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**LETTER FROM THE DIRECTOR**

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It is my privilege to inform readers of the successful completion of the 125<sup>th</sup> International Training Course on “Effective Countermeasures against Illicit Drug Trafficking and Money Laundering” which took place from 8 September to 30 October 2003. In this course we welcomed 10 Japanese and 14 overseas participants: 11 from Asia, 2 from Africa and 1 from Eastern Europe. They included police and drug enforcement officers, public prosecutors, judges, a customs officer, a probation officer, a correctional officer, a member of the coastguard and other high-ranking public officials. As this newsletter demonstrates, the course was extremely productive. It consisted of individual presentations, group workshop sessions, visits to relevant criminal justice agencies, and presentations by visiting experts, faculty members and *ad hoc* lecturers.

During the course the participants diligently and comprehensively examined measures to prevent drug trafficking and studied ways in which money laundering could be detected and prevented. This was accomplished primarily through a comparative analysis of the current situation and the problems encountered in tackling these issues. The participants’ in-depth discussions enabled them to put forth effective and practical solutions.

Illicit drug trafficking is a crime that we need to tackle most urgently and intensely because it undermines not only people’s health but also society itself. Many organized criminal groups rely heavily on such income to fund their growth. In order to prevent drug offences effectively, the deprivation of proceeds is very important. However criminals try to evade law enforcement authorities by disguising and concealing the origin of dirty money. The international community has become increasingly aware of the problem of money laundering.

To ensure that these criminals can find no safe haven, various international initiatives have been taken, including the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted in 1988. This Convention requires State Parties to criminalize money laundering and take necessary measures to trace, freeze and forfeit the proceeds in relation to drug offences. The United Nations has also adopted the UN Convention against Transnational Organized Crime which provides for a comprehensive legal tool to effectively tackle transnational organized crime, requiring State Parties to extend the scope of predicate offences of money laundering beyond drug trafficking to all serious crimes. The Financial Action Task Force on Money Laundering (FATF) has been instrumental in establishing international standards with its “Forty Recommendations”. Regional initiatives, such as the Asia/Pacific Group on Money Laundering (APG), have also been taken in order to implement these international standards within a specific region.

The purpose of this International Training Course was to offer participants an opportunity to share information on the current situation of Illicit drug trafficking and

money laundering, and the challenges faced by each country. At the same time the course offered participants the opportunity to explore more effective measures and strategies to meet the considerable challenges that they face.

I would like to offer my sincere congratulations to all the participants upon their successful completion of the course, made possible by their strenuous efforts. My heartfelt gratitude goes to the visiting experts and *ad hoc* lecturers who contributed a great deal to the course's success. Furthermore, I appreciate the indispensable assistance and cooperation extended to UNAFEI by various agencies and institutions, which helped diversify the programme.

A warm tribute must be paid to the Japan International Cooperation Agency (JICA) for its immeasurable support throughout the course. At the same time, I must express great appreciation to the Asia Crime Prevention Foundation (ACPF) and its branch organizations for their substantial contributions. Lastly, I owe my gratitude to all the individuals whose unselfish efforts behind the scenes contributed significantly to the successful realization of this course.

Upon returning to their home countries, I genuinely believe that, like their predecessors, the strong determination and dedication of the participants will enable them to work towards the improvement of their respective nation's criminal justice systems, and to the benefit of the international society as a whole.

Finally, I would like to reiterate my best regards to the participants of the 125<sup>th</sup> International Training Course. I hope that the experience they gained during the Course proves valuable in their daily work, and that the bonds fostered among the participants, visiting experts and UNAFEI staff will continue to grow for many years to come.

October 2003

*Kunihiko Sakai*  
Director, UNAFEI

## THE 125<sup>TH</sup> INTERNATIONAL TRAINING COURSE

### “EFFECTIVE COUNTERMEASURES AGAINST ILLICIT DRUG TRAFFICKING AND MONEY LAUNDERING”

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#### Course Rationale

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It goes without saying that illicit drug trafficking facilitates drug abuse which is one of the most serious global social problems, and also brings organized criminal groups substantial profits, which fund such groups activities and stimulates their growth. Much of these profits infiltrates the legitimate business sphere and may impair the integrity and stability of legitimate economic and financial systems as a whole. It has also been pointed out that some proceeds of drug trafficking may even go into the pockets of terrorist groups. Illicit drug trafficking and the proceeds derived from it, therefore, pose an immeasurable threat to the security of the government and the rule of law, as well as economic and political stability and the sound development of all countries, including Asia and the Pacific region.

It is obvious that law enforcement agencies should make every effort to prevent illicit drug trafficking related offences and investigate these offences thoroughly by utilizing various investigative methods. Controlled delivery and undercover operations, for example, have been utilized as effective investigative measures to date. On the other hand, when we pay attention to the fact that the purpose of illicit drug trafficking is to pursue financial gain, the most effective strategy is to deprive the perpetrators of their illicit proceeds and any property derived from them; and to control and criminalize the act of disguising and concealing the origin of this dirty money i.e. the act of “money laundering”. This strategy will deprive criminals of their incentive to commit further crime and exhaust the funds for reinvesting in further criminal activities, which will inevitably weaken the functionality of these organized criminal groups or even destroy them. Such strategy has given us a new approach to effectively combat illicit drug trafficking.

However, dirty money is actually increasingly laundered on an international scale owing to the development of technology and the increasing globalization of the economy and society. We are all aware that money laundering itself poses a growing threat to our society as well as to the international economic and financial system. According to some research by the United Nations and others, estimates of the amount of money laundered globally in one year have ranged between \$500 billion and \$1 trillion, and the majority of this amount is the proceeds of drug trafficking. Criminals can have a deleterious effect on legitimate businesses parasitically and distort fair competition by their huge illicit proceeds. Furthermore, money laundering techniques have made rapid progress and become more sophisticated, for example, by the skillful use of shell corporations, off-shore financial centers (the safe haven of illicit funds), underground banking and the involvement of professionals such as lawyers and

accountants. Organized criminal groups have strengthened their global networks among them rapidly.

In recognition of the gravity of this issue, various international initiatives have been taken to tackle illicit drug trafficking and money laundering. As regards the United Nations, the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances was adopted in 1988, which requires State Parties to criminalize money laundering and take necessary measures to trace, freeze and forfeit the proceeds in relation to drug offences. The United Nations also adopted the UN Convention against Transnational Organized Crime in 2000, which provides for a comprehensive legal tool to effectively tackle transnational organized crime, and it requires State Parties to extend the scope of predicate offences of money laundering beyond drug trafficking to all serious crimes. The UN Office on Drugs and Crime has actively contributed to the fight against money laundering in various fields including implementation of the Global Programme against Money Laundering.

The G-7 Summit established the Financial Action Task Force on money laundering (FATF) in 1989, and most importantly, FATF developed the international standards “The Forty Recommendations” which set out a comprehensive blueprint for countries to implement effective anti-money laundering programmes. FATF examines the 29 member countries and territories’ progress in implementing “The Forty Recommendations” through self-assessment and a mutual evaluation procedure, and also publishes a list of Non-Cooperative Countries and Territories to encourage those countries to improve their programmes. In addition, regional initiatives have been actively taken, for example the Asia/Pacific Group on Money Laundering (APG) has addressed this issue to facilitate the implementation of internationally accepted money-laundering standards in this region since 1997.

In reality, nonetheless, we have encountered difficulties in detecting illicit drug trafficking and money laundering due to the clandestine nature and the complexity of these offences, including identifying, tracing and freezing the proceeds of crime. In this respect, we should introduce, by domestic legislation, innovative legal weapons provided in the above-mentioned UN Conventions and other international standards, and implement these more effectively by, for example, improving investigative techniques, in order to combat such crime.

Furthermore, it is widely acknowledged that due to the inherent global nature of illicit drug trafficking and money laundering, harmonization of countermeasures and international cooperation is indispensable, especially so as to deny creating safe havens to criminals and their illicit proceeds. If a country does not join our concerted battle, the illicit money will flow into that country and will be laundered. International cooperation needs to be stressed; information exchange mechanisms, and mutual legal assistance and extradition needs to be carried out in a more effective and expeditious manner. Without strengthening international cooperation, we can never win the “war on drugs”.

Taking this into consideration, UNAFEI, as a regional institute (affiliated with the United Nations) for the prevention of crime and the treatment of offenders, decided

to undertake a series of international training courses and seminars under the general subject of “countermeasures against transnational organized crime”. This course is part of UNAFEI’s continuing commitment to this internationally important theme.

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## Course Summary

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### **Lectures**

In total, 9 lectures were presented by visiting experts, 5 by *ad hoc* lecturers and 4 by the professors of UNAFEI. Five distinguished criminal justice practitioners and scholars from abroad served as UNAFEI visiting experts. They lectured on issues relating to the main theme, and contributed significantly to the Course by encouraging discussions after their own lectures, participating in the discussions of other programmes, and conversing with the participants on informal occasions. Additionally, distinguished senior officials of the Government of Japan delivered *ad hoc* lectures. The lecturers and lecture topics are listed on pages 7 and 8.

### **Individual Presentations**

During the first three weeks, each Japanese and overseas participant delivered a one hour individual presentation, which introduced the actual situation, problems and future prospects of his/her country. These papers were compiled onto a CD Rom and distributed to all the participants. The titles of these individual presentation papers are listed on pages 9 through 11.

### **Group Workshop Sessions**

Group Workshop Sessions further examined the subtopics of the main theme. In order to conduct each session effectively, the UNAFEI faculty selected individuals to serve as 'group members' for the sub-topics, based on their response to a questionnaire previously distributed. Selected participants served as chairpersons, co-chairpersons, rapporteurs or co-rapporteurs, and faculty members served as advisers. Each group's primary responsibility was to explore and develop their designated topics in the Group Workshop Sessions. The participants and UNAFEI faculty seriously studied the topics and exchanged their views based on information obtained through personal experience, the Individual Presentations, lectures and so forth. After the Group Workshop Sessions, reports were drafted based on the discussions in the conference room. These reports were subsequently presented in the plenary meetings and report-back session, where they were endorsed as the reports of the Course. Very brief summaries of the Group Workshop reports are provided on pages 12 through 14.

### **Visits and Special Events**

Visits to various agencies and institutions in Japan helped the participants obtain a more practical understanding of the Japanese criminal justice system. In addition to the Course's academic agenda, many activities were arranged to provide a greater understanding of Japanese society and culture, with the assistance of various organizations and individuals, including the Asia Crime Prevention Foundation (ACPF). For more detailed descriptions, please refer to pages 15 to 19.

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**Lecture Topics**

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***Visiting Experts' Lectures***

- 1) Mr. Hans G Nilsson
  - Developments in Mutual Legal Assistance and Extradition at International Level
  - Special Investigation Techniques and Developments in Mutual Legal Assistance
- 2) Mr. Tony Kwok Man-wai
  - Investigation of Money Laundering and Corruption- Part 1
  - Investigation of Money Laundering and Corruption- Part 2
- 3) Pol. Maj.Gen. Peeraphan Prempooti
  - Money Laundering in Thailand- Part 1
  - Money Laundering in Thailand- Part 2
- 4) Ms. Linda Samuel
  - Challenges Facing U.S. Anti-money Laundering Efforts in Transnational Crime- Part 1
  - Challenges Facing U.S. Anti-money Laundering Efforts in Transnational Crime- Part 2
- 5) Mr. Jean-Paul Laborde
  - United Nations Convention against Organized Crime.

***Professors' Lectures***

- 1) Ms. Sue Takasu, *Professor*, UNAFEI
  - Investigation and Prosecution in Japan
- 2) Mr. Toru Miura, *Professor*, UNAFEI
  - The Criminal Justice System in Japan: The Courts
- 3) Mr. Kei Someda, *Professor*, UNAFEI
  - Community-Based Treatment of Offenders in Japan



- 4) Mr. Hiroyuki Shinkai, Professor, UNAFEI
- Institutional Corrections in Japan

***Ad Hoc Lectures***

- 1) Mr. Motoo Noguchi  
*Counsel, Office of the General Counsel, Asian Development Bank*
- “International Efforts for Combating Money Laundering and the Financing of Terrorism”
- 2) Mr. Junichi Sudo  
*Deputy Director, Drug Control Division, National Police Agency*
- “Money Laundering”
- 3) Mr. Noriaki Watanabe  
*Deputy Director, Public Security Department, Tokyo Public Prosecutors Office*
- “The Present State of Drug-Related Crimes in Japan”
- 4) Mr. Tatsuya Kanai  
*Director, Japan Financial Intelligence Office (JAFIO), Financial Services Agency*
- “Fight against Money Laundering in Japan- Role of the Japan Financial Intelligence Office”
- 5) Mr. Hakan Oberg  
*Director, Economic Crimes Bureau, Division for International Affairs, Sweden*
- “A New Concept for Fighting Economic Crime”

***Seminar at Mita Kaigisho***

The participants attended a two day Seminar entitled “Counter-Terrorism Conventions for the Purposes of Encouraging the Accession to the Convention by Countries in Southeast Asia”. The seminar was held at Mita Kaigisho from 16 to 17 October 2003.

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**Individual Presentation Topics**

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***Overseas Participants***

- 1) Mr. Phub Dorji (Bhutan)
  - Country Report
- 2) Mr. Mohamed Gamal Adel Sayed Ahmed El Miggbir (Egypt)
  - Country Report
- 3) Mr. Aro Siinmaa (Estonia)
  - The Current Situation Concerning Drug Related Crimes and Money Laundering in Estonia
- 4) Mr. Shankar Jiwal (India)
  - Country Report
- 5) Mr. Asra (Indonesia)
  - Criminalizing Money Laundering in Indonesia and its Problem
- 6) Ms. Diah Ayu Hartati (Indonesia)
  - The Prevention of Money Laundering Crimes in Indonesia
- 7) Mr. Sibounzom Bounlom (Laos)
  - Country Report
- 8) Mr. Vilavath Thephithuck (Laos)
  - Country Report
- 9) Mr. Jalalludin Bin Abu (Malaysia)
  - Country Report
- 10) Mr. Hussain Rasheed Yoosuf (Maldives)
  - Country Report
- 11) Ms. Syed Nayyar Abbas Kazmi (Pakistan)
  - Country Report

- 12) Mr. Antonio Piedad Bartolome (Philippines)
  - The Menace of Drug Trafficking and Money Laundering in the Philippines: A Great Challenge to Law Enforcers
- 13) Mr. Esaka Deus Ndege Mugasa (Tanzania)
  - Country Report
- 14) Mr. Krirkkiat Budhasathit (Thailand)
  - Country Report

### ***Japanese Participants***

- 15) Mr. Hikoichiro Fujisawa (Japan)
  - The Recent Trend of Drug Offenders (with a focus on adult stimulants and narcotics cases) and their Treatment- the National Trend and an Analysis of the Situation at Hachioji Branch, Tokyo Probation Office
- 16) Mr. Koji Furusaki (Japan)
  - The Law Concerning Money Laundering in Japan and Problems with its Implementation
- 17) Mr. Shozo Hirata (Japan)
  - Special Group Treatment Programs for Stimulant Drug Users and Members of Boryokudan at Osaka Prison
- 18) Mr. Hiroaki Kanosue (Japan)
  - Japan Coast Guard's Effective Countermeasures against Illicit Drug Trafficking and Money Laundering
- 19) Ms. Takashi Kume (Japan)
  - Effective Countermeasures against Illicit Drug Trafficking and Money Laundering
- 20) Ms. Kyoko Muto (Japan)
  - A Case in Which Effective Methods were used to Round Up a Drug Trafficking Organization
- 21) Mr. Masato Nakauchi (Japan)
  - The Function and Role of Narcotics Control Departments for Controlling Drug Abuse and Tackling Money Laundering
- 22) Mr. Tadayuki Sawada (Japan)
  - Recent Judicial Precedents Regarding Money Laundering and Controlled Delivery in Japan

- 23) Mr. Toshihiro Suzuki (Japan)
  - Controlled Delivery in Japan
  
- 24) Mr. Ichiro Watanabe (Japan)
  - The Trend of Sentencing for Illicit Drug Related Crimes in Japan

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### Group Workshop Sessions

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The following section very briefly summarizes the group workshop session reports. The full reports will be included in the UNAFEI Resource Material Series.

#### Group 1

#### THE CURRENT SITUATION OF DRUG RELATED CRIME IN THE PARTICIPATING COUNTRIES AND REGIONS

<b>Chairperson</b>	Mr. Shankar Jiwai	(India)
<b>Co-Chairperson</b>	Mr. Hiroaki Kanosue	(Japan)
<b>Rapporteur</b>	Mr. Antonio Bartolome	(Philippines)
<b>Co-Rapporteur</b>	Ms. Kyoko Muto	(Japan)
<b>Members</b>	Mr. Phub Dorji	(Bhutan)
	Mr. Syed Nayyar Abbas Kazmi	(Pakistan)
	Mr. Hikoichiro Fujisawa	(Japan)
	Mr. Takashi Kume	(Japan)
<b>Advisers</b>	Deputy Director Tomoko Akane	(UNAFEI)
	Prof. Sue Takasu	(UNAFEI)
	Prof. Hiroyuki Shinkai	(UNAFEI)

#### *Report Summary*

Group 1 began by studying the various types of drugs most commonly abused and trafficked in the participating countries. They then discussed information gathering techniques such as through informants, the media and electronic surveillance etc. They then looked at some of the main methods in which an investigation is carried out and examined the difficulties encountered and the countermeasures that might be employed to combat such difficulties.

The group then went on to discuss ways in which investigative techniques might be improved.

It was suggested that knowledge needs to be shared so that all law enforcers are equally able to tackle the investigations. To ensure a thorough and meticulous investigation, they argued that a standard operating procedure and checklist was necessary. Another way to improve the system, it was suggested, was to analyze the mistakes and drawbacks encountered in past cases and operations and make amendments and solutions to improve the strategy for the future.

The group stressed that law enforcers should learn not only to depend upon human intelligence but also to apply technical intelligence at the same time to achieve the best results. They also emphasized the need for law enforcement agencies to keep track of the latest trends in drug trafficking. For example, price fluctuations, changing modus operandi, routes etc, to enable the enforcement agencies to be in step with the global scenario.

**Group 2****COUNTERMEASURES AGAINST ORGANIZED CRIME**

<b>Chairperson</b>	Mr. Aro Siinmaa	(Estonia)
<b>Co-Chairperson</b>	Ms. Diah Ayu Hartati	(Indonesia)
<b>Rapporteur</b>	Mr. Krirkkiat Budhasathi	(Thailand)
<b>Co-Rapporteur</b>	Mr. Masato Nakauchi	(Japan)
<b>Members</b>	Mr. Mohamed Gamal El Miggbbir	(Egypt)
	Mr. Hussain Rasheed Yoosuf	(Maldives)
	Mr. Toshihiro Suzuki	(Japan)
	Mr. Ichiro Watanabe	(Japan)
<b>Advisers</b>	Prof. Toru Miura	(UNAFEI)
	Prof. Yasuhiro Tanabe	(UNAFEI)
	Prof. Kenji Teramura	(UNAFEI)

*Report Summary*

Group 2 approached the problem of transnational organized crime in the light of the UN TOC Convention by at first collecting and analyzing information on the nature of organized crime in participating countries and then researching the possibilities of using special investigative techniques under the conditions prescribed by each country's domestic law.

The group focused on the proper procedure to secure the admissibility of evidence in court. They considered it vital to acknowledge that the joint efforts of different law enforcement agencies both domestically and internationally are necessary in order to convict organized criminals.

They also addressed the issue of the balance between the fundamental rights of individuals, such as privacy and the efforts of law enforcement to protect society against the menace of organized crime.

They studied in-depth the situation and problems of the new investigative techniques, such as controlled delivery, electronic surveillance, undercover operations, immunity from prosecution, the witness protection programme and shifting the burden of proof.

The group concluded that the new techniques mentioned above should be utilized whenever they were appropriate as they were a useful addition to the traditional methods currently employed.

**Group 3****EFFECTIVELY TRACING THE PROCEEDS OF CRIME,  
FOCUSING ON COUNTERMEASURES AGAINST MONEY LAUNDERING**

<b>Chairperson</b>	Mr. Vilavath Thephithuck	(Laos)
<b>Co-Chairperson</b>	Mr. Jalalludin Bin Abu	(Malaysia)
<b>Co-Chairperson</b>	Mr. Tadayuki Sawada	(Japan)
<b>Rapporteur</b>	Mr. Esaka Deus Ndege Mugasa	(Tanzania)
<b>Co-Rapporteur</b>	Mr. Asra	(Indonesia)
<b>Co-Rapporteur</b>	Mr. Takashi Furusaki	(Japan)
<b>Members</b>	Mr. Sibounzom Bounlom	(Laos)
	Mr. Shozo Hirata	(Japan)
<b>Visiting Expert</b>	Mr. Hans G Nilsson	(European Union)
<b>Advisers</b>	Prof. Keisuke Senta	(UNAFEI)
	Prof. Kei Someda	(UNAFEI)
	Prof. Tamaki Yokochi	(UNAFEI)

*Report Summary*

The group examined the situation of money laundering in the 13 participating countries, based on the fact sheets prepared by the group and filled in by the participants of the 125<sup>th</sup> training course.

The group discovered that out of 13 participating countries, 11 countries have legislation criminalizing money-laundering activities. In most cases, the predicate offences included drug offences and other serious offences. They found that in Estonia, all criminal offences are predicate offences for money laundering.

Group 3 then examined the problems in investigating and tracing money, including cooperation with financial institutions. The group identified several solutions including new legislation, awareness raising, ratification of UN conventions and greater cooperation between relevant agencies etc.

The group went on to look at the establishment of legal frameworks such as the implementation of UN conventions. They reviewed the requirements of such frameworks in detail, discussing the problems they raised as regards implementation and what solutions could be applied to address these issues. The group looked at the practical issues in proving the offence of money laundering such as defining and proving the predicate offences, and the degree of mens rea required to secure a conviction.

They then looked into the importance of promoting international cooperation. The group focused on such matters as extradition, information exchange and joint investigations. The group's participants then discussed their own country's experiences highlighting their successes and failures, so that other participants could learn from such experiences.

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**Observation Visits**

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<i><u>Date</u></i>	<i><u>Agency/Institution</u></i>	<i><u>Main Persons Concerned</u></i>
Sept 10	National Police Academy	• Mr. Takehito Kobayashi President
Sept 16	Tokyo District Court	• Mr. Osamu Ikeda Deputy Chief Judge of the Tokyo District Court, Criminal Division.
Sept 17	Tokyo District Public Prosecutors Office	• Mr. Akio Harada Prosecutor-General
Sept 17	Ministry of Justice	• Ms. Mayumi Moriyama Minister of Justice
Sept 25	Supreme Court	• Mr. Tsugio Kameyama Justice
Oct 14	Fuchu Police Station Police Box	• Mr. Kazuo Ito Deputy Chief of Fuchu Police Station
Oct 14	Tokyo Customs Office	• Mr. Shigeki Morinobu Director General
Oct 28	Fuchu Dai-ichi Elementary School	• Mr. Takahiro Sakai Principal
Oct 29	Fuchu Prison	• Mr. Junichi Kanbe Director



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**Group Study Tour**

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<u><i>Date</i></u>	<u><i>Group</i></u>	<u><i>Agency/Institution</i></u>	<u><i>Main Persons Concerned</i></u>
Oct 1 ~ 4	Hiroshima, Osaka and Kyoto	<ul style="list-style-type: none"> <li>• Sixth Regional Coast Guard Headquarters</li> <li>• Chief Prosecutor of Hiroshima High Public Prosecutors Office</li> <li>• Nishi-Nihon Immigration Centre</li> <li>• Kyoto District Legal Affairs Bureau</li> </ul>	<ul style="list-style-type: none"> <li>• Mr. Takafumi Honda, Chief of Coast Guard Division</li> <li>• Mr. Ichiro Sakai</li> <li>• Mr. Akira Kawakami</li> <li>• Mr. Norikazu Maekawa, Director of District Legal Affairs Bureau</li> </ul>

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### Special Events

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Sept 8 *Welcome Party*

Sept 10 to Oct 7 *Japanese Conversation Classes*

The overseas participants attended 8 Japanese conversation classes provided by JICA. They learned practical Japanese expressions. The Sensei (teachers) were Ms. Mari Kawakami and Ms. Mieko Terao. *Iroiro Arigato Gozaimashita.*

Sept 12 *Ping-pong Tournament*

The participants enjoyed a ping-pong tournament at UNAFEI in which the staff and faculty members of UNAFEI also participated.

Sept 13 *Kyurinso Garden*

The participants enjoyed a morning walk around beautiful Kyurinso Garden . They then enjoyed lunch followed by the music and dancing of a local Fuchu band, hosted by the Rotary Club of Tokyo, Fuchu.

Sept 15 *Konnoh Hachimangu Festival*

The participants and UNAFEI staff members joined the local community of Minami Aoyama and paraded through the streets wearing “Hanten” coats and Carrying “Mikoshi”(portable shrines).

Sept 17 *Courtesy Visit to the Ministry of Justice and  
Reception by the Vice-Minister of Justice*

After visiting the Ministry of Justice, a reception was held by the Vice-Minister of Justice, Mr. Keiichi Tadaki at the Lawyers Club, Tokyo.

Sept 19 *UNAFEI Olympics*

The UNAFEI Olympic Games were held on the grounds of the Training Institute for Correctional Personnel. The participants competed in such events as racket relay and the true or false quiz. Afterwards, there was a friendship party at UNAFEI.

Sept 20 *The Way of Tea*

“Chan-no-yu” or “Sado”, a formal Japanese tea ceremony, was demonstrated for the participants in Kyodo-no-Mori Park by Ms. Soue Kubo.

Sept 20 and Oct 11

*Home Visits*

ACPF Fuchu Branch organized dinners for the participants in the homes of members from the Fuchu International Exchange Salon, Tokyo Fuchu Rotary Club and Soroptimist International of Tokyo, Fuchu. The hosts were Mr. Yoshiyuki Sakano, Ms. Chitose Sashida, Mr. Yasuhiko Mori, Ms. Fumiko Hoya, Ms. Yoko Nakano, and Mr. Rinsi Sekiguchi.

Sept 25

*ACPF Party*

The ACPF hosted an enjoyable party for the participants and their host families at UNAFEI.

Sept 26

*Bowling Tournament*

The participants enjoyed bowling at the Fuchu bowling center. Afterwards there was a small party held at UNAFEI.

Sept 28

*Fuchu Community Symphony Orchestra*

The participants attended the Fuchu Community Symphony Orchestra- The 48<sup>th</sup> Regular Concert at Fuchu Geijutsu Gekijo.

Oct 6

*VPO's International Seminar and Friendship Party*

A discussion session was arranged to exchange views between the Volunteer Probation Officers (VPO's) and the participants. It was organized by UNAFEI and the Rehabilitation Bureau of the Ministry of Justice. It was followed by a friendship party at UNAFEI.

Oct 13

*Hiking Mount Takao*

The participants hiked Mt. Takao with the UNAFEI staff. After enjoying a relaxing lunch at the summit, they descended the mountain by cable car and chair lifts.

Oct 15

*Friendship Party with TICP*

The participants enjoyed a friendship party hosted by the TICP. The trainees from the TICP put on an entertaining show consisting of music and martial arts.

Oct 19

*UNAFEI Barbecue Party*

The participants and UNAFEI staff enjoyed an afternoon barbecue party on the lawn at UNAFEI.

Oct 20 *Koto Music Concert*

The Ensemble 21<sup>st</sup> Century, a traditional Japanese Music group, presented a Koto and Shakuhachi concert for the participants at UNAFEI. The participants were also given an opportunity to play the instruments themselves.

Oct 24 and Oct 25 *ACPF Study Tour*

The overseas participants were invited on local trips by five branch organizations of the ACPF, namely: Shizoka, Nagoya, Sendai, Fukushima and Aomori. Each branch held a reception in honour of the participants visiting their region.

Oct 28 *Suntory Brewery Visit*

The participants visited the Suntory Brewery where they were given a guided tour. Afterwards the Fuchu Rotary Club hosted a very enjoyable party.

Oct 30 *Farewell Party*

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## Reference Materials Distributed

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### United Nations

#### Conventions

- (1) United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988, United Nations Economic and Social Council)
- (2) Commentary on the United Nations Convention against Illicit Traffic in Narcotic Drugs And Psychotropic Substances (United Nations Publication)
- (3) United Nations Convention against Transnational Organized Crime (2000)

#### Model Law

- (1) Model legislation on laundering, confiscation and international cooperation in relation to the proceeds of crime 1999 (UN Office of Drugs and Crime)
- (2) Model Money Laundering and Proceeds of Crime Bill 2000 (UNDCP)

#### Resolutions and Others

- (1) Political Declaration and Action Plan against Money Laundering (The Twentieth Special Session of the United Nations General Assembly, 1998)
- (2) UN General Assembly Special Session on the World Drug Problem 8-10 June 1998 Feature
- (3) UN Global Programme against Money Laundering
- (4) Resolution 45/9 2002: Connections between organized criminal groups trafficking in drugs and those involved in other types of illicit trafficking: special investigative techniques to counteract such criminality

### **Current Situation of Illicit Drug Trafficking**

- (1) Global Illicit Drug Trends 2003 (Excerpts) (UN Office on Drugs and Crime)
- (2) Report of the International Narcotics Control Board for 2002 (Excerpts)

### **Current Situation of and Countermeasures against Money Laundering**

- (1) Attacking the Profits of Crime: Drugs, Money and Laundering (UN Office for Drug Control and Crime Prevention, Global Programme against Money Laundering)
- (2) The National Money Laundering Strategy for 2001 (Excerpts) (US Government)
- (3) International Narcotics Control Strategy Report 2002 (Excerpts) (Bureau for International Narcotics and Law Enforcement Affairs, U.S. Department of State)
- (4) National and International Concern of Money Laundering (Letitia Foong)
- (5) Money Laundering in the 21st Century: Risks and Countermeasures (Australian Institute of Criminology)
- (6) Restraining the Global Threat (Linda M. Samuel, Transnational Organized Crime Conference 2002)
- (7) Difficulties and Developments: An Australian Perspective (Carolyn D. Davy, Transnational Organized Crime Conference 2002)

- (8) Electronic Money Laundering: An Environmental Scan (Department of Justice Canada Solicitor General Canada, October 1998)
- (9) Money Laundering: A new International Law Enforcement Model (GUY Stessens, 2000)
- (10) Money Laundering –A Global Threat and the International Community’s Response (William R. Schroeder, May 2001, FBI Law Enforcement Bulletin)
- (11) Feature Money Laundering (Damien Hendricks, ICPR 432/2000)  
Laundering on the Internet –an econometric model for forecasting on-line flows of dirty money (John Walker)
- (12) Offshore Financial Centers (Mark D. Ferbrache, May 2001, FBI Law Enforcement Bulletin)

### **FATF Activities**

- (1) More about the FATF and Its Work
- (2) Basic Facts about Money Laundering
- (3) The Forty Recommendations (revised in 2003)
- (4) Interpretative Notes to the Forty Recommendations
- (5) FATF Annual Report 2002-2003
- (6) Report on Money Laundering Typologies 2001-2002
- (7) Report on Money Laundering Typologies 2002-2003

### **Other International Initiatives to combat money laundering**

- (1) Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (Council of Europe, 8 June 1990)
- (2) Annual Report 2001-02, Asia/Pacific Group on Money Laundering (Excerpts)
- (3) Informal Paper on Financial Intelligence Units and the Egmont Group

### **Investigation Tools**

#### Overview

- (1) Effective Methods to Combat Transnational Organized Crime in Criminal Justice Processes (Bruce G. Ohr, See Resource Material Series No. 58, page 61)
- (2) Measures of Investigations in Cases of Organized Crime in the Criminal Process of Germany (Johan Peter Wilhelm Hilger, See Resource Material Series No. 58, page 82)
- (3) Effective Methods to Combat Transnational Organized Crime in Criminal Justice Processes (Franco Roberti, See Resource Material Series No. 58, page 112)
- (4) Entrapment and Wiretapping as a Means of Investigation (Dagmar Kube, Bali, December 1997)
- (5) Money laundering –A Guide for Criminal Investigation- (John Madinger & Sydney A. Zalopany, 1999)

#### Controlled Delivery

- (1) Controlled Delivery (Johan Peter Wilhelm Hilger, See Resource Material Series No. 58, page 79)
- (2) The Technique of Controlled Delivery as a Weapon in Dealing with Illicit Traffic in Narcotic Drugs and Psychotropic Substances (P. D. Cutting, Bulletin on Narcotics)

Electronic Surveillance and Communication Interceptions, etc.

- (1) 2002 Wiretap Report (Administrative Office of the US Courts)
- (2) An overview of electronic surveillance in the United States; Law, Policy, and Procedure (Julie P. Wuslich, Resource Material Series No. 59)
- (3) Electronic surveillance in the United States: A case study (Julie P. Wuslich, Resource Material Series No. 59)
- (4) Electronic surveillance –A Matter of Necessity- (Thomas D. Colbridge, J.D., FBI Law Enforcement Bulletin, February 2000)

Undercover Operations

- (1) The Attorney General's Guidelines on Federal Bureau of Investigation Undercover Operations (U.S.A.)
- (2) Undercover Investigations and the Entrapment Defense –Recent Court Cases- (Thomas. V. Kukura, J.D., FBI Special Agent, FBI Law Enforcement Bulletin, April 1993)
- (3) Managing Undercover Stress (Stephen R. Band and Donald C. Sheehan, FBI Law Enforcement Bulletin, November 1998)
- (4) “Banking on Cocaine” (Time, June 1, 1998)
- (5) Sting operation uses fake firm to net drugs, laundered cash (Online Athens News, December 1999)

Utilization of Informants

- (1) The Attorney General's Guidelines Regarding the Use of Confidential Informants (U.S.A.)
- (2) Informants –Cultivation and Motivation- (James W. Osterburg, Richard H. Ward, Criminal Investigation)
- (3) Working with Informants (James E. Hight, FBI Law Enforcement Bulletin, May 2000)
- (4) Avoiding the Informant Trap (James E. Hight, FBI Law Enforcement Bulletin, November 1998)

Immunity

- (1) Witness Immunity (United States Attorney's Manual)

Protection of Witnesses

- (1) Organized Crime / Witness Protection in Germany (Dr. Johan Peter Wilhelm Hilger, See Resource Material Series No. 58, page 99)
- (2) Witness Protection Program Abstract (Division of Criminal Justice Services, New York State)
- (3) Witness Protection Program Act (Canada, 1996)
- (4) “Can I get a witness?” (Washington City Paper Cover Story, May 2000)

Other Effective Methods

- (1) Conducting Successful Interrogations (David Vessel, FBI Law Enforcement Bulletin, October 1998)

**International Cooperation**

- (1) International Cooperation in Criminal Matters –Extradition and Mutual Legal Assistance- (Mikinao Kitada, Resource Material Series No.51, at 297)
- (2) International Cooperation against Transnational Organized Crime: Extradition and Mutual Legal Assistance in Criminal Matters (Dr. Matti Joutsen, Visiting Expert in the 119<sup>th</sup> International Training Course, UNAFEI)
- (3) International Cooperation against Transnational Organized Crime: The Practical

Experience of the European Union (Dr. Matti Joutsen, Visiting Expert in the 119<sup>th</sup> International Training Course, UNAFEI

- (4) Money Laundering: A New International Law Enforcement Model (GUY Stessens, 2000)
- (5) Council Framework Decision of 13 June 2002 on joint investigation teams (The Council of the European Union, 2002)
- (6) Inauguration of EUROJUST
- (7) U.S. Border Patrol, Overview, the National Border Patrol Strategy  
“China, Neighbors Renew Drug Battle” (CBS News, August 2001)

### **Japanese Legislation**

- (1) Law concerning Special Provisions for the Narcotics and Psychotropics Control Law, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation
- (2) Law for Punishment of Organized Crimes, Control of Crime Proceeds and Other Matters
- (3) Law concerning Interception of Communications for the Purpose of Criminal Investigation

### **Terrorist Financing**

- (1) Conventions against Terrorism
- (2) International Convention for the Suppression of the Financing of Terrorism
- (3) Resolution 1373 (2001) (UN Security Council)
- (4) Resolution 1390 (2002) (UN Security Council)
- (5) Special Recommendations on Terrorist Financing (FATF)



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**Experts and Participants List**

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**Visiting Experts**

Mr. Hans G Nilsson	Chief of Division, International Cooperation, Council of the European Union, Brussels
Mr. Tony Kwok Man-Wai	Former Deputy Commissioner and Head of Operations, Operations Department, Independent Commission Against Corruption, Hong Kong Special Administrative Region, People's Republic of China
Pol. Maj.Gen. Peeraphan Prempooti	Secretary-General, International Affairs, Anti-Money Laundering Office, Thailand
Ms. Linda Samuel	Deputy Chief, Asset Forfeiture and Money Laundering Section, Criminal Division, U.S. Department Justice, USA
Mr. Jean-Paul Laborde	Chief, Terrorism Prevention Branch, United Nations Office on Drugs and Crime, Vienna

### Overseas Participants

Mr. Phub Dorji	Officer In-Charge, City Police Station, Thimphu, Bhutan
Mr. Mohamed Gamal El Miggbir	Operations Officer, Operations Section, Criminal Investigation Police Dept., Egypt
Mr. Aro Siinmaa	Prosecutor, Tartu Prosecutor's Office, Estonia
Mr. Shankar Jiwal	Zonal Director, Narcotics Control Bureau, India
Mr. Asra	Judge, District Court /Assistant Judge, Supreme Court of Indonesia, Indonesia
Ms. Diah Ayu Hartati	Public Prosecutor, Head of Sub Section on Investigation of Special Crimes, Semarang District Public Prosecution Office, Indonesia
Mr. Sibounzom Bounlom	Investigator, Criminal Department, Office of Public Prosecutor General, Laos
Mr. Vilavath Thephithuck	Director, Protocol and Foreign Relations Division, Ministry of Justice, Laos
Mr. Jalalludin Bin Abu	Superintendent of Customs, Royal Customs Department, Malaysia

Mr. Hussain Rasheed Yoosuf	Judge, Ministry of Justice, Maldives
Mr. Syed Nayyar Abbas Kazmi	Inspector, Special Investigation Cell, Anti-Narcotics Force, Narcotics Control Division, Pakistan
Mr. Antonio Bartolome	Chief, Manhunt Branch, Police Anti-Crime Emergency Response, Philippines
Mr. Esaka Deus Ndege Mugasa	Head Anti-Drugs Unit, Criminal Investigation Department, Headquarters, Tanzania
Mr. Krirkkiat Budhasathi	Secretary of the Criminal Court, The Criminal Court, Thailand
<b>Japanese Participants</b>	
Mr. Hikoichiro Fujisawa	Probation Officer, Tokyo Probation Office, Hachioji Branch Office, Japan
Mr. Takashi Furusaki	Public Prosecutor, Kyoto District Public Prosecutors Office, Japan
Mr. Shozo Hirata	Chief Programme Supervisor, Osaka Prison, Japan

Mr. Hiroaki Kanosue	Deputy Chief, Administration and Planning Division, Maritime Traffic Department, 10th Regional Coast Guard Headquarters, Japan Coast Guard, Japan
Mr. Takashi Kume	Narcotics Agent / Narcotics Control Officer, Narcotics Control Department, Kinki Regional Bureau of Health and Welfare, Ministry of Health, Labor and Welfare, Japan
Ms. Kyoko Muto	Public Prosecutor, Tokyo District Public Prosecutors Office, Hachioji Branch Office, Japan
Mr. Masato Nakauchi	Narcotics Agent / Narcotics Control Officer, Narcotics Control Department, Kanto-Shinetsu Regional Bureau of Health and Welfare, Ministry of Health, Labor and Welfare, Japan
Mr. Tadayuki Sawada	Assistant Judge, Saitama Family Court, Japan
Mr. Toshihiro Suzuki	Public Prosecutor, Tokyo District Public Prosecutors Office, Tokyo, Japan
Mr. Ichiro Watanabe	Assistant Judge, Osaka District Court, Tokyo, Japan

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**INFORMATION ABOUT PROGRAMMES & ACTIVITIES**

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***Special Training Programmes*****1. Special Course for Indonesia on “Comparative Study on Legal and Judicial Systems for their Reform”**

A country-focused course for Indonesia entitled “Comparative Study on Legal and Judicial Systems for their Reform” was held from 2 June to 5 July by the International Cooperation Department, Research and Training Institute, Ministry of Justice of Japan in collaboration with UNAFEI. The participants stayed at UNAFEI from 23 June to 1 July and studied the Japanese criminal justice system and its practice, etc.

**2. Special Seminar on the Japanese Justice System for the Office of the Public Prosecutor General of the Macau Special Administrative Region**

The “Special Seminar on the Japanese Justice System for the Office of the Public Prosecutor General of the Macau Special Administrative Region” was held at UNAFEI from 24 to 29 August 2003. There were 29 participants from Macau which included the Prosecutor General, 7 public prosecutors and 21 officers from the public prosecutors office. The aim of the seminar was to enable the Macau participants to understand the Japanese justice system, compare it with their own system and hopefully come away with ideas for the improvement of their system.

### ***Forthcoming Training Programmes***

#### **1. Fourth Special Seminar for Kenya on Juvenile Delinquent Treatment Systems**

UNAFEI will hold the Fourth Special Seminar for Kenyan criminal justice officials who are working for the prevention of delinquency and the treatment of juvenile delinquents in their country. The Seminar, entitled “Juvenile Delinquent Treatment Systems”, will be held from 4 November until 28 November 2003. The Seminar will expose Kenyan officials to the workings of the Japanese juvenile justice and treatment systems through lectures and observation visits to relevant agencies.

#### **2. Sixth Special Training Course on Corruption Control in Criminal Justice**

UNAFEI will conduct the Sixth Special Training Course entitled “Corruption Control in Criminal Justice” from 4 November until 28 November 2003. In this course, Japanese and foreign officials engaged in corruption control will comparatively analyze the current situation of corruption, methods of corruption prevention, and measures to enhance international cooperation.

#### **3. The 126<sup>th</sup> International Senior Seminar**

The 126<sup>th</sup> International Training Course entitled “Economic Crime in a Globalizing Society ~ Its Impact on the Sound Development of the State” will be held from 13 January to 13 February 2004.

#### **Rationale**

Sustainable economic development is an indispensable and critical factor for the prosperity of the state and pursuit of human well-being. In the last 15 years or so, political democratization infiltrated society throughout the world, and most countries introduced or further promoted a market economy. Despite the recent depression in the

global economy, many countries have tried to reform their socio-economic structure and promote free trade mechanisms to ensure their sound economic development. As a result, the world economy has globalized rapidly. Although the level of economic development varies from county to country, every country aims to protect its national property as well as encourage sound transactions in order to achieve sustainable economic development. However, with economic globalization, economic crimes have also been globalized, and its modus operandi has become more complicated and sophisticated. This has resulted in difficulties in their detection and investigation.

Economic crimes not only harm individuals, but also sometimes cause great loss to public property, and it results in damaging investors' confidence in doing business there and may lead them to invest elsewhere. Thus economic crimes may ultimately undermine the fundamental basis for the sound socio-economic development in each country. Therefore, every country must recognize the importance of fighting economic crime and consider how they can enhance effective countermeasures.

The United Nations has regarded the prevention of crime as a crucial factor for the establishment of international economic order since its 7th Congress in 1985. It has also granted priority to tackling economic crime as well as transnational crime, organized crime and money laundering at the Commissions on Crime Prevention and Criminal Justice in the 1990s. At the 10th Congress in 2000, reaffirming that the choice of preventive measures against crime may often vary depending on the stage of each country's development, a new strategy for combating the increase in crime was discussed under the topic "Effective Crime Prevention: Keeping Pace with New Developments" under the main theme "Crime and Justice: Meeting the Challenges of the 21st Century". The 11th Congress will be held in Thailand (Bangkok) in 2005 and the provisional agenda "Economic and Financial Crimes: Challenges to Sustainable Development" and a provisional workshop "Measures to Combat Economic Crime, Including Money-Laundering" have been approved.

In addition to the transformation of the socio-economic structure, the recent rapid development in communications technology and transportation have further promoted globalization and diversification of activities in the economic field, which are mostly business/financial transactions, and have increased in quantity tremendously. We can see a myriad of transnational economic activities all over the world. In accordance with such phenomena, economic crimes have globalized, the modus operandi of such crimes has become more advanced, and their scale has been increasing. In the last several years, this trend has been accelerated by the quick proliferation of computers, a rapid increase in the number of customers for Internet services and the expansion of a

credit-card society. Crimes committed by using the Internet as a tool easily transcend national borders and prevail all over the world by their very nature. This makes the investigation of such transnational economic crimes more difficult. Thus, as economic crimes in a globalizing society do not stay in one country but prevail across national borders, they present a menace to international society and hamper the sound development of the world economy. Recognizing such hazards, we have to increase international cooperation to take effective countermeasures against economic crimes.

One of the remarkable characteristics of economic crimes in a globalizing society is that the crimes are well-organized. With globalization, economic crimes are being committed on a larger scale, are more complex, and tend to be committed by well-organized groups. This is one of the factors that makes the prevention and investigation of such crimes tougher. Corporate crime is a typical economic crime committed in a well-organized manner. Corporate related economic crimes usually cause larger-scale damage and have a terrible effect on the economy. We must also not forget the involvement of organized criminal groups in economic crimes. Criminal groups are involved in not only illegal activities such as drug trafficking, smuggling of persons and firearms trafficking, but also the management of companies by disguising legal transactions for illicit proceeds. The United Nations adopted the “Convention against Transnational Organized Crime” and its protocols concerning trafficking in firearms, trafficking in persons and smuggling of migrants, and requires states to take appropriate steps to combat organized crime. Economic crimes committed in a well-organized manner greatly affect society and effective countermeasures should be taken expeditiously.

Furthermore, we cannot ignore corruption as one of the economic crimes having a great impact on the national economy. Corruption is a crime itself, as well as a catalyst that promotes other types of economic crimes and also often aids in concealing them. Moreover, corruption undermines the sound development of a market economy as it interrupts fair economic competition. In this regard, the Organization for Economic Cooperation and Development (OECD) adopted the “Convention on Combating Bribery of Foreign Public Officials in International Business Transactions” in 1997 in order to protect international business transactions. Corruption conducted by high-ranking public officials has especially serious consequences. That is, such officials line their own pockets with public funds which should be used for the people’s healthcare services, education and the social infrastructure of the country, etc.

Economic crimes in this globalizing society range from conventional types such as embezzlement and breach of trust to new types such as collusive bidding, cartels,



insider trading, market manipulation, financial crime and computer crime which are increasingly getting more diversified, complicated and sophisticated. These new types of economic crimes have characteristics such that the victims and/or the damage cannot be identified nor measured, but this does not mean that the damage is not serious. Because the damage caused by such new types of economic crime may harm consumers in general, and may deprive the country of investors' confidence and the ability to compete.

Although we will not focus on the money laundering issue in this Seminar, we have to pay considerable attention to the illegal proceeds gained by economic crimes which are laundered in various forms to secure the perpetrator's illegal earnings. According to a survey conducted by the United Nations and other organizations, it is estimated that approximately 500 billion to 1 trillion U.S. dollars of illegal proceeds are laundered every year. The United Nations Convention against Transnational Organized Crime requires state parties to extend the predicate offences for money laundering from drug offences to other serious offences, including economic crimes.

It is said that "prevention" is second to none in combating crime, therefore all of us need to be well equipped with the appropriate preventive measures to combat economic crimes. It is very important for every sector such as the government, corporations and business to establish a legal and/or organizational system of "good governance" including integrity, transparency, equity and accountability, as well as to apply and implement such laws appropriately. It is also considered effective to establish independent monitoring organizations and/or an ombudsmen system in order to secure good governance.

In the criminal justice field, firstly, from the perspective of substantive law, we have to identify and criminalize new types of economic crimes, which cannot be dealt with by traditional criminal law. Thus, for example, crimes related to "bonds" or "securities", need to be criminalized as the market economy evolves and economic crimes diversify. We have to carefully consider meaningful sanctions including alternative administrative measures because criminal punishment alone has a limited effect on offenders or offending corporations as far as corporate crimes are concerned.

Appropriate legal measures and resources should be allocated to law enforcement agencies in order to investigate, prosecute and pursue trials relating to serious economic crimes and money laundering effectively. As for law enforcement agencies, for the purpose of tackling complicated economic crimes, experts in the field of financial transactions and/or computer technology, for example, should be invited to join the investigations or a special investigative unit or agency consisting of experts

should be established. Without such expertise, it might be difficult for the investigators to deal with complicated economic crimes. Since influential politicians, high-ranking public officials, financiers and businessmen may be sometimes deeply involved in economic crimes, the independence of the investigative agencies for economic crime should be secured so as not to be influenced by them. As for the investigative method, new types of investigative techniques such as interception of communication and undercover operations as well as traditional techniques should be fully utilized to detect clandestine activities. Moreover, a system of utilizing whistle-blowers and/or immunity could be set up so as to gather information and evidence. Especially in the investigation of economic crimes, transaction records of financial institutions play a critical role in proving guilt, therefore it is necessary for each country to establish enforceable measures to collect such evidence and not to be hampered by bank secrecy laws. To show that economic crimes do not pay, an appropriate legal framework for the forfeiture and confiscation of illegal proceeds should be established and thoroughly enforced.

The cooperation and exchange of information amongst all sectors such as investigative agencies, administrative organizations and private enterprises are also indispensable in carrying out the effective investigation of economic crimes. Such cooperation and information exchange should be conducted both at a national and international level.

At the trial stage, securing testimony is a big concern especially in cases where economic crimes are committed by well-organized groups and the witnesses themselves are involved in the case. In such cases, witnesses tend to refuse to testify due to fear of punishment and/or retaliation by the offender.

In consideration of the above, UNAFEI which is a regional training institute for the prevention of crime and the treatment offenders of the United Nations is holding the 126th Senior Seminar focusing on serious economic crimes in the 21st century.

#### **4. Ninth Special Seminar for Senior Criminal Justice Officials of the People's Republic of China**

The Ninth Special Seminar for Senior Criminal Justice Officials of the People's Republic of China will be held from 23 February to 12 March 2004.

## **5. Third Seminar on the Judicial System for Tajikistan**

The Third Seminar on the Judicial System for Tajikistan will be held from 1 March to 19 March 2004 at UNAFEI. The course will focus on measures for preventing Juvenile crime, treatment of Juvenile offenders in correctional facilities and support for reintegration of offenders into society after release.

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**ADMINISTRATIVE NEWS**

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**Overseas Trips by Staff**

Ms. Sue Takasu (Professor) visited Malaysia as an Independent Assessment Expert for the World Bank and IMF from 13 to 24 July 2003 to assess the effectiveness of the law enforcement concerning anti-money laundering and combating financing terrorism.

Mr. Kunihiko Sakai (Director) and Mr. Hiroyuki Shinkai (Professor) attended the “Fifth International Training Course on Effective Treatment Measures to Facilitate the Reinsertion and the Rehabilitation of Inmates into the Society”, held in Costa-Rica from 13 to 26 July 2003.

Ms. Tomoko Akane (Deputy Director), Mr. Kenji Teramura (Professor) and Mr. Someda (Professor) visited Kenya from 22 July to 13 August 2003 as short-term experts, as part of a JICA international assistance scheme providing special support to the Children’s Department of Kenya.

Ms. Tomoko Akane (Deputy Director), Mr. Toru Miura (Professor) and Mr. Kiyoshi Ezura visited the People’s Republic of China from 31 August to 6 September 2003 for the purpose of fostering international exchange between the respective criminal justice administrations.

Mr. Kunihiko Sakai (Director) and Keisuke Senta (Professor) visited Bangkok, Thailand from 17 to 23 August 2003 to do preparatory research for the cooperative project for the NCC between Thailand and UNAFEI.

Mr. Keisuke Senta (Professor) attended the APG for money laundering in Macau from 14 to 20 September 2003.

Mr. Toru Miura (Professor) and Ms. Tamaki Yokochi (Professor) visited Uzbekistan, Kyrgyz and Tajikistan from 14 to 29 October 2003 to consider the necessity of establishing a training course for the Central Asian countries.

Ms. Tamaki Yokochi (Professor) visited the Philippines from 14 to 18 July 2003, to take part in the 2<sup>nd</sup> J-Net Seminar on the Revitalization of Volunteer Probation Aid for the Philippines.

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**FACULTY AND STAFF OF UNAFEI**

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**Faculty:**

Mr. Kunihiro Sakai	Director
Ms. Tomoko Akane	Deputy Director
Mr. Toru Miura	Professor, Chief of Training Division
Mr. Kenji Teramura	Professor, Chief of Research Division
Mr. Kei Someda	Professor, Chief of Information and Library Science Division
Mr. Yasuhiro Tanabe	Professor, 125th Course Programming Officer
Mr. Keisuke Senta	Professor
Ms. Sue Takasu	Professor
Ms. Tamaki Yokochi	Professor
Mr. Hiroyuki Shinkai	Professor
Mr. Simon Cornell	Linguistic Adviser

**Secretariat:**

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Mr. Yoshiyuki Fukushima	Deputy Chief of Secretariat

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Mr. Wataru Inoue	
Ms. Chika Yamashita	
Mr. Osamu Miyakawa	
Mr. Mitsuo Dai	Driver
Mr. Teruo Kanai	Maintenance
Mr. Noboru Kaneko	Maintenance
Ms. Akiko Tsubouchi	

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Mr. Tatsufumi Koyama	
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Ms. Shinobu Nagaoka      125th Course Assistant Programming Officer

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Ms. Keiko Noda              Librarian

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