Dear colleagues and students,
Ladies and gentleman,

Good evening. Let me begin by thanking my dear friend and colleague, the Co-Director of the Center for Research in Crime and Justice, Professor James Jacobs, for inviting me to speak here tonight, but more importantly for his mentorship of me over the last 20 years. Under his stewardship, the Hoffinger Colloquium series has grown into the preeminent forum for the presentation of diverse modern and historical criminal justice theories and practices. The more discourse and scholarship we devote to the field of criminal justice, the better we can enforce the rule of law, thereby fostering sustainable human development, social stability and economic growth for all.

I wish to recognize Michael J. Garcia, the former US Attorney for the Southern District of New York and INTERPOL Vice President for the Americas, who is not only one of the smartest and most able prosecutors I have known, but is also a model for the law enforcement community about what it means to be driven only by the rule of law, not by political interests, in carrying out his duties at home and abroad. I also have invited a special guest, Dr. Paula Olsiewski, Programme Director of Biosecurity for the Alfred P. Sloan Foundation.

Finally, let me thank New York University President John Sexton, and my Dean and the Dean of the NYU Law School, Ricky Revesz, for having granted me what has turned out to be the longest leave of absence in NYU Law School’s history. Prior to being elected INTERPOL’s Secretary General – prior to the deadly September 11, 2001 terrorist attacks – I had taken two leaves of absence to engage in public service, but on each occasion I returned within two years as then required under university rules.

Following September 11, I asked to be permitted to continue as INTERPOL Secretary General until we caught Osama bin Laden and brought him to justice. Back in 2002, when I asked Dean Ricky Revesz for this extension, it never occurred to either of us that more than seven years after September 11, Osama bin Laden would still not have been captured.

Despite my having worked and lived at INTERPOL’s headquarters in Lyon, France, for eight years now, I have never forgotten my bonds to my dear colleagues at the Law School and to our precious students. Fortunately for me, NYU Law School’s global expansion has allowed me for the last two years to teach a three-week summer course at the National University of Singapore, where I have been able to interact with my NYU Law School faculty colleagues and with a diverse, bright and thoughtful group of NYU and NUS law school students. I hope to do so again this summer.

It feels both great and humbling to be back on campus tonight speaking to all of you, especially to you, Jack (Hoffinger), and to the many colleagues, Colloquium recidivists and students whom I see in the audience.
The topic of tonight’s remarks is, “Confronting the Terrorist and Transnational Crime Challenges of the 21st Century: Are We Prepared?” I dedicate these remarks to all members of the INTERPOL family – not just my staff at INTERPOL’s headquarters in Lyon and in our regional bureaus around the world, but also to the officers and staff who work in INTERPOL’s National Central Bureaus and other law enforcement services in our 187 member countries. As the INTERPOL family, we are all bound by our belief in the rule of law, by our deep respect for the Universal Declaration of Human Rights, and by our conviction that without international police cooperation, we have no chance of overcoming the grave threat of terrorism and transnational crime confronting us all.

Throughout my life, I have been very, very lucky. The timing of this invitation to speak to you could not have been better. I can speak openly and candidly without my words being distorted to criticize the previous US administration.

Tonight I share with all of you and so many around the world hope for the glorious potential of what US President Barack Obama outlined just six days ago. Clearly, he captured the world’s imagination of what might be. Today, I must, however, stay focused on “what is” and, in fairness, thanks to the previous US presidential administration, INTERPOL has recently enjoyed greater cooperation and support by the United States than at any time in its history.

In percentage terms, the US trebled its budgetary contributions to INTERPOL in the last seven years. In positive policy changes, the US supported the development of INTERPOL’s global database to fight the sexual exploitation of children over the Internet, and spearheaded the creation of the INTERPOL-UN Security Council Special Notice, or alert, for individuals subject to UN sanctions against Al Qaeda and the Taliban. The US also endorsed and implemented INTERPOL’s screening system for stolen and lost passports, which I will discuss in more detail later. And, finally, the US for the first time endorsed INTERPOL’s playing a role in helping to prevent the smuggling of radiological or nuclear weapons and materials and in training police to thwart acts of bioterrorism.

Tonight, not surprisingly, once again I will talk about the need for change in the way the world sees the role of international law enforcement globally.

The change that I have been proposing over the last several years goes to the very core of the way we, the world community, should try to secure our borders and protect our citizens and businesses at home and abroad from the threat of terrorism and serious transnational crime.

We must recognise that in the 21st century, an individual country’s security cannot be guaranteed, neither by one country alone nor by the force of its military or the persuasiveness of its diplomacy, unless police capacity and respect for the rule of law in the countries concerned can sustain those gains. For this reason, we must move from a predominantly military-led approach to fighting terrorism to one that employs all components with equal vigor, and we must ensure that international police cooperation is greatly enhanced worldwide as a core component of our efforts.

Last week, the US witnessed the first handover of US presidential power since 9/11, and we are now facing a time filled with both hope and anxiety about our futures. I followed the election closely and saw firsthand the reaction of people around the world, in France, Ukraine, Switzerland, Spain, India, Pakistan, Argentina, Costa Rica, Panama, South Africa and the birthplace of President Obama’s father, Kenya.

Everywhere I traveled people welcomed the change that they expected under President Obama’s administration, but many foreign government officials with law enforcement responsibilities with whom I spoke voiced their concerns about whether President Obama fully appreciated the complexities of terrorist threats that were non-military in nature.

Closer to home, I get the sense that here in the US concerns about the threat of terrorism or other serious transnational crime have shifted from the homeland to places like Iraq, Afghanistan and Pakistan. Put another way, in comparison to worries about the economy, the threat of terrorism seems to be oceans and time zones removed from the reality of the day-to-day concerns of most Americans.
At the moment, clearly one of President Obama’s top priorities is turning around the US economy. This is certainly understandable. The financial security of his or her constituents is what each and every elected official around the world understands. In light of the current circumstances, can we rightfully make a case for putting fighting terrorism and serious transnational crime as a top priority for governments around the world?

From my perspective as INTERPOL’s Secretary General, whose dedicated officers in our National Central Bureaus and at our General Secretariat headquarters work to prevent and respond to terrorist threats around the world, we have no choice.

Why? Because unless our citizens and businesses are secure physically and feel secure psychologically there can be no solid and sustained economic development or recovery. One major international terrorist attack against the US or its allies could push us even deeper into a worldwide recession.

I do not need to remind anyone here about the devastating impact of the 9/11 attacks on New York in terms of loss of life. Those losses were the most obvious, the most personal and the most painful. But we cannot forget the link between terrorist attacks and economic harm. Insurance payouts for 9/11 alone exceeded $65 billion. Although only five people died from 15 grams of anthrax sent in letters the same year, the total economic cost was more than $6 billion. Almost 400,000 jobs were lost after the terrorist attacks in Bali, Indonesia in 2002, according to the World Bank, while the drop in tourism after the transport system bombings in London in 2005 cost in excess of $400 million.

For any terrorist attack, we have to also consider the psychological costs, which could far outweigh the number of actual casualties. If our societies become paralysed by fear and suspicion, the consequences on quality of life and national and global economies could be devastating.

Let me put it another way and let me quote part of a recent statement from Senators John McCain and Lindsey Graham: One must keep in mind, and I quote, “that the first priority of the US government is to guarantee the security of the American people.” This is the first priority of each and every country, and in my view President Obama and his administration should be deeply concerned about the terrorist and serious transnational crime threat confronting the US even at a time when the economic crisis alone seems to demand an urgent response by elected officials, constituents and businesses. I am not fear-mongering; I am simply trying to keep our focus on the real and present threat confronting us.

Let us, for a moment, look at the evidence.

The congressionally mandated Commission on the Prevention of WMD Proliferation and Terrorism has warned that without decisive and urgent action, within the next five years we face the very real threat of being attacked by terrorists, most likely using biological weapons.

Even before the publication of the Commission’s final report, indications of a bioterrorism attack were mounting. In 2004, both major-party presidential candidates called terrorists’ use of weapons of mass destruction the greatest threat to America.

There are unconfirmed reports that 40 members of an Al Qaeda affiliate were killed this month at a training camp in Algeria while attempting to develop the plague as a weapon to use on Western cities. Last month, Yazid Sufaat, a US-trained microbiologist who was known to have worked on Al Qaeda’s anthrax programme, was released by Malaysian authorities after serving seven years on the basis that he “no longer posed a threat to public order.” In July 2008, Aafia Siddiqui, a Pakistani woman suspected of ties to Al Qaeda, had in her possession a list of New York landmarks, documents describing how to produce explosives, and details about chemical, biological and radiological weapons when she was arrested by the Afghan National Police.

But the starkest evidence of all comes directly from Al Qaeda’s spokesman, Suleiman Abu Gheith, who wrote on a website just nine months after 9/11:
"We have not reached parity with them. We have the right to kill 4 million Americans – 2 million of them children – and to exile twice as many and wound and cripple hundreds of thousands. Furthermore, it is our right to use chemical and biological weapons, so as to inflict them with the fatal maladies that have afflicted the Muslims because of the (Americans') chemical and biological weapons."

The truth is that we may never be fully prepared to address the enormous security challenges that lie ahead. Preparation must be a continual, ongoing process; there is never going to be a point at which we can say that we have done everything we could. Security measures put in place after terrorists bombed the World Trade Center in 1993 did not prevent an attack on the same buildings 102 months later.

It has now been almost 88 months since 9/11, yet the alarming number of close calls since then suggests that America’s “margin of safety is shrinking, not growing,” as the Commission on the Prevention of WMD Proliferation and Terrorism noted soberly in its report issued last month. Authorities have thwarted 20 terrorist plots of varying degrees of sophistication directed at Americans or American interests since 9/11, while countless others may have never reached our radars.

The terrorists and their deadly methods will continue to evolve. But we can expand our margin of safety by adopting a radical new mindset about how we fight terrorism and other serious transnational crime; one that, first and foremost, places the military and the police on equal footing.

It is as President Obama said last month when he unveiled his national security team: "To succeed, we must pursue a new strategy that skillfully uses, balances and integrates all elements of American power: our military and diplomacy, our intelligence and law enforcement [...] ."

The “War on Terror” became a popular catchphrase after the 9/11 attacks, used by everyone from politicians and the media to people on the street, and it is now part of our common lexicon. It seems to perfectly sum up who the enemy is and why. Many people believe that the terrorists themselves declared war – not only on Americans, but on citizens of all countries.

But the term “war” is defined as “a state of usually open and declared armed hostile conflict between states or nations.” Wars are fought by the military, using soldiers, weapons and combat strategies. Wars have clearly defined opponents and objectives. But this does not apply to terrorist groups like Al Qaeda, which is neither a state nor a nation, but a decentralised network of individuals who share the same ideology and the same desire to indiscriminately murder Americans and citizens of countries close to America.

INTERPOL’s counter-terrorism fight is not a “war,” but its fight is no less important. As I said last June to a gathering of terrorism investigators from the Middle East: “Terrorists make false and insincere claims of allegiance to a greater cause, but their complete disregard for human life and the law reveals who they truly are: dangerous criminals who need to be investigated, identified, located and brought to justice.”

It would be foolish to ask the nations of the world to have their armies stand down when dangers exist. But they must pick their battles, strategise carefully and use the weapons and resources that are the most suitable to that particular battle. I respectfully suggest to you that the “army” of police throughout the world enabled by the intelligence provided by INTERPOL’s member countries is best suited to battle terrorism. One reckless murder or the destruction of property is a police matter; so, too, mass murder and mass destruction are police matters – not because of abstract categorisation – but because we together have the tools, experience, mindset and determination to investigate and solve these sorts of crime and often to prevent them from happening.

Police must take the lead in investigating, identifying, locating and bringing these criminals to justice. A 2008 study by the Rand Corporation concluded: “There is no battlefield solution to terrorism.”

The study further noted: "Police and intelligence services have better training and information to penetrate and disrupt terrorist organizations. (They) usually have a permanent presence in cities, towns,
and villages; a better understanding of the threat environment in these areas; and better human intelligence.”

For decades, it has been the police in France and Spain that have led investigations into the thefts of vehicles, weapons and explosives by Basque terrorist group ETA to carry out attacks.

It was a police-led operation that resulted in the seizure of computers and hardware that belonged to what was once thought to be one of the world’s most impenetrable terrorist groups, the FARC, by Colombia. The contents of those seized computers and hardware constitute the largest cache of terrorist information ever to reach the hands of law enforcement. At the request of Colombia, INTERPOL conducted a forensic examination of the seized computers and hardware as an independent, international police authority in a politically sensitive investigation.

While billions of dollars are being poured into military operations in Afghanistan, the police lacked a simple tool such as a fingerprinting system to identify and track terrorists and other dangerous criminals – simply because the military approaches terrorists and terrorism differently from the police. During my visit last September to Afghanistan, we agreed that INTERPOL would try to identify the resources to make sure such a system was put in place. It is critical that the Afghan police have the necessary tools and technology to effectively fight terrorism, because it is they who will be protecting the people of Afghanistan and, by extension, the world long after the last international troops have gone.

We are seeing even greater ties between terrorist groups and organized crime networks, which both need weapons, fake documents, safe houses and passage routes to survive. The group suspected of carrying out the attacks in Mumbai, India, last November had close links to organized crime. There were more than 60 incidents of maritime piracy off the coast of Somalia reported last year, and experts believe money from ransoms is going towards the war in Somalia, including funds to Al-Shabaab, which has been designated as a Foreign Terrorist Organization by the US State Department. In fact, 19 of the 44 groups on the list participate in the drug trade and other criminal activities, according to government data. This is a common thread we have seen from Central Asia to North Africa, from Western Europe to South America.

Imagine that Al Qaeda spokesman’s claimed right to use biological weapons is fulfilled. How could the military alone protect us from civilian terrorists who wish to use biological weapons to target our food supplies or turn innocent travelers into carriers of contagious diseases? How could the military alone protect us from a weapon that leaves no visible evidence of when or where it strikes?

How could the military alone be equipped or trained to deal with the threats posed by non-uniformed terrorists traveling the world to plan, train and execute terrorist attacks like 9/11 or ones that have occurred in Madrid, Mumbai, Bali, Casablanca, Islamabad, Tashkent, Moscow, London and many other cities?

In fact, INTERPOL has shown, in working with the law enforcement authorities in Iraq, that when coalition forces make arrests and compare names, fingerprints and DNA against INTERPOL databases, the police are able to establish links between terrorists and their sources of training and financing that otherwise would be unavailable to the military. So, by strengthening the role of law enforcement worldwide, governments can actually help the military more effectively discharge its mission in countries where the terrorist fight involves military battles and targets.

The world’s anti-terrorism efforts present inconsistencies that are difficult to comprehend and explain. In my opinion, President Obama’s administration can show extraordinary leadership by making it a priority to reinforce the role of police worldwide in basic but key areas.

Think for a moment about what you have to go through every time you board a flight – you have to remove your belts, shoes and watches; you have to throw away your liquids, including bottles of ordinary water. The rationale for this heightened scrutiny is a “better safe than sorry” philosophy. Given the lessons learned after 9/11, one can understand why, after a failed terrorist plot to use liquid explosives to bring down a plane, trying to avert such an act would be a priority.
But our policies should not be guided based only on making sure that every traveler has his person or belongings searched before boarding a plane. We need to try to limit the ability of terrorists or indeed any dangerous criminal from moving undetected from one country to another. This has never been a global priority, but it should be.

It may shock you to know that most countries do not systematically conduct basic due diligence on the identities of incoming travelers against INTERPOL’s database of stolen and lost travel documents to verify that travelers are who they say they are. Of the almost 900 million international arrivals worldwide in 2007, fewer than one in 12 had their travel documents checked against INTERPOL’s database, the only such database in the world. Even when travelers are stopped in possession of stolen or invalid passports, there is no international protocol requiring us to take their fingerprints and compare them against international databases. Instead, we make them get back on a plane and return to the country where the flight originated or we just let them continue on their journey.

This is simply unfathomable when we consider:

- that Ramzi Yousef, the convicted mastermind of the first World Trade Center bombing in 1993, used a stolen blank Iraqi passport to reach the US, where he claimed political asylum upon arrival;
- that fraudulent passports were used by or found in the possession of terrorists involved in the attacks in Madrid in 2004 and in London in 2005;
- that Al Qaeda itself has said how critical fraudulent identity documents were to its terrorist activities;
- that terrorists’ use of fraudulent passports was identified as a major security risk by the 9/11 Commission, which wrote in its final report that “for terrorists, travel documents are as important as weapons”; and
- that the US Government Accountability Office and a host of other bodies, including the United Nations Security Council, the G8 Ministers of Justice and Interior and the European Union, have expressed similar concerns about the use of fraudulent travel documents by terrorists.

On its own initiative, INTERPOL developed its database of stolen and lost travel documents in 2002, with about 3,000 stolen passports from 12 countries initially, and subsequently designed the technology to enable officers at border entry points to directly query this database in an automated manner. Six years later, the database contains more than 16.7 million records submitted by 145 countries, with more than 14,000 matches made between a document presented by a traveller with a document number recorded in the database as having been reported lost or stolen by one of INTERPOL’s member countries.

To give you an example of the power of INTERPOL’s system: Prior to connecting to INTERPOL’s automated system, the US only searched the database less than 1,000 times per year. In 2008, its first full year of being connected, the US searched our database more than 40 million times and identified close to 5,000 suspect travel documents, which accounted for a third of all positive matches worldwide.

Despite this spectacular progress, there are still more than 40 INTERPOL member countries, including the US’s important neighbor, Mexico, that do not contribute any data and many more countries that do not update their records regularly. To give you an idea of the magnitude of the risk of a terrorist getting his hands on a stolen passport without our knowing it, although INTERPOL has more than 16 million records in its database, it is believed that the total number in circulation may be as high as 30 to 40 million. The existence of so many unreported passports and the failure of so many countries to systematically screen passports like they do passengers’ belongings ought to concern us all.

Just one stolen blank passport enabled the chief architect of the assassination of Serbian Prime Minister Zoran Djindjic to move in and out of six different countries on 26 different occasions to plan his attack. The passport was one of 930 blanks stolen from the Croatian Consulate in Mostar, Bosnia, in 1999. One of the world’s most wanted war criminals, former Croatian Army General Ante Gotovina, used a stolen passport – which, incidentally, came from the same batch of Croatian passports stolen in 1999 – to travel throughout 16 countries before his arrest in 2005. In both cases, the passports were listed in INTERPOL’s database, but the countries were not checking passports against the database at border entry points.
Securing the US’s borders is fundamental to the safety of Americans, but it is not a panacea. The US needs to be concerned about the security of all countries’ borders. Terrorists have found that they do not even have to circumvent the increased security measures implemented after 9/11 to harm Americans, as we saw in Mumbai, where the attackers specifically targeted American, Israeli and British citizens. More and more, the ripest targets may be anywhere large numbers of foreigners gather, such as hotels, entertainment areas and transportation systems, as we saw in previous attacks in Bali and Islamabad and the foiled plot to simultaneously blow up 10 airliners mid-flight between the UK and the US in 2006.

In the face of these and other formidable challenges – and in light of the harsh economic reality we are currently facing – we urgently need to realign our priorities in a manner that maximises our already limited resources and avoids duplication of effort.

We must attach the same level of importance to international law enforcement co-operation that we give to the military and diplomacy. In fact, our Heads of State and Ministers of Foreign Affairs need to understand the limits of a military or even a diplomatic approach that does not acknowledge the vital complementary role of law enforcement. We also must endow multilateral institutions like INTERPOL with the necessary governmental support and human and financial resources to achieve what no one country or group of countries could achieve alone.

INTERPOL’s latest and most ambitious initiative, the Global Security Initiative (GSI) for the 21st Century, specifically aims to engage Heads of State, Heads of Government, Ministers of relevant agencies, the public and private sectors and other international organizations to better understand the essential role of law enforcement in combating terrorism and serious transnational crime.

The GSI was launched in October 2008 with overwhelming support from INTERPOL’s member countries. It was founded on the belief that a country’s national security agenda must be rooted in an equally vigorous international strategy and that the internal security of any one country in fact begins beyond its own borders. INTERPOL is uniquely placed to help countries address today’s complex threats, and through the five core pillars of the GSI, we have identified those strategic areas where we are best positioned to make a difference: global security, secure global infrastructure, law enforcement training and capacity-building, public-private partnerships, and innovation.

The global threats I have described comprise a billion-dollar problem that requires a billion-dollar solution. This is why we also launched the INTERPOL Global Security Fund alongside the GSI. Today, under the GSI, we are moving forward with an innovative cyber-security initiative as well as new programmes for promoting secure borders, highly secure travel documents and anti-counterfeiting technologies. These initiatives and others will ensure INTERPOL remains fully relevant in responding to existing and emerging threats.

INTERPOL already works with the UN Security Council on many counter-terrorism initiatives, including helping our member countries enforce UN sanctions against individuals and entities linked to Al Qaeda and the Taliban. Our Anti-Corruption Academy currently being built outside Vienna, Austria, is a partnership with the UN Office on Drugs and Crime and Austrian authorities. The success of our Bioterrorism Prevention Programme is the result of strong collaboration with the World Health Organization, national public health agencies like the U.S. Centers for Disease Control and Prevention, law enforcement bodies in our 187 member countries, and civil society partners like the Alfred P. Sloan Foundation based here in New York.

Any dialogue about securing our world in the 21st century must also include a law enforcement capacity-building component. Unless there are robust and well-trained law enforcement components prepared to preserve any gains by the military in Afghanistan or Iraq, for example, those gains will be temporary and less meaningful. In addition, we need to raise the capabilities of police in all countries, because our multinational efforts to secure our borders are only as strong as our weakest links. Terrorist attacks are frequently planned, organized, financed and carried out in multiple countries, and the Internet enables terrorist organizations to spread propaganda and recruit and train members from anywhere in the world.
Ladies and gentlemen,

INTERPOL has a proven track record of providing significant and cost-effective added value to our member countries in facilitating international police cooperation, operations and investigations. But we cannot do it as effectively as we should without more commitment from the governments of our member countries.

President Obama has pledged to stimulate the economy through improvements in the nation’s infrastructure by rebuilding aging roads and bridges, resuscitating ailing schools and enhancing America’s Internet competitiveness. Leaders of other nations have called for similar stimulus programmes.

Why not invest some of that money into building up our global anti-crime infrastructure, by making the Internet safer for consumers, for companies and for children, so that it can remain an engine of growth and development in the US and around the world? Why not build better and more sophisticated devices to read passports and biometric data that will make our systems for screening incoming travelers more efficient and foolproof and will keep our borders safer? Why not redirect just a fraction of the same resources that go to the military, foreign aid or economic-stimulus packages to multilateral police institutions?

In conclusion, it is my view as INTERPOL’s Secretary General that the election of President Barack Obama on his message of change and the current global economic crisis present a great opportunity for the US to overhaul the way in which it thinks of, plans and executes its approach to fighting terrorism and serious transnational crime.

Now is not the time to waste scarce resources. Two separate US government reports suggest sometime early in President Obama’s term, the price tag for counter-terrorism efforts since 9/11 will surpass $1 trillion. On the other hand, a recent study by the Copenhagen Consensus Center group of economists noted that, in fighting terrorism, “the most effective solutions are the cheapest, but they must overcome the greatest obstacles.” The authors concluded that every $1 spent on international co-operation through multilateral bodies like INTERPOL would generate $10 in security benefits.

On the occasion of the start of his historic presidency, I therefore urge President Obama and all world leaders to consider the added value and cost-effectiveness of enhancing international police co-operation.

The stakes – the safety of citizens of the US and worldwide – could not be higher. Almost seven and a half years ago, 19 individuals taught us that Al Qaeda and its followers were methodical, capable and effective at planning and executing previously unthinkable terrorist attacks. Those attacks galvanised the world to use the military to destroy Al Qaeda training camps in Afghanistan. Since then, terrorist attacks in Europe, Asia and Africa have shown that Al Qaeda is not the kind of adversary that can be fought only by the military or only in one geographic location.

Fighting Al Qaeda requires a comprehensive and holistic approach that includes elevating the role of law enforcement worldwide. It also requires sharing information as widely as possible, because someone of interest to police in one country may be of interest to police in another country. It means setting aside our political and historical differences and finding common ground where the safety of our citizens is concerned. It means putting in place legal frameworks of national laws and international co-operation mechanisms that facilitate cross-border investigations while respecting human rights and civil liberties.

But, first and foremost, it means that all of us, especially in law enforcement, need to be courageous enough to admit that we are not yet prepared for what may lie ahead without fear that we might be accused of betraying those who have put their trust in us and on whose sacrifice and dedication our very safety and security depend – the brave men and women of law enforcement worldwide.

Thank you.