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Communication tools and international operations as a means of fraud prevention

EU Member States' customs administrations have a central role in the fight against cross-border crime. For this reason it is important to have an all-round cooperation between the Member States and the Commission, as well as with third countries and the accession candidates in particular.

The EU Member States have agreed on a certain definition for joint customs operations: The term 'joint customs operation' stands for operational, targeted and fixed-term measures in order to stop sensitive and other goods from being smuggled. The operations may be in full scale, that is, carried out by at least five Member States; or limited, in which case the minimum number of participating countries would be three.

EU Member States' customs administrations have harmonised their activities and increased mutual collaboration in many ways. One significant area of customs cooperation is joint operational action for preventing fraud. It may be that in the commotion of an operational action not enough attention is given to informing the media. On the one hand, it is understandable, as crime prevention operations deal with a lot of confidential and sensitive information and documentation. In addition, there seems to be varying cultures of publishing information in different EU Member States. It has been striking, however, that the debriefing meetings after many of the operations have not given much attention to releasing the results for publication. And on the other hand, it has not yet been discussed how and what aspects of the operation will be communicated to the Community and Member States. Yet, a significant function of these operations is to promote awareness on the customs authorities' preventive fight against crime.

The EU Member States' customs administrations arrange numerous crime prevention operations between two, three or more countries in various fields. For the most part, all EU Member States participate in joint enforcement operations. Preparations for the operational actions are naturally highly confidential as are the relevant documents. The operation targets are by definition of interest to decision-makers and to the general public, such as cigarette and alcohol smuggling, and trafficking in narcotics and weapons. The joint enforcement operations between the EU Member States' customs administrations are agreed upon in the EC Council Customs Cooperation Working Party (3rd Pillar). Annually, there have been four or five such large-scale operations. Also a similar Police Cooperation Working Group agrees on arranging certain joint operations each year, in which EU customs administrations participate within the limits of their powers. Furthermore, the Baltic area member states have a cooperation working group operating against organised crime, that arrange numerous multilateral and multidisciplinary enforcement operations annually.

Although the primary goal in the EU fraud prevention operations is to develop readiness to fight against fraud and organised crime, another aspect, nearly as important, is to see that information is shared in an appropriate manner. The operational action plans very often point towards actions that include the entire EU in an active fight against crime, and the aim is to prevent crime from happening.

Of course, the operations represent something in their own right and send in their essence a positive message about actively participating customs administrations.

Also, the results of the operations greatly influence communication, even if they often do not constitute the most significant part of a single operation. The public very often gets a very simplified black-and-white picture of the operations. Here perhaps communications experts could step in.

Who do we inform of the enforcement operations:

- general public
- operators of trade and traffic
- parliaments
- media
- ministries and other national authorities
- EU working groups and authorities
- criminals

Of course it must be stated that the confidential reports of the operations are better and better these days; clearer and analytical. This is definitely an important communication tool for catching the EU bodies' attention, especially at the OSA Council, on the work done. But it is hardly enough.

Practical situations are complex, however, as many things must be kept in mind when informing the media. Criminal investigations or other possible follow up measures instigated as a result of the operations must not be jeopardised by going to the media too soon. In some Member States the customs powers, as far as criminal investigations are concerned, are smaller, which may also affect the readiness to communicate information. National legislations and judicial practices determine when specific details on companies or persons involved in illegalities can be published. These operations hardly ever have any special common information policy. The EU Council Customs Cooperation Party has discussed how to inform the media but a clear coordination in this respect is still lacking. The Customs Cooperation Party has on the one hand underlined the successes of the operations and on the other, brought to the forefront the risks of information leaks following a more open policy.

In actual fact, operational action can and should be reported on in a detailed and fresh manner. In real life, information on the criminal *modi operandi* spreads extremely fast, and operational action does not really produce the kind of tactical information which could not be published. In these cases, the viewpoints of the operational and communications staff and of the leadership may vary, but the aim should be at transparency. Retrospective communication of statistics is a different matter, as mere

statistics rarely have the same news value as concrete events tightly set in time and place.

A concrete example:

OPERATION RAID (co-financed by EU FALCONE programme)

An operation targeted at combating organised crime involved in the trade and traffic between the EU and Russia. It was a question of double invoicing and organised economic crime. Nine EU Member States's customs, police and prosecution authorities, and representatives of ministries from several countries, as well as the authorities of the Russian Federation participated in the operation. It was arranged after the Finnish EU presidency, in accordance with the Tampere Summit resolutions, and Finland coordinated the operation.

There was an urgent demand for a concrete operation, as Russian authorities had recurrently paid attention to the matter, and demanded concrete measures from the EU. On the other hand, there had been a lot of discussion in the media and among the decision-makers in Finland about this issue. Then there was a political need both nationally and internationally to prevent concrete crime.

The goals of the operation according to the operation plan were:

- to prevent double invoicing
- to uncover the criminal organisations in the EU and Russia
- to trace criminal proceeds
- to stop and uncover money laundering and economic crime
- to improve information exchange and to create smoothly operating communication between Russia and EU Member States.

Some of the goals were reached and some probably were not. The concrete results that could be measured in financial terms were substantial. The operation created a basis for future measures and showed that an associative system worked in fraud prevention. The operation may not have eliminated the problem, but it worked very well as a communication tool. Companies and persons involved in illegal activities as well as trade and traffic on broader terms received the message about sound practices and that authorities may intervene. The operation received positive publicity in the Finnish press. A press release was drawn up immediately after the debriefing meeting and the highest Finnish Customs Enforcement official gave out interviews. The operation gave a clear message and allowed the law enforcement authorities, Customs and Police to continue their work around the problem. The operation also created a credible project-based approach to this specific type of crime prevention. Nevertheless, even here we may have lost something, as there was not a single communication expert present during the different phases of the operation.

The Russian administration and communication culture presented certain problems, while imposing a lot of restraints. This is understandable, as for instance in connection with the operation RAID, where Russian authorities met us with a lot of pressure and surveillance. The safety of the participating officers must also be taken into account.

Recently the police authorities have markedly become more media active in many ways. The Police emphasize that way their contribution to an open society, and present themselves as an upright and transparent organisation in society. It can be said for police organisations that they have taken the media actively into their most significant operations to depict their action in an interesting and captivating way. Of course, part of the material will serve be excellent for training purposes, but in a special way they have also provided an extra value for breaking news and informing interest groups.

In certain fields of fraud prevention, the MOU partners provide an excellent channel for increasing publications. That way we are able to show other viewpoints and not just those of the authorities. With the contribution of our partners we point out the vital role of Customs in securing legal traffic and trade. The emphasis on informing the media is among the tasks of the customs administration, such as collecting taxes and protecting society.