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U.S. Attorney General John D. Ashcroft

- "For example, in 2002, the United States Justice Department dealt with more than 1,000 federal prosecutions of corrupt officials"
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- " I remain convinced that there is no more important area in the fight against corruption than the challenge for us within the law enforcement and justice sectors to keep our own houses clean."
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The highest law official of the U.S.A. - the head of the U.S. Department Of Justice - was not only clearly aware of corruption in America's courts and the policing and enforcement sectors of our justice system, but he candidly admits that the vast majority of corrupt officials will never be caught.

Perhaps there is no power more easily and profitably abused by corrupted officials than the selective enforcement of our laws. Partners and affiliates in organized rings can easily decline to investigate or prosecute their brethren, and competitors and whistleblowers of this sort of organized crime ring are easily targeted for retribution under the Color Of Law .

Imagine the battlefield of the business world where competing interests compete for profits. **No w imagine a corrupt neo-police force which protects one element in the field of competition while they cause harm to their opponents**

. This is how the Neo-Mafia operates. Do you see how quickly one loosely affiliated group of aggressive business suit wearing money chasers and their lawyers can gain advantage in nearly every business endeavor when their crimes are protected by corrupt affiliates in government?

"The only thing necessary for the triumph of evil is for good men to do nothing." -- *Edmund Burke*

There is a relevant scene from Shakespeare, I believe it was in Henry VIII, when the military minds of one nation are plotting to destroy and overthrow a foreign power.

"The first thing"

in the plot for the destruction of the opposing country was to destroy their legal system: the resulting anarchy and lack of confidence in the nation would then enable and hasten the full destruction and overthrow of the country. In today's post 9/11 world, I am struck by the irony and incongruity of the extraordinary surveillance and alteration of the freedoms of ordinary citizens when our Justice Department and FBI remain blinded to the obvious and extreme corruption and organized crime operating in our courts - certainly a much more immediate and real threat to the stability of our nation.

Below is a transcript of John Ashcroft's blunt remarks to the international community, with highlighting emphasis added. You can see [of copy of his remarks](#) at the State Department.

Attorney General John D. Ashcroft's Remarks at the Second Global Forum on Fighting Corruption

The Hague, Netherlands, May 31, 2001

Introduction

Your Majesty, Excellencies, Ladies and Gentlemen:

On behalf of the United States, I would like to express my government's great appreciation to Minister Korthais, his colleagues within the Government of the Netherlands, and all the members of the Organizing Committee, for all your hard work in putting together this Forum. You undertook a Herculean task, and you have succeeded wonderfully.

Increased Interest in Global Forum

Two years ago, when the United States hosted the First Global Forum in Washington, more than 50 ministers and several hundred other representatives from over 90 countries participated. We considered that to be a significant achievement, but Global Forum II has attracted more than double the number of ministers and several times the number of experts, with representatives from more than 120 countries.

New International Understanding and Candor about Corruption

These extraordinary numbers are directly attributed to the excellent organizational work of our Dutch hosts. I believe, however, that the presence here of so many high-ranking officials from around the world also reflects the remarkable emergence in the last few years of an **international willingness to acknowledge the existence of serious corruption within one's own country.**

There is a consensus that the time is ripe for collective international action against **a problem shared by all nations of the world.**

Corruption is no longer seen as an accepted cost of doing business; it is no longer tolerated as an unavoidable aspect of government. It is now widely recognized that the consequences of corruption can be devastating: devastating to economies, devastating to the poor, devastating to the legitimacy and stability of government and devastating to the moral fabric of society.

What makes this new understanding all the more remarkable is that it is accomplished by a new optimism that corruption, despite its seriousness, is something that can be controlled, that it is indeed possible to be successful in the fight against this age-old scourge.

And so we have gathered here in unprecedented numbers, to take advantage of a rare window of opportunity, to share our experiences, refine our understanding about effective practices, and search for new and better ways to work together domestically and internationally to address a problem of great importance to us all. Perhaps more important than the practical insights exchanged, we signal by our presence here the political will and commitment of our governments to engage seriously in this fight, and to follow-up our words with meaningful actions.

U.S. Commitment to International Fight Against Corruption

On behalf of the United States, I am pleased to have this opportunity to reaffirm President Bush's statement to the opening session of this Forum in which he made clear his strong support for international efforts to combat corruption. The president, and all of us in his

Administration, are committed to the continued development and refinement of international knowledge and expertise about the nature and causes of corruption and how best to prevent and control it. We are committed to working cooperatively with other countries around the world, in both bilateral and multilateral ways, in our fight against corruption. We look forward to continuing to advance these efforts when we come together again at Global Forum III, which the government of Korea has graciously offered to host in Seoul, Korea, in 2003.

I would like to talk this morning about three of the important dimensions of the fight against corruption: the international dimension of treaties and mutual evaluation; the national dimension of law enforcement and preventive measures; and the critical moral dimension of this complex issue.

International Dimension

Call to Implement Treaty Obligations and Effective Practices

I turn first to the international dimension. Thanks in part to conferences like this, it is fair to say that the international community already knows a great deal about how to control corruption. There are many international instruments and documents readily accessible right now in text and on the Internet, which set forth numerous effective corruption fighting practices. I have in mind instruments and documents such as: the OECD Convention; the Inter-American Convention Against Corruption; the Council of Europe's Criminal Law Convention; the First Global Forum's Guiding Principles; the Anti-Corruption Principles developed by the Global Coalition for Africa; as well as extensive materials that have been developed and collected by the United Nations, the World Bank, and non-governmental organizations such as Transparency International.

I do not mean to suggest that there is not still much to learn about fighting corruption or that these instruments and documents should be the last word on the subject. **No country -- certainly not the United States -- is free of corruption**, and no country should lecture others on how to eliminate it. We must continue serious international diagnosis of the phenomenon of corruption and analysis of the effectiveness of measures to combat it. And we look forward to working within the United Nations to develop a meaningful global instrument against corruption that efficiently adds value to the current array of multilateral agreements and mechanisms addressing corruption.

But we do not have to wait for more studies and more international agreements before implementing treaty obligations that have already been assumed or taking preventive and enforcement measures that are widely recognized to be effective. We also need to be careful that the development of new agreements and statements of guiding principles and best practices not divert critical resources and political energy from the imperative of taking concrete action now against corruption.

Importance of Mutual Evaluation Mechanisms

It is thus time for us all to take seriously the job of implementation. Sustained self-generated action should be complemented by mutual evaluation mechanisms that rigorously and objectively analyze anti-corruption measures. Effective mutual evaluation entails not only a review of the laws that are on the books, but also on-site visits by expert evaluators and input from civil society so that the manner in which anti-corruption measures function in practice can be fully assessed.

The United States is pleased to participate in several mutual evaluation mechanisms related to corruption, in particular those conducted through the OECD, the Financial Action Task Force, the GRECO, and the Stability Pact Anticorruption Initiative. We also support the proposed follow-up mechanism to the Inter American Convention against Corruption, which we expect to be formally adopted by the Parties to the Convention next week at the OAS General Assembly meeting in San Jose, Costa Rica. We believe that objective and rigorous mutual evaluations have great potential to identify practices that are working and those that are not, and to focus governments on the task of setting anti-corruption priorities and taking practical steps to implement them.

National Dimension

Importance of Integrity Among Law Enforcement and Judicial Officials

The second dimension of corruption I would like to discuss is the national dimension. As my country's chief law enforcement officer, I see daily the critical importance of working together to

create and maintain high standards of integrity within those institutions that are responsible for law enforcement and justice. Indeed, that topic was the original focus of the Global Forum process. Although the Global Forum has now grown to address a broader array of corruption issues, **I remain convinced that there is no more important area in the fight against corruption than the challenge for us within the law enforcement and justice sectors to keep our own houses clean.**

Corruption in the agencies charged with enforcing our laws not only threatens communities by allowing dangerous criminals to roam free, it also undermines the confidence of our citizens in law enforcement and the criminal justice system. The same is true with respect to judicial corruption.

We must all, in our own countries, lead the fight to ensure integrity within our police and judicial systems. And we must come to each other's assistance when corruption investigations lead to a need for access to evidence, witnesses or fugitives that are abroad.

Importance of Preventive Measures

But in the national fight against corruption, law enforcement is only one weapon. Corruption offenses, especially bribery violations, are often extremely difficult to prove. **In the real world of limited resources, we know that we can only detect, investigate and prosecute a small percentage of those officials who are corrupt**

Thus, corruption is truly an area where the proverbial ounce of prevention is worth much more than a pound of cure. By focusing our attention and resources on areas like government hiring and promotion, employee compensation, codes of ethical conduct, internal controls, and auditing procedures we can prevent much more corruption than we would ever be able to prosecute.

Moral Dimension

I turn now to the third dimension of corruption: the moral dimension. In the end, we must acknowledge morality is an essential foundation of law. Governments are reflective of the societies they serve. Even with strong law enforcement and preventive measures, there will still be those tempted by corruption, and those willing to corrupt. We must come to a recognition, personally and culturally, that corruption is not just a violation of law, not just an economic disadvantage, and not merely a political problem, but that it is morally wrong.

One of the most interesting points from the presentations by religious leaders at this Forum and at the First Global Forum in Washington was that bribery is fundamentally incompatible with the ethical values of every one of the world's great religions.

Personal Responsibility of Government Leaders

This means, as suggested by this Forum's symbol -- the mirror -- that we each have a very personal responsibility. A former United States President -- Grover Cleveland -- had as his motto: "Public office is a public trust." Many of us here are justice and security officials, charged with combating the corruption of others. Through our actions we enforce the law, but through our conduct and the conduct of those who work with us, we set a moral example for society. If our own integrity is questioned, we lose the moral authority to lead the fight against corruption. To be sustainable over time, the political will necessary to succeed against corruption requires a moral foundation. Economic and political interests are shifting. The morality of fighting corruption is a constant. It is common ground that all can and should share.

I believe it is essential that those of us who are privileged to hold high positions in government use our leadership positions not only to shape government policies but also to represent the highest values of our societies. In so doing, we must work with the leaders of civil society, including religious institutions. And we must always bear in mind the ten most important import two-letter words in the English language: "If it is to be, it is up to me." We must leave this Forum determined to rededicate ourselves as public servants to uphold our public trust and to protect our nations and people against the evils of corruption. We should do this knowing that the process is long and difficult, but in the solemn confidence that with our united effort, we will succeed.

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