

# UNAFEI NEWSLETTER

UNITED NATIONS ASIA AND FAR EAST  
INSTITUTE FOR THE PREVENTION OF CRIME  
AND THE TREATMENT OF OFFENDERS

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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 145th International Training Course on "Effective Resettlement of Offenders by Strengthening 'Community Reintegration Factors'", which took place from 12 May to 18 June 2010.

In this Course, we welcomed eight Japanese and 10 overseas participants: one from Africa, four from Asia, four from Latin America and the Caribbean, and one from Oceania. Two international observers also attended, both from Asia. The participants and observers included corrections officers, probation officers, police officers, prosecutors and other high-ranking public officials.

As this newsletter demonstrates, the Course was extremely productive. It consisted of individual presentations, group workshop and plenary sessions, visits to relevant criminal justice agencies and presentations by faculty members, visiting experts and ad hoc lecturers.

Since the 1990s, the efficacy of treatment measures designed to address personal factors of offenders, such as cognitive behavioural programmes, has been advocated, and such treatment has been widely utilized in both institutional and community-based settings. However, it became gradually apparent that these programmes alone are not sufficiently effective unless coupled with programmes aimed at strengthening community reintegration factors, such as stable accommodation, basic skills (such as literacy and numeracy), employment, and budgeting/debt counselling. Strengthening these factors reduces the possibility of repeat offences; increases the possibility that cognitive behavioural programmes, etc. are successfully completed; and could complement and reinforce the efficacy of such programmes.

Strengthening community reintegration factors cannot be appropriately accomplished by a single agency. Co-operation with a wide range of agencies, organizations and individuals is indispensable. The White Paper on Crime 2007, from the Ministry of Justice of Japan, states that "a multidisciplinary approach" for wide-ranging support is to be carried out with the close collaboration of the criminal justice agencies and other relevant agencies responsible for employment, welfare, education, health and medicine and so forth (p.360). The international community has also emphasized the necessity of strengthening the role of groups and individuals outside the public sector (see paragraph 9, The Bangkok Declaration, adopted by the United Nations on the occasion of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice).

Strengthening community reintegration factors through wide-ranging and multidisciplinary co-operation is no easy task, and recognizing the challenge as it is, UNAFEI, as a regional institute of the United Nations Crime Prevention and Criminal Justice Programme Network, decided to hold this Course.

During the Course the participants diligently and comprehensively examined the current situation of resettlement of offenders in the participating countries and existing countermeasures, primarily through a comparative analysis. The participants shared their own experiences and knowledge of the issues, and identified problems and areas in which improvements could be made. With the academic and practical inputs from UNAFEI faculty and visiting experts and the in-depth

discussions they had with each other, the participants are now better equipped to cope with the realities and difficulties of offender reintegration in their own countries.

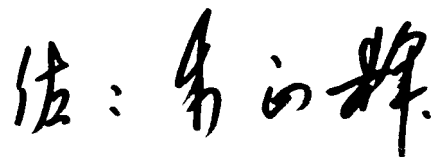
I would like to offer my sincere congratulations to all the participants upon their successful completion of the Course, made possible by their strenuous efforts. My heartfelt gratitude goes to the visiting experts and ad hoc lecturers who contributed a great deal to the Course's success. Furthermore,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

I would like to express my great appreciation to the Japan International Cooperation Agency (JICA) for its immeasurable support throughout the Course. At the same time, a warm tribute must be paid to the Asia Crime Prevention Foundation (ACPF) and its branch organizations for their substantial contributions to our activities. 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 international society as a whole.

Finally, I would like to reiterate my best regards to the participants of the 145th 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.

June 2010



*Masaki Sasaki*  
Director, UNAFEI

## THE 145TH INTERNATIONAL TRAINING COURSE

### "EFFECTIVE RESETTLEMENT OF OFFENDERS BY STRENGTHENING ‘COMMUNITY REINTEGRATION FACTORS’"

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#### Course Rationale

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Since the 1990s, scientific trends measuring the efficacy of rehabilitative programmes for offenders from the viewpoint of ‘what works’ have spread in many countries and, as a result, many have come to believe that applying adequate treatment methods to a relevant group of offenders can change their behaviours and reduce the possibility of repeat offences. Particularly, programmes based on cognitive behavioural theory, designed to encourage offenders to acknowledge their offending behaviour, consider its impact, address the distortions in their perspectives and thinking, change their attitudes, and develop strategies for avoiding situations giving rise to their offending in the future, have come to be widely utilized in both institutionalized and community-based settings.

However, it became gradually apparent that these programmes alone are not sufficiently effective unless coupled with programmes aimed at strengthening community reintegration factors, such as stable accommodation, basic skills (such as literacy and numeracy), employment, and budgeting/debt counselling. Strengthening these factors achieves the following objectives in terms of the treatment of offenders:

- It reduces the possibility of repeat offences.
- It increases the possibility that cognitive behavioural programmes, etc. are successfully completed.
- It could complement and reinforce the efficacy of such programmes.

It is necessary to strengthen these integration factors, in particular, for the treatment of prolific or persistent offenders. Because those offenders are likely to have multiple problems, working on a single factor of offending behaviours, for example the distortions in their perspectives, is not sufficient, and, it is also important to take a wide range of community reintegration factors into consideration for their treatment. The Japanese government’s *White Paper on Crime 2009*, based upon follow-up research of 1,210 offenders who received a suspended sentence (691 offenders for larceny and 519 offenders for violations of the Stimulants Control Act), statistically demonstrates that offenders with:

- (i) proper employment;
  - (ii) family members, etc. with whom the offender lives (stronger ties with family members); or
  - (iii) a guarantor who swore supervision of the offender in court,
- have lower rates of repeat offences (the Research and Training Institute of the Ministry of Justice, *White Paper on Crime 2009* [English Version], forthcoming).

Strengthening community reintegration factors cannot be appropriately implemented by a single agency. Co-operation with a wide range of agencies, organizations and individuals is indispensable. The *White Paper on Crime 2007* states that "a multidisciplinary approach" for wide-ranging support is to be carried out with the close collaboration of the criminal justice

agencies and other relevant agencies responsible for employment, welfare, education, health and medicine and so forth (the Research and Training Institute of the Ministry of Justice, *White Paper on Crime 2007* [English Version], p.360). In the international community, the necessity of strengthening the role of groups and individuals outside the public sector is also emphasized.<sup>1</sup> Strengthening community reintegration factors, through establishing co-operation with such a wide range of agencies, organizations and individuals in both the public sector and the private sector, is, however, difficult to accomplish, and it is a great challenge in the treatment of offenders at present.

Based on the above, this course aimed to clarify the current situations and problems existing in participating countries' treatment of offenders systems, mainly in terms of ways of strengthening community reintegration factors, i.e., supporting employment, securing stable accommodation, developing basic skills, and so on. It also aimed to study good measures to improve these kinds of treatment for offenders, including ways of co-operating with concerned agencies, organizations and individuals in the public sector and the private sector, and by doing so, aimed at further promotion and development of the administration of both institutional and community-based treatment of offenders in the participating countries.

### **Objectives**

The purpose of this Training Course was to offer participants an opportunity to share experiences and knowledge regarding the effective resettlement of offenders by strengthening community reintegration factors. In order to achieve this purpose, the training programme provided an opportunity to clarify the current situations and problems existing in the respective countries in the field of the resettlement of offenders by strengthening community reintegration factors. There was also opportunity to build participants' knowledge of possible measures to improve ways of strengthening community reintegration factors of offenders at all stages of criminal justice proceedings. In doing so, the participants are expected to deal with offenders, considering their social inclusion.

Among the major topics studied were the following:

- (1) Current situations and problems of the treatment of offenders at all stages of criminal justice proceedings in participating countries in terms of strengthening community reintegration factors:
  - (a) Measures for strengthening community reintegration factors during investigation, prosecution and diversion at the pre-adjudication stages, etc.;
  - (b) Measures for strengthening community reintegration factors at the adjudication stage;
  - (c) Measures for strengthening community reintegration factors during institutional corrections (examples of concrete topics are as follows):
    - Employment support guidance;
    - Academic/educational training;
    - Specific treatment for developing basic skills other than academic/educational training;
    - Measures for securing accommodation after release;
    - Others;

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<sup>1</sup> See *the Bangkok Declaration*, adopted by the United Nations on the occasion of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice. It declares, "we recognize the role of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in contributing to the prevention of and the fight against crime and terrorism" (paragraph 9).

(d) Measures for strengthening community reintegration factors during community-based treatment or aftercare programmes (examples of concrete topics are as follows):

- Employment support guidance;
- Specific treatment for developing basic skills;
- Measures for securing stable accommodation;
- Others;

(e) Current situations and problems in co-operating with agencies, organizations and individuals in both the public and private sectors and community involvement at the above stages of criminal justice proceedings.

(2) Examining ways of strengthening community reintegration factors effectively at all stages of criminal justice proceedings:

(a) Ways of strengthening community reintegration factors during investigation, prosecution and diversion at the pre-adjudication stages, etc.;

(b) Ways of strengthening community reintegration factors at the adjudication stage;

(c) Ways of strengthening community reintegration factors effectively during institutional corrections (examples of concrete topics are as follows):

- Employment support guidance;
- Academic/educational training;
- Specific treatment for developing basic skills other than academic/educational training;
- Measures of securing accommodation after release;
- Others;

(d) Measures for strengthening community reintegration factors during community-based treatment or aftercare programmes (examples of concrete topics are as follows):

- Employment support guidance;
- Specific treatment for developing basic skills;
- Measures of securing stable accommodation;
- Others;

(e) Effective ways of establishing co-operation with agencies, organizations and individuals in both the public and private sectors and community involvement at the above stages of criminal justice proceedings.

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## Course Summary

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### Lectures

In total, six lectures were presented by visiting experts, nine by ad hoc lecturers and six by the faculty of UNAFEI. Three distinguished criminal justice practitioners 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 8 to 10.

### Individual Presentations

During the first two weeks, each Japanese and overseas participant delivered an individual presentation, which introduced the actual situation, problems and future prospects of his or her country. These papers were compiled onto a USB memory stick and distributed to all the participants. The titles of these individual presentation papers are listed on pages 11 and 12.

### Group Workshop Sessions

Group Workshop sessions further examined the sub-topics 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 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 their groups. These reports were subsequently presented in the plenary meeting and report-back session, where they were endorsed as the reports of the Course. Brief summaries of the group workshop reports are provided on pages 13 and 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 18.

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**Lecture Topics**

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***Visiting Experts' Lectures***

- 1) Mr. Steve Pitts
  - The Effective Resettlement of Offenders by Strengthening Community Reintegration Factors
- 2) Dr. Chris Trotter
  - Effective Supervision of Offenders
- 3) Mr. Stanley Tang
  - Rehabilitation of Offenders – The Singapore Experience
  - Unlocking the "Second Prison"

***UNAFEI Professors' Lectures***

- 1) Ms. Kumiko Izumi, *Professor*, UNAFEI
  - The Criminal Justice System in Japan: Investigation and Prosecution
- 2) Mr. Yuichi Tada, *Professor*, UNAFEI
  - The Criminal Justice System in Japan: The Courts
- 3) Mr. Yuichiro Wakimoto, *Professor*, UNAFEI
  - Institutional Corrections in Japan: Juvenile Institutions
- 4) Mr. Haruhiko Higuchi, *Professor*, UNAFEI
  - Challenges of the Koban (Police Box) System in the 21<sup>st</sup> Century
- 5) Mr. Toru Kawaharada, *Professor*, UNAFEI and Ms. Ayako Sakonji, *Professor*, UNAFEI
  - Community-Based Treatment of Offenders System in Japan
- 6) Mr. Junichi Watanabe, *Professor*, UNAFEI
  - Institutional Corrections in Japan: Penal Institutions



*Ad Hoc Lectures*

- 1) Mr. Satoshi Tomiyama  
*Director, Prison Service Division, Correction Bureau, Ministry of Justice, Japan*
  - Current Situation of Correctional Treatment in Japan – Centring on Measures for Prevention of Repeat Offences
- 2) Mr. Fumio Yamashita  
*Assistant Superintendent-General, Community Police Affairs Bureau, Metropolitan Police Department, Japan*
  - The Current Situation of Shoplifting and its Measures in Metropolitan Tokyo – Aiming for Enhancement of Respect for Social Norms and Development of Community Solidarity
- 3) Mr. Shigeru Sumitani  
*Chairperson, Board of Directors, Saiseikai Foundation, Japan*
  - Social Inclusion and its Relevance to Offenders' Reintegration
- 4) Dr. Tetsuya Fujimoto  
*Professor, Chuo University, Tokyo, Japan*
  - Strategies for Strengthening Community Reintegration Factors
- 5) Ms. Fumie Hisanaga  
*Community Mental Health and Welfare Bonding Organization, Japan*
  - Job Assistance for Drug Addicts and Mentally Disabled Persons
- 6) Ms. Minoru Nishimura  
*Director, Rehabilitation Service Development Division, Ministry of Justice, Japan*
  - Comprehensive Job Assistance Scheme and Resettlement Scheme for Offenders
- 7) Mr. Mitsuyuki Iijima  
*President, Kowa Corporation LLC, Japan*
  - A Co-operative Employer's Assistance to Offenders
- 8) Mr. Yoshiaki Tajima  
*Chairperson, Board of Directors, Nanko-Airin-Kai Welfare Service, Japan*
  - Assisting Offenders with Disability in the Community
- 9) Mr. Hiroshi Shojima  
*Professor, Fukushima University, Fukushima, Japan*
  - Assistance of Family in the Treatment of Offenders

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## Individual Presentation Topics

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### *Overseas Participants*

- 1) Mr. Marcelo de Paula Araújo (Brazil)
  - Legal Aspects Related to the Reintegration of Prisoners in Brazil and the Initiatives of the Authorities in the Search for the Resocialization of these Prisoners
- 2) Ms. Cynara Figueirêdo da Rocha (Brazil)
  - The Disciplinary Re-education of Offenders as a Means of Non-Recidivism and Reintegration
- 3) Mr. Esteban Vega Calvo (Costa Rica)
  - Effective Reintegration of Offenders by Strengthening Community Reintegration Factors
- 4) Dr. Ricardo Enrique Cook Renaux (El Salvador)
  - Situation of Prisons in El Salvador in 2010 and the Program Highway of Opportunities with Justice and Safety
- 5) Mr. Ahmed Kamal Al-Azzawi (Iraq)
  - Treatment of the Offender
- 6) Mr. Saad Hammad Al-Qaraghuli (Iraq)
  - Treatment of Offenders in Iraq
- 7) Ms. Christine Achieng' Okoth Obondi (Kenya)
  - Effective Resettlement of Offenders by Strengthening Community Reintegration Factors: The Kenyan Experience
- 8) Mr. Durga Prasad Dhungel (Nepal)
  - Nepalese Criminal Justice System and Treatment of Offenders
- 9) Mr. Gehendra Raj Pant (Nepal)
  - Current Situation and Issues Relating to the Effective Resettlement of Offenders by Strengthening Community Reintegration Factors with Special Reference to the Criminal Justice System of Nepal
- 10) Mr. Joseph T. Tondop (Papua New Guinea)
  - Current Situation and Problems Regarding Treatment of Offenders in Papua New Guinea

### *Observers*

- 11) Mr. Man-lung Chung (Hong Kong)
  - Effective Resettlement of Offenders by Strengthening 'Community Reintegration Factors'
- 12) Ms. Yun Young Lee (Republic of Korea)
  - Effective Resettlement of Offenders by Strengthening 'Community Reintegration Factors'

*Japanese Participants*

- 13) Mr. Tomonori Ishii
  - Numata-cho National Center for Offenders' Job Training and Employment Support
- 14) Mr. Yukihiro Kato
  - Measures to Strengthen Community Reintegration Factors at the Investigative Stage
- 15) Ms. Nao Nogami
  - Approaches to Strengthen "Community Reintegration Factors" for Effective Resettlement of Juveniles in the Family Court
- 16) Mr. Akira Onodera
  - The Role of Prosecutors in Offenders' Effective Reintegration into Society in the Investigative and Trial Stages
- 17) Mr. Kazuyuki Otake
  - Offenders' Re-entry into the Community: An Introduction to the Programmes implemented in PFI Prisons
- 18) Mr. Takeshi Tahira
  - Factors of Social Reintegration: Current Situation and Issues Regarding Enhancement
- 19) Mr. Shinji Todoriki
  - Study of Offenders' Successful Re-entry into the Community
- 20) Mr. Kanji Tomita
  - The Role of Judges at the Adjudication Stage Regarding the Resettlement of Offenders

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**Group Workshop Sessions**

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**Group 1**

**MEASURES TO STRENGTHEN COMMUNITY REINTEGRATION FACTORS  
OF OFFENDERS WITH DIFFICULTY IN FINDING JOBS AND SECURING  
ACCOMMODATION AND/OR ESTABLISHING SOCIAL RELATIONSHIPS**

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<b>Chairperson</b>	Mr. Joseph T. Tondop	(Papua New Guinea)
<b>Co-Chairperson</b>	Mr. Marcelo de Paula Araújo	(Brazil)
<b>Rapporteur</b>	Mr. Esteban Vega Calvo	(Costa Rica)
<b>Co-Rapporteur</b>	Ms. Nao Nogami	(Japan)
<b>Members</b>	Mr. Saad Hammad Al-Qaraghuli	(Iraq)
	Mr. Man-lung Chung	(Hong Kong)
	Mr. Yukihiko Kato	(Japan)
	Mr. Kazuyuki Otake	(Japan)
	Mr. Takeshi Tahira	(Japan)
	Mr. Gehendra Raj Pant	(Nepal)
<b>Advisers</b>	Prof. Yuichi Tada	(UNAFEI)
	Prof. Kumiko Izumi	(UNAFEI)
	Prof. Junichi Watanabe	(UNAFEI)
	Prof. Toru Kawaharada	(UNAFEI)

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*Report*

The group addressed the above topic by considering possible measures at each stage of the criminal justice process, and making recommendations specific to each stage, as well as recommendations applicable to the process as a whole. The recommendations are broken down into the various categories below.

Recommendations applicable to all stages of the criminal justice process: The relevant authorities should: 1. Seek possible reintegration as early as possible. 2. Change the mindsets of staff members, inmates and the community. 3. Include re-education in the process of retribution. 4. Cultivate relationships or co-operation between all involved facilities. 5. Support suspects/accused/offenders in finding work and accommodation. 6. Create and/or utilize social resources.

At the pre-adjudication stage, the relevant authorities should: 1. Impose non-custodial measures on first offenders. 2. Reinforce the role of the prosecution service, both in terms of the scope of its investigations and conclusions and the exercise of discretion in disposing cases.

At the adjudication stage: 1. Judges should consider the reintegration of the offender by consulting pre-sentencing reports and/or other information regarding the offender's background and personal circumstances.

At the post-adjudication stage, the relevant authorities should: 1. Seek to improve the inmate's skills (including basic education, motivation, vocational training, and relationship skills). 2. Seek to improve the skills of staff members to ensure that they execute their duties accurately and re-evaluate social work techniques employed in the care of offenders. 3. Assess obstacles to promoting more effective reintegration of offenders.

In the community sphere, the relevant authorities should implement public relations campaigns and activities to raise the awareness of the general public about how the criminal justice system treats offenders and the correctional treatment provided to them, as well as encouraging the community's participation in reintegrating offenders.

**Group 2**

**COMMUNITY REINTEGRATION FACTORS OF OFFENDERS WITH  
ADDICTION OR DIFFICULT PERSONALITY**

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<b>Chairperson</b>	Dr. Ricardo Enrique Cook Renaux	(El Salvador)
<b>Co-Chairperson</b>	Mr. Akira Onodera	(Japan)
<b>Rapporteur</b>	Ms. Christine Achieng' Okoth Obondi	(Kenya)
<b>Co-Rapporteur</b>	Mr. Kanji Tomita	(Japan)
<b>Members</b>	Ms. Cynara Figueirêdo da Rocha	(Brazil)
	Mr. Ahmed Kamal Al-Azzawi	(Iraq)
	Mr. Durga Prasad Dhungel	(Nepal)
	Ms. Yun Young Lee	(Republic of Korea)
	Mr. Tomonori Ishii	(Japan)
	Mr. Shinji Todoriki	(Japan)
<b>Advisers</b>	Prof. Yuichiro Wakimoto	(UNAFEI)
	Prof. Ayako Sakonji	(UNAFEI)
	Prof. Naoyuki Harada	(UNAFEI)
	Prof. Fumihiko Yanaka	(UNAFEI)

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*Report Summary*

1. Criminal justice systems should comply with established international standards such as the UN Standard Minimum Rules for the Treatment of Prisoners; the UN Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules); etc. 2. Governments should establish regulatory systems for partnership and collaboration that clearly spells out the roles of partners and that ensures the integrity of services delivered. 3. Introduce holistic assessment of offenders to facilitate appropriate classification and treatment, especially for offenders with addiction or difficult personalities. 4. Through continuous training, enhance human resources and capacity of staff throughout the entire criminal justice system to ensure and sustain the delivery of rehabilitation treatment programmes. 5. Establish an information sharing system and common database to ensure the flow of appropriate information regarding the offender. 6. Improve linkages between partners of the criminal justice system to facilitate "through-care", enforce aftercare, and sustain a seamless system. 7. A pre-sentence report can be useful for offenders with addiction or personality problems. 8. Create special drug courts for offenders with drug addictions. 9. Employ stringent measures to curb the supply of drugs and other substances in prisons/correctional institutions and implement regular urine testing. 10. Identify potential private partners and develop their capacity to understand their role in rehabilitating offenders. Where possible encourage community-based or faith-based groups to facilitate reintegration. (e.g. volunteer probation officers; co-operative employers (who should be given adequate subsidies); etc. 11. Where appropriate, the criminal records of ex-offenders should be expunged or protected and not used against them as an obstacle to employment or reintegration, especially where there is no recidivism. 12. Sensitize the community and gain its support in dispelling prejudices and stigma against offenders. 13. The community should be involved in all stages of the criminal justice system where it is appropriate for them to be so involved. 14. Where possible, introduce combined sentences, utilizing electronic monitoring, and night-time and weekend imprisonment for low-risk offenders. 15. Restorative justice that involves both the community and victims is important to facilitate community reintegration. This encompasses both the individual or particular victim and the community or society and makes the offender firstly, aware of his or her offensive behaviour and secondly, take responsibility for it.

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**Observation Visits**

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<u><i>Date</i></u>	<u><i>Agency/Institution</i></u>	<u><i>Main Persons Concerned</i></u>
19 May	Tokyo District Public Prosecutors Office	• Mr. Shuji Iwamura (Chief Prosecutor)
20 May	Ministry of Justice	• Ms. Keiko Chiba (Minister of Justice)
28 May	Tama Juvenile Training School	• Mr. Toshiyuki Izumi (Superintendent)
1 June	Tokyo Family Court	• Mr. Kunihiro Koma (Deputy Chief Judge)
	The Supreme Court	• Mr. Tomoyuki Yokota (Judge)
3 June	Yokohama Probation Office	• Ms. Akiko Tashiro (Probation Officer)
7 June	Fuchu Police Station	• Mr. Tadashi Honda (Chief)
14 June	Fuchu Prison	• Mr. Hideo Fujimoto (Senior Researcher)

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**Group Study Tour**

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<u><i>Date</i></u>	<u><i>Location</i></u>	<u><i>Agency/Institution</i></u>	<u><i>Main Persons Concerned</i></u>
9 June	Hiroshima	With Hiroshima Halfway House	• Mr. Kanichi Yamada (President)
10 June	Hiroshima	Hiroshima Juvenile Classification Home	• Mr. Kunio Otsuka (Deputy Director)
	Yamaguchi	Mine Rehabilitation Program Center	• Mr. Hirofumi Hanamura (Warden)
11 June	Kyoto	Meishin Halfway House	• Mr. Kazuyuki Odani (President)

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## Special Events

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12 May *Welcome Party*

14, 17, 18 May *Japanese Conversation Classes*

The overseas participants attended three Japanese conversation classes and learned practical Japanese expressions. The sensei (teacher) was Ms. Junko Toyoguchi from JICE.

19 May *Courtesy Call to the Ministry of Justice and  
Reception by the Vice-Minister of Justice*

After visiting the Ministry of Justice a reception was held for the participants by the Vice-Minister of Justice, Mr. Kotaro Ono, at the Lawyer's Club, Tokyo.

21 May *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 a racket relay, tug of war, and true or false quiz. Afterwards, the participants enjoyed a party with UNAFEI staff and faculty.

22 May *Grand Sumo Tournament and Party hosted by the ACPF, Kisei-kai Branch*

The participants attended the Grand Sumo Tournament at the Ryogoku Kokugikan, Tokyo, and later enjoyed a party hosted by the ACPF, Kisei-kai Branch, at the Daiichi Ryogoku Hotel.

23 May, 6 June *Home Visits*

The ACPF Fuchu Branch kindly organized dinners for the participants at the homes of their members. The hosts were Ms. Chitose Sashida, Ms. Hisako Morita, Mr. Yoshiyuki Sakano, and Mr. Rinshi Sekiguchi.

26 May *Social with Volunteer Probation Officers*

The participants had an opportunity to exchange views with Japanese Volunteer Probation Officers at a social at UNAFEI.

29 May *The Way of Tea*

The participants participated in a "cha-no-yu" or "sado", a formal Japanese tea ceremony, kindly hosted by Soroptimist International Tokyo, Fuchu.

3 June *Yokohama Cruise*

The participants enjoyed a sunset cruise and dinner aboard the Marine Rouge, hosted by the ACPF Yokohama branch.



14 June

*ACPF Fuchu Branch Party*

The ACPF Fuchu branch kindly organized an enjoyable party for the participants and their host families at UNAFEI.

17 June

*Farewell Party*

A party was held to bid farewell to the participants.

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## Reference Materials

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**I. International Instruments**

1. United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules).
2. Report of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice. 17 May 2005. A/CONF.203/18

**II. United Nations Office on Drugs and Crime Documents**

1. UNODC, "Custodial and non-custodial measures: Social Reintegration Criminal Justice Assessment Toolkit".
2. UNODC, "Handbook for Prison Managers and Policymakers on Women and Imprisonment: CRIMINAL JUSTICE HANDBOOK SERIES".

**III. Community Policing**

1. Goldstein, H. (1987). Toward Community Oriented Policing: Potential, Basic Requirements, and Threshold Questions. *Crime & Delinquency*, 33, (1), 6-30.

**IV. Problem Oriented Courts**

1. Blagg, H. (2008). Problem-Oriented Courts: A Research Paper prepared for the Law Reform Commission of Western Australia, Project 96.
2. Center for Court Renovation, "Problem-Solving Courts: A Brief Primer".
3. Freiberg, A. (2001). Problem oriented courts: Innovative solutions to intractable problems? AIJA MAGISTRATES' CONFERENCE.

**V. Re-entry**

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## **X. Safer Cities Programme**

1. United Nations Center for Human Settlements Background document, "Safer Cities Programme: Prevention of urban crime."

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## Experts and Participants List

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### Visiting Experts

Mr. Steve Pitts	Head of International Relations and External Programmes National Offender Management Service Ministry of Justice England and Wales United Kingdom
Dr. Chris Trotter	Associate Professor Department of Social Work Monash University Victoria Australia
Mr. Stanley Tang	Director Operations Division Singapore Prison Service Ministry of Home Affairs Singapore

### Overseas Participants

Mr. Marcelo de Paula Araújo	Police Chief The 23 <sup>rd</sup> Police Department Civil Police of the Federal District Brasília Brazil
Ms. Cynara Figueirêdo da Rocha	Police Officer Civil Police of the Federal District Brasília Brazil
Mr. Esteban Vega Calvo	Prosecutor Supervision Division Attorney General's Office Costa Rica
Dr. Ricardo Enrique Cook Renaux	Director Toxicology Institute Ministry of Justice and Public Security El Salvador

Mr. Ahmed Kamal Al-Azzawi	Chief of Investigation Baghdad Police Ministry of Interior Iraq
Mr. Saad Hammad Al-Qaraghuli	Chief of Investigation Baghdad Police Ministry of Interior Iraq
Ms. Christine Achieng' Okoth Obondi	Senior Assistant Director Department of Probation and Aftercare Service Office of the Vice-President and Ministry of Home Affairs Kenya
Mr. Durga Prasad Dhungel	Under Secretary Legislative Drafting Division Ministry of Law and Justice Nepal
Mr. Gehendra Raj Pant	Legal Officer Administration Section Supreme Court of Nepal Nepal
Mr. Joseph T. Tondop	Provincial Police Commander Simbu Province Royal Papua New Guinea Constabulary Papua New Guinea
<b>Observers</b>	
Mr. Man-lung Chung	Principal Officer Lai Sun Correctional Institution Hong Kong
Ms. Yun Young Lee	Inspector Cheongju Women's Correctional Institution Republic of Korea
<b>Japanese Participants</b>	
Mr. Tomonori Ishii	Probation Officer Nagoya Probation Office
Mr. Yukihiro Kato	Public Prosecutor Mito Public Prosecutors Office

Ms. Nao Nogami	Family Court Probation Officer Osaka Family Court, Sakai Branch
Mr. Akira Onodera	Public Prosecutor Osaka District Public Prosecutors Office
Mr. Kazuyuki Otake	Section Chief General Affairs Division General Affairs Section Kitsuregawa Rehabilitation Program Center
Mr. Takeshi Tahira	Probation Officer Kumamoto Probation Office
Mr. Shinji Todoriki	Section Chief Medical Care and Classification Division Sendai Regional Correctional Headquarters
Mr. Kanji Tomita	Assistant Judge Tokyo District Court

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**THE TENTH COUNTRY FOCUSED TRAINING  
COURSE ON THE JUVENILE DELINQUENT  
TREATMENT SYSTEM FOR KENYA**

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The Tenth Country Focused Training Course on the Juvenile Delinquent Treatment System for Kenya was held from 15 February to 11 March 2010 at UNAFEI. Twelve participants and one JICA Long-Term Expert attended.

Ms. Carren Morangi Ogoti	Assistant Director Department of Children's Services Ministry of Gender, Children and Social Development
Mr. Livingstone Amboko Oruuko	Senior Education Co-ordinator Department of Children's Services Ministry of Gender, Children and Social Development
Ms. Jacynter Achieng Omondi	Chief Children's Officer Department of Children's Services Ministry of Gender, Children and Social Development
Mr. Moses Kimani	Children's Officer Department of Children's Services Ministry of Gender, Children and Social Development
Ms. Rhoda Khevali Misiko	Children's Officer Department of Children's Services Ministry of Gender, Children and Social Development
Ms. Teresia Njeri Nugugi	Principal Magistrate The Judiciary
Mr. Benson Nyaga Ileri	Resident Magistrate The Judiciary
Mr. Matunnga Clement Okech	Assistant Director Probation Department Ministry of Home Affairs
Ms. Florence Mueni Muema	Senior Probation Officer Probation Department Ministry of Home Affairs

Ms. Carolyne Atieno Adero

Probation Officer (Legal Officer)  
Probation Department  
Ministry of Home Affairs

Ms. Jane Wanjiri Kirii

Superintendent of Prisons  
Prison Department  
Ministry of Home Affairs

Ms. Teresia Wangui Muchemi

Superintendent of Police  
Police Department

**JICA Long-Term Expert**

Ms. Mina Hashiba



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**THE SIXTH SEMINAR ON CRIMINAL JUSTICE  
FOR CENTRAL ASIA**

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The Sixth Seminar on Criminal Justice for Central Asia was held from 3 to 18 March 2010 at UNAFEI. The Seminar was entitled "Effective Criminal Justice Measures against Drug Offences and Prevention of International Drug Trafficking". Nine participants from four Central Asian countries, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, attended.

Ms. Baibossynova Gulshara	Head Secretariat on Collegium for Criminal Cases Supreme Court Kazakhstan
Mr. Kultaev Kubanychbek Zuluevich	Deputy Head Chui Oblast Department of Internal Affairs Ministry of Internal Affairs Kyrgyzstan
Mr. Moldobaev Almazbek	Judge Pervomaiskyi District Court of Bishkek City Kyrgyzstan
Mr. Nabiev Nurkamal Burkhanovich	Head Department for Supervision over Criminal Procedural and Investigative Activity, General Prosecutors Office Kyrgyzstan
Mr. Kholmurodov Askarjon	Head of Investigative Division Abdurasulovich Investigative Department Ministry of Home Affairs Tajikistan
Mr. Mahmudov Khalim	Head Criminal Investigation Department Drug Control Agency under the President Tajikistan
Mr. Kuchkarov Sherali Pulatovich	Deputy Head Department on Supervision over the Implementation of the Laws by the Ministry of Internal Affairs, General Prosecutors Office Uzbekistan

Mr. Muratov Nodirbek Sherzodovich

Chief Investigator  
Investigation Department  
Ministry of Internal Affairs  
Uzbekistan

Mr. Shukurov Khurshid Suratovich

Chief of Division for Combating Illicit  
Drugs Dealing,  
Department for Combating Illicit Drug  
Trafficking and Circulation,  
Ministry of Internal Affairs  
Uzbekistan

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## INFORMATION ABOUT FORTHCOMING PROGRAMMES

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### **1. The Fifth Country Specific Training Course on the Community-Based Treatment of Offenders through the Holistic Approach to Volunteer Resource Development for the Philippines**

The Fifth Country Specific Training Course on the Community-Based Treatment of Offenders through the Holistic Approach to Volunteer Resource Development for the Philippines will be held from 22 June to 2 July 2010. The number of participants, who are Parole and Probation Officers and Volunteer Probation Aides, will be ten. They will discuss measures to improve the probation system and the promotion of Volunteer Probation Aides.

### **2. The 13th International Training Course on the Criminal Justice Response to Corruption**

The 13th International Training Course on the Criminal Justice Response to Corruption will be held from 18 October to 12 November 2010. In this Course, Japanese and overseas officials engaged in corruption control will comparatively analyse the current situation of corruption, methods of combating corruption and measures to enhance international co-operation.

### **3. The 146th International Training Course**

The 146th International Training Course is scheduled for 25 August to 1 October 2010. The main theme of the Course is "Attacking the Proceeds of Crime: Identification, Confiscation, Recovery and Anti-Money Laundering Measures". Ten overseas participants and nine Japanese participants will attend.

#### **Rationale**

Confiscation of the proceeds of crime is one of the most powerful tools to fight organized and economic crime, including corruption. Not only does it realize justice by depriving criminals of their ill-gotten gains, but it deters potential criminals from engaging in criminal activity by sending out a clear message that "crime does not pay". Moreover, stemming the flow of a criminal organization's lifeblood - its financial resources - can be a particularly effective way to hinder further activity and future proliferation of such organizations.

Confiscation of criminal proceeds has other desirable consequences. Assets successfully confiscated may be utilized for useful purposes including victim compensation, and in corruption cases, where a huge amount of public assets have been diverted and transferred to a corrupt official's personal accounts (often overseas), returning the confiscated assets to the Victim Country's national treasury can further development of that country.

For these reasons, since the late 1980s, confiscation of criminal proceeds and criminalization of money laundering have come to be internationally recognized as important criminal justice tools.<sup>2</sup> As a result, relevant provisions have been incorporated into various United Nations Conventions and international standards such as the FATF recommendations.

The United Nations Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances (1988) requires States Parties to criminalize money laundering and take necessary measures to identify, trace, freeze and confiscate the proceeds of drug related offences.<sup>3</sup> The United

<sup>2</sup> The Final Declaration issued following the 2009 G8 Justice & Home Affairs Ministerial Meeting concisely explains the concept. "We came to the conclusion that a critical tool in fighting organized crime is to deprive criminal organizations of the proceeds of crime, pursuing a proceeds-driven approach."

<sup>3</sup> Article 3, Paragraph 1 b) and 1 c), and Article 5.

Nations Convention against Transnational Organized Crime (2000) requires States Parties to expand the scope of predicate offences for money laundering purposes. It also requires States Parties to adopt certain measures to identify, freeze, and confiscate proceeds of crime and to provide international co-operation regarding these matters.<sup>4</sup> The United Nations Convention against Corruption (2003) goes one step further by including innovative provisions regarding "asset recovery" - the return of assets to victim countries - which is characterized as "a fundamental principle" of the Convention.<sup>5</sup>

Outside of the United Nations, the Financial Action Task Force on money laundering (FATF), an inter-governmental body established by the G-7 summit in 1989, developed the "Forty Recommendations (1990)" which provide a comprehensive set of countermeasures against money laundering. The Forty Recommendations were supplemented by the "Eight Special Recommendations (2001)" that address issues terrorist financing. These two sets of recommendations have evolved into what is now known as the "40+9 Recommendations (2004)" and are recognized as international standards for combating money laundering and financing of terrorism.

The existence of Conventions and Recommendations, however, does not guarantee that these measures are effectively and successfully implemented or applied. In reality, identifying, tracing, freezing, and confiscating the proceeds of crime is an extremely complex and time-consuming process. It is made more so by the often intervening money laundering schemes by which criminals attempt to conceal the origin, destination and/or nature of their money. A sufficient understanding of various legal and non-legal issues that arise throughout the above process is essential in order to effectively take advantage of these important legal tools. Likewise, international sharing of knowledge and experience will be necessary in order to effectively request/provide assistance and co-operation to other countries.

### **Objectives of the Programme**

This programme offers participants an opportunity to deepen their understanding and share experiences and expertise on "identification, confiscation and recovery of the proceeds of crime and anti-money laundering measures". Emphasis will be placed on organized crime and corruption. Another objective of the programme is to establish a global network of counterparts so that exchange of updated information on country practices can be facilitated.

In order to achieve these objectives, the programme will provide an opportunity to identify and examine current situations and problems existing in participants' countries, and to build participants' knowledge of possible measures to improve current situations.

These objectives will be achieved through lectures and participants' dialogue and discussions.

Specific topics to be discussed are the following:

1. Accumulation of ill-gotten proceeds (with particular emphasis on organized crime and corruption):

(a) Current situation:

Current situation of accumulation of ill-gotten proceeds by offenders in each country, major case examples, modus operandi, cases of successful investigation, recent trends and problems encountered by each country;

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<sup>4</sup> Article 6, 7, 12, 13 and 14 of UNTOC.

<sup>5</sup> Article 51 of UNCAC.

## (b) Countermeasures:

Current measures and legislation for identification, tracing, freezing, confiscation and recovery of the proceeds of crime, recent problems and challenges;

## 2. Money laundering:

## (a) Current situation:

Current situation of money laundering in each country, major case examples, modus operandi, cases of successful investigation, recent trends and problems encountered by each country;

## (b) Countermeasures:

Current measures and legislation for prevention and punishment of money laundering, recent problems encountered by each country and challenges;

## 3. International standards regarding identification, confiscation and recovery of the proceeds of crime and anti-money laundering:

- Introduction and utilization of appropriate legislation in each country, which is required by relevant international standards, i.e. the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the UN Convention against Transnational Organized Crime, the UN Convention against Corruption and the FATF's "40+9 Recommendations", etc.;

## 4. Effective measures and legislation for identifying and tracing the proceeds of crime and prevention and detection of money laundering:

## (a) Measures to collect and utilize information conducive to identifying and tracing the proceeds of crime:

- Establishment of a suspicious transactions reporting system, and utilization of the reported information;
- Securing co-operation of banks and non-bank financial institutions;

## (b) Measures to prevent and detect cash smuggling;

## (c) Other anti-money laundering measures/legislation;

## 5. Effective legislation for freezing, confiscation and recovery of the proceeds of crime:

## (a) Legislation for rapid freezing of the proceeds of crime;

## (b) Legislation for securing confiscation of the proceeds of crime:

- Criminal/Civil forfeiture;
- Confiscation of the proceeds of crime which have been intermingled with property acquired from legitimate sources;
- Confiscation or collection of the transformed or converted property which is equivalent to the proceeds of crime;
- Shifting the burden of proof to the defendant, and any other methods of alleviating the prosecutors' burden of proof with respect to the origin of ill-gotten proceeds;
- Utilization of the power vested by the taxation law; and

## (c) Legislation for returning the confiscated ill-gotten proceeds to victims, including both individuals and countries.

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**ADMINISTRATIVE NEWS**

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**Faculty Changes**

Mr. Tetsuya Sugano, formerly a professor of UNAFEI, was transferred and appointed Principal Expert of Nara Juvenile Classification Home on 1 April 2010.

Ms. Fumiko Akahane, formerly a professor of UNAFEI, was transferred and appointed Chief of the General Planning Division on Staff Attorneys, Japan Legal Support Center on 1 April 2010.

Mr. Jun Oshino, formerly a professor of UNAFEI, was transferred and appointed a judge of Tokyo District/Summary Court on 1 April 2010.

Mr. Yuichi Tada, formerly a judge of Osaka District Court, was appointed a professor of UNAFEI on 1 April 2010.

Ms. Kumiko Izumi, formerly a prosecutor of Tokyo District Public Prosecutors Office, was appointed a professor of UNAFEI on 1 April 2010.

Mr. Fumihiko Yanaka, formerly a prosecutor of Yokohama District Public Prosecutors Office, Odawara Branch, was appointed a professor of UNAFEI on 1 April 2010.

Mr. Yuichiro Wakimoto, formerly a psychologist at Hiroshima Juvenile Classification home, joined UNAFEI as a professor on 1 April 2010.

**Overseas Trips by Staff**

Deputy Director Haruhiko Ukawa and Mr. Masaaki Kojitani (a former member of the Secretariat) visited Seoul, Korea from 1 to 5 March 2010 to visit the Korean Institute of Criminology (KIC) and other important criminal justice organs in South Korea, such as the Legal Research and Training Institute and the Supreme Prosecutors Office.

Professor Junichi Watanabe visited Salvador, Brazil and Canada from 13 to 21 March 2010 to make final preparations for the workshop on the topic of "Effective Countermeasures against Overcrowding of Correctional Facilities", organized by UNAFEI, to be held during the Twelfth United Nations Congress on Crime Prevention and Criminal Justice.

Director Masaki Sasaki, Professor Junichi Watanabe, Professor Ayako Sakonji, Mr. Kazuyuki Nagata (Staff) and Mr. Hideo Takahashi (Staff) visited Salvador, Brazil from 9 to 22 April 2010 to attend the Twelfth United Nations Congress on Crime Prevention and Criminal Justice. Deputy Director Haruhiko Ukawa attended from 14 to 19 April. The UNAFEI delegation organized a Congress workshop on the topic of "Strategies and Best Practices against Overcrowding of Correctional Facilities", held on 16 April.

Mr. Ryuichi Nishitani (Staff) visited China from 16 to 21 March 2010 as a member of a delegation of officers from the Ministry of Justice of Japan. The delegation visited the Supreme Court, the Supreme Public Prosecutors Office, and Shantan Province Prison and Public Prosecutors Office. The delegation also visited Chinfu University, where they engaged in discussion with Chinese law students.

Director Masaki Sasaki and Professor Fumihiko Yanaka visited Vienna, Austria from 16 to 21 May 2010 to attend the 19th Session of the Commission on Crime Prevention and Criminal Justice. The Director made a statement to the Commission.

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**FACULTY AND STAFF OF UNAFEI**

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**Faculty:**

Mr. Masaki Sasaki	Director
Mr. Haruhiko Ukawa	Deputy Director
Mr. Motoo Noguchi	Professor
Mr. Naoyuki Harada	Professor
Ms. Kumiko Izumi	Professor
Mr. Fumihiko Yanaka	Professor
Mr. Yuichi Tada	Professor, Chief of Training Division
Mr. Haruhiko Higuchi	Professor
Mr. Toru Kawaharada	Professor, Chief of Information and Library Service Division, 145th Course Programming Officer
Mr. Yuichiro Wakimoto	Professor, Chief of Research Division 145th Deputy Course Programming Officer
Ms. Ayako Sakonji	Professor
Mr. Junichi Watanabe	Professor
Ms. Grace Lord	Linguistic Adviser

**Secretariat:**

Mr. Masahiro Iida	Chief of Secretariat
Mr. Koji Kobayashi	Co-Deputy Chief of Secretariat
Mr. Katsuhiko Jinbo	Co-Deputy Chief of Secretariat

**General and Financial Affairs Section:**

Ms. Yoshiko Tani	Chief
Mr. Kei Saito	
Mr. Hideo Takahashi	

**Training and Hostel Management Affairs Section:**

Ms. Yoshiko Chihara	Chief
Ms. Makiko Sasabe	
Mr. Takayuki Suzuki	
Mr. Shinichi Inoue	
Mr. Ryuichi Nishitani	145th Assistant Programming Officer

**International Research Affairs Section:**

Mr. Kazuyuki Nagata	
Ms. Naoko Iwakata	Librarian

**Secretarial Staff:**

Ms. Hisayo Yamada	
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**Kitchen:**

Ms. Sae Sakai	Chef
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**JICA Co-ordinator for the 145th International Training Course:**

Ms. Kazue Obayashi	JICA
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