

ISPAC
*International Scientific and Professional
Advisory Council
of the United Nations
Crime Prevention and Criminal
Justice Programme*



International Conference on
**THE EVOLVING CHALLENGE OF IDENTITY-RELATED CRIME :
ADDRESSING FRAUD AND THE CRIMINAL MISUSE AND FALSIFICATION
OF IDENTITY**

at the initiative of
International Scientific and Professional Advisory Council of the United Nations
Crime Prevention and Criminal Justice Programme/ ISPAC
Centro Nazionale di Prevenzione e Difesa Sociale/ CNPDS
Courmayeur Foundation

in cooperation with
United Nations Office on Drugs and Crime/ UNODC, Vienna

Courmayeur Mont Blanc, Italy, 30 November - 2 December 2007

FONDAZIONE CRT



F O N D A Z I O N E
CENTRO INTERNAZIONALE SU
DIRITTO, SOCIETÀ E ECONOMIA

The proliferation of national and transnational cases of the criminal misuse and falsification of identity constitutes a serious and rapidly expanding problem for both developed and developing countries. The spread of modern information and communication technologies creates a vast range of new opportunities for such criminal activities, which in turn jeopardizes the legitimate use of those technologies for development purposes. In addition, the increased reliance on personal and corporate identification in both public and private sectors and in a wide range of transactions has made our globalized and computerized society extremely vulnerable to misuse of identities and fraudulent practices linked to them.

The United Nations Office on Drugs and Crime commissioned a study on “fraud and the criminal misuse and falsification of identity”, which was released in early 2007. Further to highlighting the seriousness of the problems posed by economic fraud and the challenges encountered in the fight against it, the study also considered abuses of identity or identification information as distinct criminal offences. Thus, it approached an old problem from a new criminal justice perspective and departed from the traditional approach of focusing on the criminalization of other activities committed using false identities.

On the recommendation of the Commission on Crime Prevention and Criminal Justice at its sixteenth session in April 2007, the Economic and Social Council welcomed the results of the study and encouraged Member States to avail themselves of its recommendations when developing effective strategies for responding to the threats posed by identity-related crime. The Council further encouraged the promotion of mutual understanding and cooperation between public and private sector entities through initiatives aimed at bringing together various stakeholders and facilitating the exchange of views and information among them.

In this context, UNODC is pursuing an initiative to create a consultative platform on identity-related crime that brings together senior public sector representatives, business leaders, international and regional organizations and other stakeholders in order to pool experience, develop strategies and facilitate further research in this area.

In line with its long-standing tradition of providing a conduit for in-depth discussions on matters of international interest and making tangible contributions to the international community through the United Nations Crime Prevention and Criminal Justice Programme, ISPAC is devoting its annual Conference to the identification of best ways and means to address effectively identity-related crime.

The Conference is expected to build upon the results and recommendations of the UNODC study and further advance its findings by utilizing, refining and, if necessary, expanding the evidentiary material gathered for the purposes of the study. One of the outcomes envisaged is the elaboration of a comprehensive publication containing a fine-tuned complete version of the study, coupled with separate papers to be prepared by the panellists that will attend the event. Another outcome to be pursued is the formulation of appropriate guidelines for developing useful practices and training material in the prevention, investigation and prosecution of identity-related crime that could be useful to law-enforcement and policy-making authorities of Member States.

The Conference is also an effort to promote and facilitate a constructive dialogue among the various stakeholders and an opportunity for them to exchange views on how to achieve effective synergies and work together for tackling the challenges associated with identity-related crime.

PROGRAMME

Friday 30 November
3.30 p.m.

Opening Session

- FABRIZIA DERRIARD, *Mayor of Courmayeur*
- LODOVICO PASSERIN d'ENTRÈVES, *President of the Courmayeur Foundation*
- RENATO RUGGIERO, *Ambassador; President, Centro Nazionale di Prevenzione e Difesa Sociale/ISPAC*

Keynote Address

KUNIKO OZAKI, *Director, Division for Treaty Affairs, United Nations Office on Drugs and Crime/UNODC*

Introductory presentation

CHRISTOPHER RAM, *Counsel, Department of Justice, Criminal Policy Section, Canada*

Presentation of documentation (long version of the UNODC study) – Brief overview of the substantive and procedural background of the study

4.30 p.m.

SESSION I:

Economic fraud: Challenges and counter-actions

Chair

LIVIA POMODORO, *President of the Court of Milan; ISPAC Board Member*

- **An overview of the meaning of fraud in different jurisdictions and the problems posed by it (scope and elements of fraud offences, types of fraud encountered and criminalized at the national level)**
PATRICK CUNNINGHAM, *Executive Director, South African Fraud Prevention Service*
- **Scope and extent of fraud (measurement, quantification, reporting)**
JEFFREY SEDGWICK, *Director of Justice Statistics, U.S. Department of Justice*
- **Protection against identity-related fraud: balancing effectiveness and civil rights**
GIOVANNI BUTTARELLI, *Secretary-General, Garante per la protezione dei dati personali, Italy*
- **Fraud and the element of transnationality/involvement of organized criminal groups**
MICHAEL LEVI, *Professor of criminology, University of Cardiff, United Kingdom*

- **Dealing with the proceeds of fraud**

XUEQIN JIAN, *Public Prosecutor, International Cooperation Department, The Supreme People's Procuratorate of P. R. China*

Debate

**Saturday 1 December
9.30 a.m.**

SESSION II:

Identification information and the novel threat of identity-related crime

Chair

KUNIKO OZAKI, *UNODC*

- **Identification information and identity abuses: nature, concept and types of identity-related crime**

CHRISTOPHER RAM, *Counsel, Department of Justice, Criminal Policy Section, Canada*

- **Identity-related on-line fraud: measures taken by public forces**

DOMENICO VULPIANI, *direttore della Polizia Postale e delle Comunicazioni, Italy*

- **Biometric Identification Technologies and the use of e-security to protect identity**

ROBIN CHALMERS, *Head of International Policy, United Kingdom Identity and Passport Service, Member, ICAO New Technologies Working Group*

- **Means used to commit identity-related crime: the role of information, communications and commercial technologies**

DAN CONWAY, *Research Fellow, Team Cymru, USA*

- **Online identity theft and related threats**

BRIGITTE ACOCA, *Consumer Policy Analyst, OECD Committee on Consumer Policy, Directorate for Science, Technology and Industry*

- **Rates and trends in identity-related crime**

K. JAISHANKAR, *Editor-in-Chief, International Journal of Cyber Criminology; Lecturer, Department of Criminology and Criminal Justice, Manonmaniam Sundaranar University, Tamil Nadu, India*

Debate

3.00 p.m.

SESSION III:

Identity-related crime and inter-linkages to other crimes

Chair

JONATHAN RUSCH, *Special Counsel for Fraud Prevention, Criminal Division, Fraud Section, US Department of Justice*

- **The relationship between identity-related crime and economic fraud**

KEVIN MCNULTY, *Head of Identity Fraud Reduction Team, Identity and Passport Service, United Kingdom*

- **The relationship between identity-related crime and other crimes, including money-laundering, bank fraud and corruption**

NIKOS PASSAS, *Professor, Northeastern University, College of Criminal Justice, Boston, Usa; Scientific Co-ordinator of the Conference proceedings*

- **Use of Identity-related crime to facilitate organized crime and terrorist activities**

JEAN-LOUIS BRUGUIERE, *premier vice président, Tribunal de Grande Instance, France*

Commentator

VICTOR SHTOYUNDA, *expert of the Monitoring Team, UN 1267 Sanction Committee, New York*

Debate

SESSION IV:

Identity-related crime: Challenges for effective criminal justice responses at the national and international levels

Chair

NIKOS PASSAS, *Scientific Coordinator of the Conference proceedings*

- **Criminalization and jurisdictional issues**

DEMOS CHRYSIKOS, *Crime Prevention and Criminal Justice Officer, United Nations Office on Drugs and Crime/UNODC*

- **Domestic powers to investigate, prosecute and punish identity-related crime**

JOANNE KLINEBERG, *Counsel, Department of Justice, Criminal Policy Section, Canada*

- **The element of transnationality in identity-related crime and international cooperation to combat it. Applicable international legal framework, including the United Nations Convention against Transnational Organized Crime and the Council of Europe Cybercrime Convention-Operational aspects**
 - **Applicable legal framework**
ALEXANDER SEGER, *Head of Technical Cooperation Division, Directorate General I – Legal Affairs, Department of Crime Problems, Council of Europe*
 - **Operational aspects**
RUTSEL SILVESTRE J. MARTHA, *General Counsel, Office of Legal Affairs, INTERPOL*

Debate

**Sunday 2 December
9.30 a.m.**

SESSION V:

Identity-related crime: victims and prevention issues

Chair

PEDRO DAVID, *Juez de la Camara de Casacion Penal, Argentina*

- **Victimization issues (different patterns of victimization, measures to protect victims of identity-related crime)**
NICOLE VAN DER MEULEN, *International Victimology Institute Tilburg, The Netherlands*
- **Prevention of identity-related crime and the role of the private sector**
VINCENT YANG, *Senior Associate, ICCLR, Canada; Visiting Chair Professor of Law, Beijing Normal University, China*
- **Cooperation between public and private sector to develop preventive measures**
 - R.K. RAGHAVAN, *former Director, Central Bureau of Investigation, New Delhi, India*
 - JEAN-CHRISTOPHE LE TOQUIN, *Attorney, Internet Safety and Security, Legal and Corporate Affairs, Microsoft Corp.*

Commentator

JOSÉ LUIS PINEDO CRESPO, *president, SIGNE S.A., Spain*

Debate

CONCLUSIONS/RECOMMENDATIONS

- KUNIKO OZAKI
- NIKOS PASSAS
- CHRISTOPHER RAM

Conference Secretariat:

Fondazione Centro nazionale di prevenzione e difesa sociale
Palazzo Comunale delle Scienze Sociali
3, Piazza Castello - 20121 Milano MI
Phone: +39 02 86.46.07.14 - Fax : +39 02 72.00.84.31
E-mail: cnpds.ispac@cnpds.it - Home page: www.cnpds.it
Home page: www.ispac-italy.org

Conference Venue:

Hotel Pavillon
Via Regionale, 62 – 11013 Courmayeur, Aosta, Italy
Tel. +39 0165 84.61.20 – Fax: +39 0165 84.61.22
E-mail: info@pavillon.it

Official languages: English, French and Italian with simultaneous interpretation

Milan, 15 November 2007