of our problems of law enforcement are common across borders. This is a vital take away that gives us the foundation to move forward in building stronger bonds for the future.

3. Ladies and gentlemen, we were honoured by the presence of the Prime Minister of India, the Union Finance Minister, and Union Minister for Law & Justice, who took time off their busy schedules to share some of their thoughts and vision for the Conference. We thank the Hon'ble Prime Minister for his support for the proposed CBI Centre of Excellence and as pointed out by him, would look for ways and means to strengthen the State Criminal Investigation Departments (CIDs) and Economic Offences Wings. We are in full agreement with the Union Finance Minister, and recognize the need to upgrade the knowledge base and skills of the investigators by bringing in new knowledge through the proposed Centre of Excellence.

4. During the discussion on Natural Resources Management, it came out that weak regulation was a key factor in contributing to scams and corruption. The Keynote Address of the Union Minister for Law and Justice underscored certain new areas that also need to get priority, namely, cyber crimes and hate crimes that use Internet and Communications Technology. We would urge United States law

enforcement authorities to be more sensitive to the needs of other countries and promptly share information that will help identify the source of inciteful messages and take measures to prevent violence. The time has come also come, perhaps, to think of having a cyber judicial architecture in India and the world that can provide real-time adjudication for delivery of justice.

5. Friends, an important question has been raised during the Conference on defining the limits of criminal investigation. We see the issue in the context of the changing reality of our country and will positively contribute to find an equilibrium that is in consonance with the requirements of justice.

6. During our discussions on issues of investigation and prosecution of human trafficking offences in the SAARC region, refreshing ideas came forth. A view emerged that it was time to step out of long-held notions of sovereignty that are facilitating crime and obstructing justice. It is time perhaps to think of joint investigation teams and national nodal officers that collaborate in real-time across national boundaries to take on the organized crime network of human trafficking. The CBI intends to hold further discussion with the Australian Federal Police to understand their comprehensive national policy to combat human trafficking so that CBI in partnership with state Anti-Human Trafficking Units and SAARC countries can build capacities and give a direction to the common regional effort to combat human trafficking.

7. While we all understood the rising menace of corruption in sports, the extent and complexity of corruption in sports and its close linkages to organized crime and betting syndicates underscored the seriousness of the challenge. We are encouraged to note that the Ministry of Sports, Government of India, has recently put out a draft law on checking corruption in sports, which would hopefully go through the legislative process quickly so that law enforcement agencies can give due priority to the subject. We in the CBI would be moving forward to build capacities for handling corruption in sports so that by the time the legislation is enacted, we are ready to put in our efforts in handling these crimes to enforce the law effectively.

8. During a session on deliberations upon the issues relating to Corporate Regulation and Fraud Risk Management, our distinguished panelists agreed that there was a pressing need for combining preventive as well as punitive strategies. It was pointed out that early warning systems, for example, timely disclosures and filings by corporations may avert a large number of corporate crimes. The experience of USA was highlighted by one of the panelists, where corporations cooperate with investigators in helping to gather additional evidence in a two-way process. At the same time, the concerns of Indian industry were also articulated, emphasizing the relative importance of “self-regulation” over “forced regulation”, which may also further improve the trust between industry and government.

9. Discussions on crimes relating to transnational Intellectual Property Rights led to a near consensus on the need for stricter laws, better enforcement and intelligence collection. More efforts are required in building awareness and respect for Intellectual Property amongst the public at large. Private sector can play an important role in collecting intelligence gathering efforts of the law enforcement machinery and so it is time to improve our engagements with private enterprise in this field. World Intellectual Property Organisation (WIPO) has shown the willingness to work closely with law enforcement agencies for more effective justice delivery in this area. So, there is an opportunity for all of us to give a greater focus to this emerging specialized area of law enforcement.

10. The difficulties in tracking proceeds of crime and forfeiture of assets have been shared. The CBI in partnership with INTERPOL have been holding regular workshops for capacity building and this is an area that poses a major common challenge to law enforcement agencies across the world. The existing laws have by and large been unable to cope with the complexities and challenges that are spread across multiple jurisdictions. This is a major area which requires greater international collaboration. We in the CBI would like to contribute to the process.

11. On the sidelines of the Conference, the officers from CBI, delegates and delegates from State Anti-Corruption Bureaux held valuable sessions in three areas of common interest, namely, Application of Technology in Investigations, Attachment and Forfeiture of Assets in Corruption Cases and Preventive Vigilance. I am given to understand that many valuable suggestions have emerged from these Sessions and these will be taken to a logical end.

12. Friends, this was our first effort at holding a regular international conference, and I am extremely happy to note that we have had a very positive response. The foreign delegates and panelists made vital contributions for strengthening our understanding of transnational issues of law enforcement. I am equally happy to acknowledge the overwhelming response from NGOs, international organizations and their contributions to the deliberations. The State Anti-Corruption Bureaux have been our long-standing partners, and we thank them for their whole-hearted participation. We look for the feedback from all delegates on the ways and means of strengthening our interactions in the future.

13. Friends, as the time for parting draws near, I would urge all of you to foster the spirit of togetherness amongst all of us that this Conference has forged, so that we can move forward to build new partnerships across borders.

14. Thank you. Jai Hind!
