



HELSINKI COMMISSION HEARING

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Testimony :: James Weber

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OSCE INITIATIVE ON ORGANIZED CRIME IN SOUTHEAST EUROPE

INTRODUCTION:

The Federal Bureau of Investigation, with the support of the U.S. Department of State, believes that it is essential to station more of its highly-skilled Special Agents in other countries to prevent foreign terrorism and foreign crime from reaching into the United States to kill and harm Americans in their own workplaces, streets, homes, and houses of worship.

The United States has been ravaged for far too long by foreign criminals originating in partial or complete sanctuaries abroad and using their beyond-the-border advantages to carry out terrorism, drug trafficking, and other violent crimes while they also rob American pockets by vast, complex economic crimes.

This is not the first time that the FBI has worked with the Congress to develop better programs to combat crimes that originate beyond our borders, seas, and sheer distance that once provided greater protection but no longer suffice in a new era of instant communications, fingertip banking and commerce, and swift and easy travel access to anywhere in our country.

In 1996, the FBI had in place in our Legal Attache Offices 70 senior Special Agents, all possessing specialized anti-crime skills, and 54 support personnel in 23 nations around the world. They work closely with authorities of those countries to build cop-to-cop bridges that help all law-abiding societies to develop cooperative efforts to better protect their people and our people.

In Fiscal Year 1999, the FBI had in place 91 Special Agents and 64 support personnel to address approximately 24,000 investigative matters originating in our domestic field offices out of 35 Legal Attache offices. The Legal Attache offices are listed below:

* These offices will be opened during Fiscal Year 2000.

Europe

Vienna, Austria

Brussels, Belgium

Copenhagen, Denmark

London, England

Tallinn, Estonia

Paris, France

Berlin, Germany

Athens, Greece

Rome, Italy

Moscow, Russia

Warsaw, Poland

Madrid, Spain

Bern, Switzerland

Kiev, Ukraine

Africa

Lagos, Nigeria

Pretoria, South Africa

Asia/Pacific

Canberra, Australia

China, Hong Kong

Tokyo, Japan

Manila, Philippines

Singapore, Singapore*

Bangkok, Thailand

Central Asia/

Middle East

Almaty, Kazakhstan*

Cairo, Egypt

New Delhi, India*

Tel Aviv, Israel

Islamabad, Pakistan

Riyadh, Saudi Arabia

Ankara, Turkey

Western Hemisphere

Buenos Aires, Argentina

Bridgetown, Barbados

Brasilia, Brazil

Ottawa, Canada

Santiago, Chili

Bogota, Colombia

Mexico City, Mexico

Panama City, Panama

Caracas, Venezuela

The FBI is deeply grateful to the Congress for its support and innovative contributions for the Legal Attache Program already in operation and is working through the approval process to open new offices in Prague, Czech Republic; Amman, Jordan; Bucharest, Romania; Santo Domingo, Dominican Republic; Seoul, South Korea, and Nairobi, Kenya.

BOSNIA INITIATIVE:

In 1997, a multi-agency law enforcement team, comprising FBI, DEA and U.S. Customs Service agents, conducted a crime survey in the Federation territory in Bosnia. This was followed up by a single team survey in April 1998. Among the recommendations were that an Organized Crime expert should be consulted or employed, preferably by personal services contract, to assist the Federation and the Republika Srpska (R/S) with building organized crime units within their respective police departments. At the time, standard operating procedures were not in place for either cantonal or federal level law enforcement in the Federation, and the R/S was minimally cooperative.

On March 16, 1999, the U.S. Embassy Sarajevo contacted the Legal Attache office in Vienna to advise that a car bomb had exploded in Sarajevo at 8:00 a.m. that morning fatally injuring the Deputy Interior Minister of the Federation in Bosnia, Jozo Leutar, a Bosnia Croat Official. Legat Vienna was advised that a request for assistance had been made by the Interior Minister of the Federation to U.S. Ambassador Richard Kauzlarich for FBI technical assistance. The FBI sent a team to Bosnia to provide forensic and technical assistance.

At the specific request of the U.S. Ambassador to Bosnia, Thomas Miller, and with the concurrence of Director Freeh, two FBI agents will be stationed on a temporary basis in Sarajevo for 90 days with the possibility of a renewal of 90 days should progress merit. These agents will follow up on the Leutar bombing and address transnational crimes issues in an advisory capacity to Federation and R/S police services and the NATO Stabilization Force (SFOR). These agents will be armed for safety and personal protection, but do not have law enforcement powers.

The FBI agents will serve as monitors and mentors while in Bosnia, and will work closely with the Embassy, SFOR and law enforcement to assess criminal information, evaluate investigative techniques, oversee training, when needed, and advise the host country law enforcement on building cases against organized crime groups operating within Bosnia for eventual prosecution. During the first 90 day tour of duty, a senior FBI adviser will visit the team to assess progress and viability of continuing the tour of duty.

SOUTHEAST EUROPEAN COOPERATIVE INITIATIVE (SECI):

SECI is a forum in which the representatives and sovereign nations join in discussing

economic and environmental problems in an effort to find solutions. It is a self-help program that was initiated on December 5, 1996. The participating countries are Albania, Bosnia, Bulgaria, Croatia, Greece, Hungary, Moldova, Romania, Slovenia, Turkey, and the Former Republic of Yugoslavia, Macedonia,

Within the criminal justice/law enforcement sector is the SECI Center, located in Bucharest, Romania. Like the other sectors, it is the same eleven nation coalition, in this case attempting to join forces to confront criminal activity grown rampant since the breakup of the Soviet Union. The confluence of new, democratic freedoms, and porous borders have greatly contributed to vastly increased intra-regional crime. Accordingly, the initial focus of this law enforcement sub-initiative was on trans-border crime. SECI quickly determined an organized crime (OC) origin or nexus to the bulk of this trans-border crime, and SECI law enforcement operations now have a generic OC orientation. The SECI Center is a non-operational entity which serve as a headquarters and information clearing house for all SECI law enforcement matters, the "national focal points," and the regional task forces.

The SECI Center will contain the leadership/management/administrative elements and liaison officers from each of the 11 countries. Ideally, this will include one police officer and one customs officer from each country. Additionally, an "observer" and/or liaison officers from the (nonmember) United States and supporting Western Europe countries will be present at the Center. Interpol and the World Customs Organization are designated as permanent observers. Some of these people will be full time, some part time (splitting duties with their normal embassy Bucharest assignment), and some, like the FBI, will rotate in and out of the country. The FBI has three representatives: one "U.S. Observer," and two Liaison Officers to support the Human Trafficking Task Force (HTTF). The SECI Center is due to open 6/6/00. Based on a number of factors, two specific task forces (anti-crime initiatives) were dedicated to drugs and human trafficking. The HTTF is located in Bucharest, within the Ministry of Interior, Romanian National Police, Directorate for Combating Criminal Organizations.

Essentially, both task forces have a substantive theme, but will not have a traditional multi-agency, fixed geographical composition. For example, while Bucharest and (possibly) Sophia, Bulgaria (drugs) will in fact have task forces, they will on a day-to-day basis consist only of those normal members of their OC units. On a routine basis, through the SECI Center, these core Task Force (TF) members will communicate with other designated TF members who remain in their (the other ten) countries working either/both TF matters. From time to time, it is envisioned that the FBI or DEA will bring those task force members to ILEA, Budapest, to assess their operational plan and advise, as appropriate. These TF's are the operational arm of each member's police/customs force, and will conduct normal police/customs operations. The "National Focal Points" are those officers who will act as in-country liaison officers to SECI Center and other SECI members. They would serve as "information traffic cops," and coordinate all matters with SECI.

After some two plus years of political and diplomatic negotiations, SECI has made substantial progress towards becoming a functioning organization.

With aggressive and mid-long term U.S. and other sponsoring nations' support, SECI can

become a historic and vital player in the Balkan's anti-organized crime efforts. Borrowing on the same logic that created ILEA and a number of other Eastern European anti-crime projects, an effective SECI can confront Balkan OC in its infancy, and reduce its impact on the United States.

HUNGARIAN/U.S. SIX-POINT ASSISTANCE PLAN

The Hungarian/U.S. Six-Point Assistance Plan announced during the visit of Hungarian Prime Minister Viktor Orban, in October 1998 to FBI Headquarters in Washington, D.C., targets primarily international organized crime groups that are either based in or active in Budapest, Hungary. Because of its geographic location, Budapest historically has been a center of commerce and finance in the region. In recent years Budapest has seen the presence of organized -- and often violent -- criminal organizations that engage in a wide range of illegal activities affecting not only Hungary and other countries in Europe, but directly impacting the United States. In September 1998, FBI Director Louis J. Freeh met with Prime Minister Orban, Interior Minister Sandor Pinter, and other senior Hungarian government and law enforcement officials in Budapest to discuss the common threat of organized crime, and to praise Hungary for its willingness to assert strong leadership in the international law enforcement arena.

Prime Minister Orban, U.S. Attorney General Janet Reno, U.S. Ambassador to Hungary Peter Tufo, Hungarian Ambassador to the United States Geza Jeszensky, and Director Freeh announced a six-point assistance plan that provided a wide range of investigative support to Hungarian law enforcement, aimed at the goal of disrupting and dismantling crime groups. The support includes FBI Agents with an expertise in organized crime matters, expert laboratory and forensic assistance, criminal justice information systems support, and prosecutorial assistance for joint strike forces. It recognizes the commitment of the Hungarian government to address a problem that, if left unchecked, poses a direct threat to developing Hungarian institutions and, ultimately, all of Central Europe.

"A strong and committed international partnership is now in place which will allow us to move forward against a common enemy," Prime Minister Orban said. "For Hungary, it is a pivotal time in our history. We must preserve a healthy climate for business and commerce as we continue to move toward becoming a regional center in Central Europe. I fully support this plan because it takes us a major step in that direction."

Ambassador Tufo said: "Hungary is soon to be a member of NATO and a center for investment and trade in Central Europe. We cannot and will not allow Hungary to become a center for organized crime. Hungary will be a model for the region in how to defeat this pervasive crime problem -- before it is too late."

Director Freeh said: "The United States and Hungary enjoy a close law enforcement working relationship at every level. Beginning with shared commitment in 1994 to work together on emerging crime problems, to the opening of the International Law Enforcement Academy in Budapest in 1995, and through joint initiatives over time, Hungary has been a key law

enforcement partner in Central Europe. This plan raises our relationship to a higher level by bringing our respective strengths to bear against a common enemy that threatens not just particular countries or regions, but all nations."

Background of the U.S. - Hungary Relationship

While Hungary has been a key U.S. law enforcement partner for a number of years, efforts to develop a comprehensive, long-term and targeted investigative strategy have recently intensified.

Since his arrival in Budapest in the fall of 1997, Ambassador Tufo has been a tireless advocate of U.S. cooperation with Hungarian authorities in a task force concept to attack international organized crime groups. He recognized early on that the threat posed by international criminals not only to the governmental, business and financial institutions in countries where they operate, but in today's global markets, represent a direct threat to American interests as well. The Ambassador has worked closely with the Department of State to develop a training and technical assistance plan for Hungarian law enforcement.

In July 1998, a new government led by Prime Minister Orban took office in Hungary and has made security issues, particularly fighting organized crime, a top priority. Dr. Sandor Pinter, a career law enforcement professional and former head of the Hungarian National Police, was appointed Minister of the Interior. Dr. Pinter has long been a strong supporter of close U.S.-Hungarian bilateral cooperation and the International Law Enforcement Academy.

In 1994, Director Freeh led a delegation of federal law enforcement leaders in an unprecedented overseas mission to Central and Eastern Europe to determine if the United States and 11 nations in the region could create new joint programs to fight crime. In remarks given at the headquarters of the Hungarian National Police, Freeh acknowledged the progress that Hungary had made in the previous four years in adapting to democratic structures. But he also warned of the growing problem of organized crime emanating from Russia and the Newly Independent States and cited the costs of the American experience in allowing organized crime to become entrenched. He pledged U.S. support and called for a coordinated law enforcement response, consistent with the fundamental democratic principles of justice.

Six-Point Assistance Plan

I. U.S. - Hungarian Law Enforcement Liaison

The U.S. Government will seek diplomatic accreditation for representatives from key U.S. law enforcement agencies to serve as liaison with Hungarian counterparts.

II. Formation of a Hungarian-American Law Enforcement Working

In recognition of the dual threat of international organized crime and terrorism to the people of Hungary and the United States, a working group will be created to develop formal avenues to improve relations between the two countries by building on investigative successes, solving problems that diminish the timely exchange of investigative information and improving the successful resolution of joint international crime and terrorism investigations.

The Hungarian-American Working Group will be modeled on the Italian American Working Group (IAWG), one of the most successful international bilateral working groups in addressing common crime and terrorism issues. The IAWG mounted a coordinated and sustained attack against organized crime. The success of the IAWG framework resulted from developing cop-to-cop partnerships and focusing upon a common and agreed upon strategy.

As the IAWG has grown from its beginnings, through the "Pizza Connection" cases and the bombing assassinations of Italian crime fighters Judges Falcone and Borsellino, to the present benchmark of international law enforcement cooperation, the Hungarian-American Working Group will become the principal mechanism for the exchange of criminal information and expertise between the Hungarian National Police (HNP) and the FBI in areas relating to international organized crime and terrorism. The Hungarian-American Working Group will likely convene annually, alternating between Washington, D.C. and Budapest, Hungary, to advance mutual objectives toward the common goal of identifying, attacking and dismantling international organized crime and terrorist groups that threaten the lives and liberty of our citizens.

HNP/FBI Task Force

As a first step in developing better liaison with the HNP, the FBI is in the process of developing an HNP/FBI Task Force to work in Budapest to address international organized crime. The Task Force will comprise five FBI agents temporarily assigned in Budapest to work with HNP officers in an advisory capacity.

A February 21, 2000 New York Times article regarding the FBI's cooperation with Hungarian law enforcement does not accurately depict the FBI's role. Statements in the article indicating that the FBI would be exercising law enforcement powers in Hungary are wrong.

As part of the six-point law enforcement cooperation plan, FBI Special Agents in an advisory capacity will be assigned on temporary duty as part of a joint task force to combat organized crime, specifically on cases with a direct connection to the United States. Agents will work side-by-side Hungarian officers in their advisory capacity -- under the authority of the Hungarian government and subject to existing Hungarian law and law enforcement working procedures.

As in any foreign nation, FBI Agents will not have law enforcement powers. They will not make arrests, unilaterally develop or operate informants, nor gather intelligence. The carrying of weapons is subject to approval by the host government and the United States Ambassador,

and is requested for self-defense purposes only. In any foreign country where the FBI works with its law enforcement counterparts, Agents will work within a strict framework of liaison protocols that recognize the sovereignty of that nation and the jurisdiction of that nation's law enforcement authorities.

III. Legislative Assistance with Development of Anti-Crime Laws

U.S. legislative specialists will continue to work closely with the American Embassy and the Government of Hungary in the development and implementation of anti-crime legislation targeted at international organized crime.

Currently, the Government of Hungary is considering a comprehensive legislative package that would give investigators and prosecutors the tools to deal effectively with complex and emerging organized criminal activity. Based on anti-crime provisions that have proved successful in the U.S. and elsewhere, the proposal includes tougher sentencing, seizure of financial assets, witness protection, undercover authority, stronger drug and money laundering laws, and racketeering and continuing criminal enterprise statutes.

The assistance consists of investigators and prosecutors with experience in organized crime, who will share with Hungarian authorities both the successes and the pitfalls of the long battle with organized crime in the United States.

IV. Enhanced Training for Hungarian Law Enforcement

Special emphasis will be placed on training which will directly improve the ability of Hungarian law enforcement to investigate and prosecute major organized crime cases. There will be a training program at ILEA, Budapest, designed to improve investigative skills and management of major cases and development of prosecutive packages to be presented in court.

V. Laboratory and Forensic Training and Assistance

The FBI Laboratory will work closely with Hungarian law enforcement to assess forensic needs and to determine how laboratory assistance can support investigative priorities. Unsolved bombings and other investigative matters that rely on forensic evidence will be reviewed. Training in forensic science will be conducted to strengthen the capabilities of Hungarian laboratory investigators and examiners in pending and future cases. A scientific fellowship exchange will allow Hungarian forensic experts to come to the United States to observe and work side-by-side with their counterparts in the FBI Laboratory in Washington, D.C.

Because of Hungary's experience with bombings, a major focus will be in the explosives area, where the FBI Laboratory conducts forensic examinations in bombing matters and presents expert witness testimony in court concerning forensic findings. The Laboratory provides direct

field support in bombing matters and crime scene investigations, as well as searches of bomb factories and safe houses where explosives may be. It maintains liaison with domestic and foreign manufacturers of explosives as well as military and governmental agencies engaging in explosives-related matters. The Laboratory also conducts training in bombing crime scene investigations and laboratory forensic examinations related to bombing matters.

The FBI Laboratory maintains the largest single computer library in the world dedicated to commercially-produced explosives identification and comparative examination purposes. One laboratory program gives instant access to resources including a unique device that compares unique elements of cases, which has proved to be extremely helpful in serial bombing cases.

VI. Technological Support

The FBI's Criminal Justice Information Services (CJIS) Division will provide access to identification and other information service programs that have a practical, crime-solving application. This initiative is driven by two goals: to promote common international standards and inter-operability of law enforcement data systems; and, to promote sharing of law enforcement data through state-of-the-art technology.

The development of mutually shared databases and the development of electronic links between the FBI and Hungarian law enforcement will require a series of discussions to determine the relative inter-operability of existing systems and protocols, future technology obligations, and the status of Department of State treaty initiatives.

International Law Enforcement Academy

In April 1995, the International Law Enforcement Academy opened in Budapest, modeled after the FBI National Academy at Quantico, Virginia. The FBI-led, State Department funded ILEA has been a resounding success, where 750 police officers from 20 countries throughout Central and Eastern Europe and Eurasia have completed the eight-week program. The success of the academy is testament to a sense of cooperation between the FBI and the Department of State, and among the many federal agencies that contribute as instructors, including the Drug Enforcement Administration, United States Secret Service, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, Immigration and Naturalization Service, Internal Revenue Service, Diplomatic Security Service and the Federal Law Enforcement Training Center. Additionally, the New York City Police Department, the John Jay College of Criminal Justice and the University of Virginia have participated.

Another 2,700 police officers have participated in shorter, specialized training courses at ILEA. The students have used techniques learned at ILEA to combat their own crime problems -- and to assist U.S. investigators with domestic U.S. cases. For example, Polish officers who attended ILEA dismantled a clandestine drug laboratory where drugs were destined for the United States; Ukraine and Hungary have established a close working relationship on their borders as a result of their students attending the Academy, and together have apprehended

organized crime members who have ties to the United States; and, ILEA graduates from the Baltic countries have sought FBI assistance on organized crime matters that directly affect U.S. national security.

ILEA is a critical part of the overall U.S. international training program which is funded by Congress under the auspices of the Department of State's International Narcotics and Law Enforcement, the Freedom Support Act, the Support for Eastern European Democracies, and the Antiterrorism Training Assistance programs. These programs have resulted in U.S. law enforcement building bridges of cooperation and understanding with their foreign counterparts at the investigator level. Such bridges and relationships are among the most positive steps the U/S. Government can take to keep foreign crime problems from reaching America.

GREECE: 17 NOVEMBER TASK FORCE:

Seventeen November (17N) is a terrorist organization that has been in operation in Greece for the last twenty-five years and continues to be a threat to both Greek and U.S. citizens. During attacks specifically targeting American diplomatic and military personnel, 5 Americans have been killed and 29 injured. To date, there has been no successful prosecutions of any individuals suspected of being involved in 17N activities.

The task force initiated operations in December of 1998. It consists of 2 FBI Special Agents (SAs) and 3 Greek Police Officers. It is also supported by surveillance, bomb and miscellaneous investigative personnel from the Hellenic Police on an "as needed" basis. Legat Athens is the on-site supervisor and maintains liaison with the Hellenic Police Counter Terrorism (HPCT) Unit and Athens embassy staff.

On December 23, 1999, the joint FBI/HPCT task force ended the year on a positive note with the arrest of a Greek terrorist. This was deemed a significant test case for the joint team as numerous investigative initiatives were employed to identify the fugitive's whereabouts. Now, with the capture of the fugitive, significant new investigative leads have been generated and will be pursued by the task force.

FBI SAs have worked with the FBI Profilers from Quantico, Virginia, who have continued to support the 17N investigation. Profilers have examined all U.S. victim cases and will review significant 17N Greek victim cases. Profilers will delve into the victimology aspects of the attacks, and further examine 17N modus operandi and group dynamics of the organization.

FBI SAs have provided numerous training initiatives. This included an international terrorism training seminar at Quantico, Virginia, an FBI post blast school in Athens, and a two-week undercover training course provided in January 2000 at Quantico, Virginia.

The FBI has maintained excellent professional relationships with the HPCT. Host country protocols have been adhered to and all task force operations will continue to be worked jointly with the HPCT. The FBI has fully briefed the U.S. Ambassador at the U.S. Embassy Athens regarding the task force efforts and the 17N investigation. The U.S. Ambassador has expressed

his appreciation and commented on the excellent work accomplished by the task force thus far.