

The 149th International Training Course
“Measures to Secure Protection and Cooperation of Witnesses and Whistle-blowers”

1. Duration and Participants

- From 25 August to 30 September, 2011
- Ten overseas participants from eight countries
- Six Japanese participants

2. Programme Overview

Since corruption and organized crime are often committed using sophisticated techniques, obtaining physical evidence can be difficult; witnesses and their testimony therefore play a crucial role in securing conviction. However, the personal safety of witnesses, as well as that of their family members, may be jeopardized by ruthless criminal groups. States need to establish effective measures that provide adequate protection to witnesses to encourage them to testify without fear.

Whistle-blowers play an important role in bringing to light wrongful acts that would have otherwise remained undetected. However, in doing so, they often take great risks, such as the possibility of facing retaliation, dismissal, demotion or even physical danger. Appropriate measures to protect whistle-blowers from any unjustified treatment are required to gain their co-operation.

This training course offers participants an opportunity to share experiences and knowledge, and to explore ways to protect witnesses and whistle-blowers.

Major topics for discussion include:

- Effective legislation and measures to protect witnesses and whistle-blowers
- Criminalization and punishment of obstruction of justice
- Mitigation of punishment and/or immunity grants for persons who provide substantial cooperation in an investigation or prosecution

3. Lectures

The following visiting experts and ad-hoc lecturers, as well as professors of UNAFEL, gave lectures:

- Visiting Experts
 - Ms. Karen Kramer
Senior Expert
Division for Treaty Affairs, UNODC

“Protection Of Witnesses And Whistleblowers: How To Encourage People To Come Forward To Provide Testimony And Important Information”

- Mr. Robert E. Courtney III
Department of Justice Attaché
Embassy of the United States in the Philippines
“Securing Protection and Cooperation of Witnesses and Whistle- blowers”
- Mr. Severino H. Gaña, Jr.
Senior Deputy State Prosecutor
Department of Justice, Republic of the Philippines
“Securing Protection and Co-operation of Witnesses and Whistle- Blowers”

○ Ad-hoc Lecturers

- Mr. Takujiro Kohno
Senior Officer for Leniency Programme
Investigation Bureau, General Secretariat, Fair Trade Commission
“Leniency Programme”
- Mr. Makoto Okada
Head of Whistleblower Protection Unit
Legal System Planning Division, Consumer Affairs Agency
“Whistleblower Protection System”
- Mr. Katsuya Kitaoka
Director of General Affairs Department
Headquarters of Japan Legal Support Center
“Crime Victims Support by the Japan Legal Support Center (JLSC) –Including the viewpoint of Protection of the victim/witness”
- Mr. Keisuke Senta
Professor
Graduate Schools for Law and Politics, University of Tokyo
“Witness Protection in the Investigation and Trials of Terrorist Offences”