

## INTERPOL's Project EVEXI: Transitioning from Capturing Pirates at Sea to Targeting Illicit Financiers and Criminal Networks

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### Introduction

Between 2009 and 2012, the prisons and courthouses of several countries in the Indian Ocean region were overflowing with pirates captured at sea by international naval forces. These pirates were largely 'small fish' or 'foot soldiers of the Somali piracy networks whose leaders, High Value Targets (HVTs), were directing operations from the safe haven of land. With the exception of a project code-named Cerberus in the Seychelles, no regional prosecuting country devoted attention to identifying piracy leaders and facilitators. The arrest and prosecution of hundreds of low-level pirates was having only a minimal effect in deterring and preventing piracy. Several countries approached INTERPOL, the world's largest international police organization, for assistance and counsel regarding the investigation of these organized criminal networks. Project EVEXI was created to help fill this critical void.

### What is EVEXI?

EVEXI (Evidence Exploitation Initiative), co-funded by the governments of Norway and France, is a strategic initiative by INTERPOL designed to provide a framework for the systematic and coordinated exploitation of physical and testimonial evidence, enabling regional law enforcement officials to target the leaders of the Somali piracy networks who plan, finance and benefit from piracy attacks, as well as those who launder the proceeds of such crimes. Implemented in eight of INTERPOL's 190 member countries across two phases thus far,<sup>1</sup> EVEXI has established and promulgated procedures for maritime piracy intelligence gathering and forensic evidence collection in the region, and further sought to build the capacity of regional law enforcement officials to apply an effective information-sharing mechanism. The ultimate goal is to ensure that all information assets are exploited for

intelligence, and that evidence located across multiple jurisdictions can be consolidated and used in the prosecution of pirate leaders and support networks.

### **EVEXI Methodology**

EVEXI is firmly rooted in and inspired by the UN Convention against Transnational Organized Crime (UNTOC), which provides, among other things, a framework for extradition, mutual legal assistance and law enforcement cooperation, and other tools to combat transnational organized criminal networks such as those involved in piracy.<sup>2</sup> It further promotes training, exchange of expertise and pooling of resources through the use of Joint Investigation Teams (JIT), as well as provides technical assistance for building the necessary capacity of national authorities. Using all the tools available under the UNTOC, Project EVEXI aims to help regional countries maximize the exploitation of all piracy evidence in the beneficiary states in order to target senior piracy organizers and investors for pursuit and prosecution, since the key to identifying and dismantling these organized piracy networks is to build investigative capacity and an information-sharing network, and coordinate parallel, national investigations of those networks.<sup>3</sup>

To enhance maritime piracy evidence collection and utilization, INTERPOL's Project EVEXI is divided into six distinct stages:

#### ***Stage I - Inventory***

A complete inventory of information assets available in the jurisdiction is created, including:

- Digital and other electronic evidence derived from an arrest/investigation;
- Released hostages;
- Captured pirates;
- Telecommunications data;
- Serial numbers of outboard engines;
- Firearms and ballistics evidence.

### ***Stage II - Case Clustering***

As data from individual incidents are collected, incidents are grouped together for investigative purposes. Groups typically share a common port of origin, financier or organizer. As information is collected and shared, connections can be drawn between incidents, which in turn strengthen the evidence against the HVTs for all clustered incidents. The case clusters serve as the nucleus of the complex investigations of various piracy networks.

### ***Stage III - Collection Planning***

A collection plan is formulated for each cluster, determined by the available sources of information and the expertise of available personnel.

### ***Stage IV - Collection and Preservation of Intelligence/Prosecutable Evidence***

The core activity of a maritime piracy investigation includes interviewing captured pirates and/or released hostages and taking their statements for potential use in criminal investigations and judicial proceedings. This stage, in particular, requires expert support from INTERPOL and its member countries, including translators, experienced debriefing facilitators and more.<sup>4</sup>

### ***Stage V - Analysis***

The information is collated and analyzed to help the regional countries:

- Identify the main actors involved in organizing, financing, negotiating and leading each act of piracy;
- Identify what role each actor played;
- Learn how they enabled the piracy operations;
- Establish when and where they performed their roles;
- Establish motives for these acts of piracy;
- Identify any other pertinent matters.

The result of this analysis can offer a partial view of how the acts of piracy have been organized. Considered in conjunction with information from other countries that have suffered piracy at the hands of the same organizers, a clearer picture of the support networks underlying maritime piracy typically begins to emerge.

### ***Stage VI - Generation of Two Identifiable Products***

For each cluster of cases, two products are generated:

- An intelligence product for presentation to INTERPOL experts;
- A prima facie case built on legally admissible evidence that would lead to the issuance of an INTERPOL Red Notice, or international wanted persons alert, for each target.

Both products provide strong, practical guidance to local law enforcement officers as they pursue complex maritime piracy investigations. A carefully prepared catalogue of questions based on the collective experience of piracy investigators helps define best practices when interviewing piracy suspects and other intelligence assets for future cases. By providing a framework for the systematic and coordinated exploitation of information and offering a regional platform to coordinate and share intelligence, EVEXI ensures that evidence is consolidated and used by the beneficiary countries to successfully investigate and prosecute HVTs of the Somali networks.

### **Coordinating Parallel Investigations and Information Sharing among Countries**

Once evidence from each EVEXI beneficiary case is collected and analyzed, the project then shifts its focus to the sharing of data across these multiple jurisdictions via INTERPOL's secure police communications network, known as I-24/7. The legal frameworks for sharing such information have existed for years. For example, international instruments such as UNTOC as well as regional mechanism such as the Harare Scheme for Mutual Legal Assistance and the London Scheme for Extradition have provided a sound basis for the exchange of information among EVEXI member countries and solidifying the international cooperation needed to defeat piracy networks.<sup>5</sup>

In addition to promoting the use of these various instruments to share data on the criminal networks, EVEXI has established a regional network of prosecutors and law enforcement officers in countries in East Africa and bordering the western Indian Ocean to enhance police cooperation and mutual legal assistance. EVEXI has also supported case coordination meetings of the beneficiary countries to share information with each other on the pirate networks and to identify links among the various cases that were being, or had been, prosecuted.

### **The First African Joint Investigation Team**

Based on the early outcomes of EVEXI, the participating countries of the 15th Eastern Africa Police Chiefs Cooperation Organization (EAPCCO) meeting in Seychelles from 25-30 August 2013 passed a series of resolutions allowing EAPCCO member countries to cooperate and share intelligence on piracy cases. EAPCCO countries also passed a resolution and signed recommendations supporting the establishment of a JIT to combat maritime crime, with a specific focus on Somali pirate leaders, organizers and financiers. The first East African JIT 'Hameli' was established by Kenya, Tanzania and the Seychelles at an EVEXI case coordination meeting in Zanzibar, Tanzania in November 2013. Mauritius joined in March 2014. JIT Hameli allows for closer cooperation and coordination between law enforcement and judicial authorities, enabling members to share information and dispatch work efficiently to maximize time and resources.

### **Conclusion**

Project EVEXI is a unique initiative enabling INTERPOL to deliver case-related and capacity building support to the eight beneficiary countries with regards to investigating maritime piracy. As the risk of maritime piracy off the coast of Somalia and in the Indian Ocean is likely to persist, the implementation of EVEXI has placed the beneficiary countries in a solid position to independently conduct comprehensive investigations into piracy incidents. EVEXI can be considered as a cornerstone of the international law enforcement community's counter-piracy efforts, and a critical component in the wider support for affected regional countries. The benefits also reach beyond piracy, and the EVEXI strategy and objectives may also be applicable to other crimes such as terrorism and environmental crime.

## Endnotes

<sup>1</sup> Kenya, Madagascar, Maldives, Mauritius, Oman, Seychelles, Somalia and Tanzania.

<sup>2</sup> In an unbroken line of resolutions relating to Somali piracy, the UN Security Council recognized the need to focus on the networks that finance and orchestrate these attacks. See UN Security Council Resolutions 1950, 1976, 2020 and 2077.

<sup>3</sup> Somali pirate networks clearly meet the definition of 'organized criminal group' under UNTOC.

<sup>4</sup> Seeking the cooperation of captured Somali pirates to build cases against network leaders is endorsed by Article 26 of UNTOC.

<sup>5</sup> With the exception of Somalia, most current EVEXI countries are parties to the UNTOC. As members of the Commonwealth, Kenya, Mauritius, Seychelles and Tanzania are also parties to the Harare Scheme for Mutual Legal Assistance and the London Scheme for Extradition.

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