

# UNAFEI NEWSLETTER

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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 132<sup>nd</sup> International Senior Seminar on "Strengthening the Legal Regime for Combating Terrorism", which took place from 10 January to 9 February 2006.

In this Seminar we welcomed eighteen overseas participants: eleven from Asia, four from Central and South America, two from the Pacific and one from Africa; and seven Japanese participants. They included police officers, public prosecutors, a judge, a probation officer, a customs officer, a correctional officer, an immigration officer and other high-ranking public officials. As this Newsletter demonstrates, the Seminar was extremely productive. It consisted of individual presentations, group workshop sessions, visits to relevant criminal justice agencies, and lectures by visiting experts, faculty members and ad hoc lecturers.

The threat of terrorism to international peace and security is of increasing concern to the international community. The terrorist attacks on 11 September 2001, and the more recent attacks in Indonesia, Madrid, London and elsewhere have prompted the international community to respond to this increasing threat. The United Nations and other international and regional organisations have in place a number of important Conventions and Protocols to attack this menace from every conceivable angle, including measures to make it difficult for terrorists to finance their operations. Although many of these measures have been in place for a number of years many Member States of the United Nations have not fully implemented them. Security Council Resolution 1373 of September 2001 calls upon all Member States to become parties to the relevant Conventions and Protocols and implement them as soon as possible.

It is of utmost importance that States make a determined effort to not only ratify the 13 Universal Anti-Terrorism Conventions and Protocols but also take action to incorporate the measures into their national legislation and implement them in practice. If some Nations fail to act it will have devastating consequences for the whole of the international community - allowing terrorists a safe haven in which to operate. The main purpose of this Seminar was to explore ways in which countries could effectively implement the necessary measures against terrorism, in particular by criminalizing the relevant acts. In addition, the enhancement and practical implementation of mutual legal assistance and cooperation was explored.

During the Seminar the participants diligently and comprehensively examined the current situation of terrorism and the legal regime against it. They then analyzed the current problems and challenges. After engaging in in-depth discussions with the UNAFEI faculty and visiting experts they were able to come up with effective strategies and countermeasures, having regard to each country's resources and other individual factors, that were in harmony with the efforts being made by the international community.

I would like to offer my sincere congratulations to all the participants upon their successful completion of the Seminar, 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 Seminar'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 Seminar. 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 Seminar.

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 132<sup>nd</sup> International Senior Seminar. I hope that the experience they gained during the Seminar 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.

February 2006

田内正宏

*Mr. Masahiro Tauchi*  
Director, UNAFEI

## THE 132<sup>nd</sup> INTERNATIONAL SENIOR SEMINAR

### "STRENGTHENING THE LEGAL REGIME FOR COMBATING TERRORISM"

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#### Seminar Rational

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#### 1. Increasing Threat of Terrorism to the International Community

The first five years of the twenty-first century will unfortunately be remembered for the proliferation of horrifying acts of terrorism in many parts of the world. The increasing threat of terrorism to international peace and security, as witnessed in the terrorist attacks in the United States on 11 September 2001, is at present one of the most serious concerns of the international community as a whole. In a society where democracy and human rights are of the utmost value, acts of terrorism as a means to accomplishing political, racial, religious, or any other objectives are not to be tolerated. Acts of terrorism must be strongly denied as open defiance of the rule of law; which forms the basis for citizens of the world to live in peace and happiness.

The international community has been highly responsive to these threats. The United Nations, its Member States, and other international and regional organizations accelerated discussions to tackle the issue of terrorism through a number of high level conferences and meetings with the attendance of heads of states and concerned ministers, as well as relevant experts. In the Asian region, strong political messages were sent out expressing the determination to fight terrorism, including the ASEAN Declaration in November 2001, Bali Ministerial Meeting in February 2004, and Japan-ASEAN Joint Declaration for Cooperation in the Fight against International Terrorism in November 2004. Immense efforts have been made to analyze the latest situation, identify problems, and develop strategies and cooperation mechanisms, thereby making the life of terrorists harder than ever before.

#### 2. Significance of Strengthening the Legal Regime for Combating Terrorism

A nation needs to be equipped with an effective legal regime for anti-terrorism as an essential tool for combating terrorism. This is especially true as terrorists and their supporters are highly organized, well trained, and well funded in many cases, while normal domestic laws, such as penal codes, cannot necessarily function as an efficient tool to prevent, detect and punish terrorism-related crimes. A sufficient coverage of criminalization, as required in the internationally established standards, is a prerequisite. It is requested that States accede to the 12\* universal conventions and protocols against terrorism as soon as possible, if they have not already done so. A country also needs to put in place legal instruments to combat transnational organized crimes in view of the highly organized character of most terrorist groups.

It is also important to suppress acts of terrorism from a financial point of view, as terror-

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\* Editors note: Following the issuance of this rational, and since 14 September 2005, a 13<sup>th</sup> universal convention, the International Convention for the Suppression of Acts of Nuclear Terrorism, has been open for signature.

ists and their supporters need to obtain, maintain, and transfer funds, often using the services of existing financial institutions, in order to realize their objectives. A nation needs to strengthen its financial system so as not to allow financial institutions to be abused and misused by terrorists and their supporters. A robust financial system not only helps concerned authorities detect and prevent acts of terrorism at an early stage, but also obtains necessary financial intelligence that eventually leads to the freezing, confiscation, and forfeiture of terrorist funds and profits from their criminal activities.

In this regard, the fight against terrorism has many things in common with the fight against money laundering. Both terrorists and money launderers seek jurisdictions with more lax laws and regulations as physical bases for their criminal activities. If a country is poorly equipped with legal instruments to combat terrorism, in comparison with its neighbouring countries, it becomes a vulnerable target for terrorism and a safe haven for terrorists from which they are dispatched to all over the world. Measures that have been developed and implemented during several decades in the fight against money laundering are, to a great extent, being utilized to combat the financing of terrorism.

As terrorists are often organized internationally and commit their criminal acts beyond national borders, effective and functioning mechanisms for international cooperation are crucial to expedite investigation, prosecution, and trials. Both formal and informal channels should be utilized to the maximum extent to ensure speedy international cooperation at every stage of the criminal justice operation.

Capacity building of concerned government agencies is always a key to the successful implementation of a legal regime. For this purpose, it is expected that voluntary contributions and appropriate technical assistance be made available to developing countries. It is to be noted that the Government of Japan, having ratified all of the 12 universal conventions and protocols, has continued to provide technical assistance in many areas of anti-terrorism in cooperation with the United Nations, its Member States, and other international and regional organizations.

Finally, States must ensure that any measures taken to combat terrorism are in conformity with the Charter of the United Nations and international law, in particular international human rights, refugee and humanitarian law.

### 3. Measures to Combat Terrorism Taken by the United Nations

The United Nations is the primary organ for establishing guiding principles for a nation to strengthen its legal regime for fighting terrorism. At the Eleventh United Nations Congress on Crime Prevention and Criminal Justice held in Bangkok in April 2005, the issue of terrorism was discussed as one of the main topics, and a workshop was held to upgrade measures to combat it.

The United Nations adopted the following 12 conventions and protocols pertaining to terrorism over a span of 36 years from 1963 to 1999, as important normative foundations in a number of areas. Four of these conventions apply to aviation security, and the others apply to attacks on or kidnapping of internationally protected persons, such as diplomatic agents; attacks upon civilian maritime vessels; attacks on platforms on the high seas; the taking of civilian hostages; explosives and other dangerous devices; the financing of terrorism; and the protection of nuclear material.

- (i) Convention on Offences and Certain Other Acts Committed On Board Aircraft ("Tokyo Convention", 1963)
- (ii) Convention for the Suppression of Unlawful Seizure of Aircraft ("Hague Convention", 1970)

- (iii) Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation ("Montreal Convention", 1971)
- (iv) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons (1973)
- (v) International Convention against the Taking of Hostages ("Hostages Convention", 1979)
- (vi) Convention on the Physical Protection of Nuclear Material ("Nuclear Materials Convention", 1980)
- (vii) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1988)
- (viii) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988)
- (ix) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988)
- (x) Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991)
- (xi) International Convention for the Suppression of Terrorist Bombing (1997)
- (xii) International Convention for the Suppression of the Financing of Terrorism (1999)

Security Council resolution 1373 (2001) issued on 28 September 2001 declared that acts, methods and practices of terrorism are contrary to the purposes and principles of the United Nations, and called upon all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism and fully implement them. That resolution was adopted by the Council acting under Chapter VII of the Charter of the United Nations, which makes it binding on all the United Nations Member States.

Security Council resolution 1373 (2001) also led to the creation of the Counter-Terrorism Committee (CTC), which monitors the implementation of the resolution by all States and has been vigorously monitoring the ratification of the 12 international legal instruments. The CTC has since become the United Nations' leading body to promote collective action against international terrorism, and increased the capability of States to fight terrorism, including bringing Member States to an acceptable level of compliance with the terrorism-related conventions and protocols. In restructuring the CTC, the Counter-Terrorism Executive Directorate (CTED) has been established as a special political mission for an initial period ending on 31 December 2007.

Subsequently, Security Council resolution 1566 (2004) condemned, in the strongest terms, all acts of terrorism irrespective of motivation as one of the most serious threats to peace and security, called upon States to cooperate fully in the fight against terrorism and called upon States to become party, as a matter of urgency, to the relevant international conventions and protocols, whether or not they are a party to regional conventions on the matter.

Recently, the Bangkok Declaration, issued as a result of the Eleventh United Nations Congress, also called upon States, that have not yet done so, to become parties to and implement the universal instruments against terrorism.

In the context of the United Nations' efforts to prevent and combat terrorism, the United Nations Office on Drugs and Crime (UNODC) has an expanded program of work for technical assistance to counter terrorism that is based on mandates recommended by the UN Commission on Crime Prevention and Criminal Justice and approved by the General Assembly. These mandates, carried out by UNODC's Terrorism Prevention Branch (TPB) within the Division for Treaty Affairs (DTA), include the provision of technical assistance and advisory services to countries in their fight against terrorism. As a consequence, UNODC's operational activities focus on

strengthening the legal regime against terrorism. This involves providing legislative assistance to countries, which enables them to become parties to, and implement, the universal anti-terrorism conventions and protocols as well as to implement Security Council resolution 1373 (2001).

Against this background, this Seminar intends to assist efforts by Member States in the fight against terrorism, in particular those efforts towards accession to and implementation of the relevant legal instruments, in close cooperation with UNODC.

## Objectives

The objectives of this Seminar and its subtopics are as follows:

1. To examine and analyze the current situation of terrorism and the existing legal regime against it

Subtopics: Current Situation of:

- (a) Terrorism and related crimes in the participating countries and region;
- (b) The accession by the participating countries to the 12 universal conventions and protocols pertaining to terrorism;
- (c) Existing domestic laws to combat terrorism, especially those related to the criminalization of acts of terrorism, combating terrorist financing, and international cooperation such as extradition and mutual legal assistance.

2. To identify and analyze the current problems and challenges

Subtopics: Problems and Challenges:

- (a) In the accession by the participating countries to the 12 universal conventions and protocols to which the participating countries are not a party, especially in drafting laws to fulfil their obligations;
- (b) In the full implementation of the above instruments to which the participating countries are a party;
- (c) Of a non-legal nature that require special attention in strengthening the legal regime of the participating countries.

3. To explore effective strategies and countermeasures in harmony with the efforts being made by the international community

Subtopics: Measures to:

- (a) Expeditiously accede to the universal instruments;
- (b) Effectively implement the universal instruments - domestic context, especially the criminalization of acts of terrorism and combating the financing of terrorism;
- (c) Effectively implement the universal instruments - international cooperation such as extradition and mutual legal assistance;  
Strengthen capacity building of concerned agencies.

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## **Seminar Summary**

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### **Lectures**

In total, eight lectures were presented by visiting experts, three by ad hoc lecturers and seven by the Professors of UNAFEI. Four 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 Seminar 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 eight and nine.

### **Individual Presentations**

During the first week, each Japanese and overseas participant delivered a fifty minute 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 ten and eleven.

### **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 their group discussions. These reports were subsequently presented in the plenary meetings and report-back session, where they were endorsed as the reports of the Seminar. Very brief summaries of the Group Workshop reports are provided on pages twelve through fourteen.

### **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 fifteen through eighteen.



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**Lecture Topics**

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***Visiting Experts' Lectures***

- 1) Mr. Jean-Paul Laborde
  - The Role of the United Nations, in particular UNODC, in implementing the 13 Universal Legal Instruments Against Terrorism
  - Enhancement of the Accession to and Implementation of the 13 Universal Anti-terrorism Conventions and Protocols, and the Role of the United Nations and UNOCD
- 2) Mr. Javier Ruperez
  - The United Nations In The Fight Against Terrorism
  - Anti-terrorism - Concerted Efforts by the United Nations and the International Community
- 3) Mr. John Forbes
  - Remittance Based Money Laundering - Paradigm Shift? (Part I)
  - Remittance Based Money Laundering - Paradigm Shift? (Part II)
- 4) Professor Dr. Juhaya S. Praja
  - Islam, Globalization, And Counter Terrorism
  - Islam Post 9-11 - Indonesia's Experience

***UNAFEI Professors Lectures***

- 1) Mr. Haruhiko Higuchi
  - Police in Japan
- 2) Ms. Kayo Ishihara
  - Investigation and Prosecution in Japan
- 3) Mr. Iichiro Sakata
  - The Criminal Justice System in Japan: The Courts
- 4) Mr. Motoo Noguchi
  - The Financing of Terrorism
- 5) Mr. Keisuke Senta, (*Deputy Director*)
  - International Cooperation in the Area of Criminal Justice
- 6) Mr. Keisuke Senta, (*Deputy Director*)
  - The Making of U.N. Conventions in the Area of Criminal Justice
- 7) Mr. Motoo Noguchi
  - Recent Developments in the Area of International Criminal Justice, Including the Establishment of International Criminal Tribunals

***Ad Hoc Lectures***

- 1) Mr. Rokuichiro Michii  
*Director, International Counter-Terrorism Cooperation Division, Ministry of Foreign Affairs, Japan*
  - Situation of International Terrorism and Japan's Efforts
  
- 2) Mr. Nobuyuki Muroki  
*Chief Superintendent, Counsellor for Legal Affairs, Commissioner-General's Secretariat, National Police Agency*
  - Counter Terrorism Measures by the Police
  
- 3) Mr. Hiroshi Kimizuka  
*Deputy Director, Data Processing System Development Office, Immigration Bureau, Ministry of Justice*
  - E-Immigration - Automated Biometrics Clearance System

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**Individual Presentation Topics**

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***Overseas Participants***

- 1) Mr. Sonam (Bhutan)
  - Country Report
- 2) Mr. Laercio Rossetto (Brazil)
  - Country Report
- 3) Mr. Eddy Sigfrido De Los Santos Perez (Dominican Republic)
  - Country Report
- 4) Mr. Aldrin Enrique Lainez Cruz (Honduras)
  - Terrorism in Honduras
- 5) Mr. Devendra Kumar Pathak (India)
  - Country Report
- 6) Mr. Prima Idwan Mariza (Indonesia)
  - Country Report
- 7) Mr. Souphy Norintha (Laos)
  - Country Report
- 8) Mr. Mohammad Supian Bin Mohd Yaacob (Malaysia)
  - Country Report
- 9) Mr. Thet Lwin (Myanmar)
  - Country Report
- 10) Mr. Harishchandra Dhungana (Nepal)
  - Country Report
- 11) Mr. Hodges Api Ete (Papua New Guinea)
  - Country Report
- 12) PSUPT. Odelon Garrido Ramoneda (Philippines)
  - War Against Terrorism: The Philippine Setting
- 13) Colonel Ali Mohammed Alsahli (Saudi Arabia)
  - Country Report
- 14) Mr. Jirawoot Techapun (Thailand)
  - Terrorism and Legal Counter-Measures for Terrorism in Thailand
- 15) Mr. Viliami 'Unga Afuha'amango Fa'aoa (Tonga)
  - Country Report

- 16) Mr. Hugo Rodolfo Gamarra Atencio (Venezuela)
  - Country Report
- 17) Ms. Le Thi Van Anh (Viet Nam)
  - Vietnam Law and Assessment of the Legal System in Vietnam in Comparison the United Nations Convention against Terrorism
- 18) Mrs. Fortune Chimbaru (Zimbabwe)
  - Country Report

### *Japanese Participants*

- 19) Mr. Koichi Endo & 20) Mr. Ryuji Kuwayama
  - Ratification/Accession by Japan to Counter-Terrorism Conventions and Protocols and Japan's Enhancement of Preventive Measures for Terrorism
- 21) Ms. Mari Miyoshi
  - International Terrorism and Immigration Control of Japan
- 22) Mr. Tadashi Imai & 23) Ms. Masayo Doi
  - Terrorism Threat in Japan and Public Security Intelligence Agency's Measures to Prevent Terrorism
- 24) Mr. Makoto Uemura & 25) Mr. Kazuo Sasaki
  - Country Report

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**Group Workshop Sessions**

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**Group 1**

**STRENGTHENING THE LEGAL REGIME, IN PARTICULAR, THE ISSUES OF  
CRIMINALIZATION AND INTERNATIONAL COOPERATION**

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<i>Chairperson</i>	Mr. Laercio Rossetto	(Brazil)
<i>Co-Chairperson</i>	Mr. Harishchandra Dhungana	(Nepal)
	Mr. Kazuo Sasaki	(Japan)
<i>Rapporteur</i>	Ms. Fortune Chimbaru	(Zimbabwe)
<i>Co-Rapporteur</i>	Mr. Ryuji Kuwayama	(Japan)
<i>Members</i>	Mr. Souphy Norintha	(Laos)
	Mr. Jirawoot Techapun	(Thailand)
	Ms. Le Thi Van Anh	(Viet Nam)
<i>Visiting Expert Advisers</i>	Professor Dr. Juhaya S. Praja	(Indonesia)
	Deputy Director Keisuke Senta	(UNAFEI)
	Prof. Kayo Ishihara	(UNAFEI)
	Prof. Iichiro Sakata	(UNAFEI)
	Prof. Tae Sugiyama	(UNAFEI)

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*Report Summary*

Group One dealt with the above topic by dividing their discussions into two parts, namely, criminalization and international cooperation. They discussed the importance of criminalizing acts required by the 11 UN Universal Conventions/Protocols irrespective of whether a particular country was exposed to the threat of terrorism because of its serious global effects. They then discussed the obstacles to the criminalization of such acts and possible solutions, noting that most countries had already criminalized terrorist acts, although in most countries the financing of terrorism is not criminalized. They also discussed the availability of exceptions and defences to these offences and their conformity to the Conventions. And they discussed the obstacles to establishing jurisdiction over these offences and possible solutions and the obstacles to making these offences punishable by appropriate penalties and possible solutions.

The Group went on to discuss the second main topic of mutual assistance and extradition. They looked at the obstacles to the provision of mutual assistance and extradition of terrorist offenders and possible solutions; obstacles where the offence is committed for political purposes and possible solutions; and obstacles to the obligation to extradite or prosecute.

Group One concluded its discussions by making the following recommendations. 1) In order that no country can become a safe haven for terrorists all countries should accede to the 13 UN Universal Conventions/Protocols as soon as possible. 2) In order to implement the Conventions/Protocols each country must criminalize terrorist offences and establish jurisdiction over them. 3) Adequate resources must be allocated by all countries to ensure the implementation of the Conventions/Protocols. 4) All countries should make penalties sufficiently severe in order that they qualify as extraditable offences. 5) All countries should offer mutual assistance. 6) There is a need for cooperation among countries and criminal justice agencies, etc. 7) The awareness of the judiciary needs to be raised so that they can distinguish "political offences" from terrorism acts. 8) All countries must fulfil the obligation of *aut dedere aut judicare*.

**Group 2****FINANCING OF TERRORISM**


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<b><i>Chairperson</i></b>	Mr. Devendra Kumar Pathak	(India)
<b><i>Co-Chairperson</i></b>	Colonel Ali Mohammed Alsahli	(Saudi Arabia)
	Mr. Koichi Endo	(Japan)
<b><i>Rapporteur</i></b>	Mr. Hodges Api Ette	(Papua New Guinea)
<b><i>Co-Rapporteur</i></b>	Mr. Aldrin Enrique Lainez Cruz	(Honduras)
	Mr. Makoto Uemura	(Japan)
<b><i>Members</i></b>	Mr. Prima Idwan Mariza	(Indonesia)
	Mr. Thet Lwin	(Myanmar)
<b><i>Advisers</i></b>	Prof. Motoo Noguchi	(UNAFEI)
	Prof. Megumi Uryu	(UNAFEI)
	Prof. Masato Uchida	(UNAFEI)

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*Report Summary*

Group Two began their discussions by stating that terrorist organizations require financial resources in order to carry out their unlawful activities. They agreed that although there was no specific definition of terrorism this did not preclude States from criminalizing actions that constitute the crime of financing of terrorism since the various acts that constitute an act of terrorism were commonly agreed upon. They then went on to discuss the importance of distinguishing it from money laundering so that States are able to deal with both types of crime adequately.

Each member of the Group then gave an overview of their particular country's experience. They then discussed measures against the financing of terrorism, including how finances are generated, the methods used to transfer monies and obligations for reporting. The Group went on to discuss international cooperation of investigations and preventive and detecting measures.

The Group concluded their discussions with the following recommendations. Each country should: i) ratify and implement the International Convention for the Suppression of the Financing of Terrorism; ii) adopt and implement the FATF 40 Recommendations and 9 Special Recommendations, in particular have a legal framework to detect and investigate terrorist financing, criminalize all acts of terrorism and bring the perpetrators to justice and ensure that all legal persons are subject to civil, criminal or administrative sanctions for non-compliance iii) ensure all banks, etc. are properly licensed including alternative remittance providers; iv) issue regulations for financial institutions with respect to terrorist financing obligations under the international standards and relevant domestic laws; v) ensure the compliance of financial institutions with regulations such as the know your customer rule, etc.; vi) regulate gatekeepers with respect to the obligation to make suspicious transaction reports; vii) enhance information sharing at the regional and international level; viii) enhance inter-agency cooperation among relevant ministries and agencies; ix) augment intelligence agencies; x) hold training programmes locally and internationally for government officials to familiarize them with the latest methods in combating terrorist financing; and xi) conduct awareness programmes for the general public.

**Group 3****PREVENTION, DETECTION, INVESTIGATION AND PROSECUTION OF  
TERRORISM ACTS**


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<b><i>Chairperson</i></b>	Mr. Eddy Sigfrido De Los Santos Perez	(Dominican Rep)
<b><i>Co-Chairperson</i></b>	Ms. Mari Miyoshi	(Japan)
	Mr. Viliami Unga Afuhaamango Fa'aoa	(Tonga)
<b><i>Rapporteur</i></b>	Mr. Mohammad Supian Bin Mohd Yaacob	(Malaysia)
<b><i>Co-Rapporteurs</i></b>	Mr. Tadashi Imai	(Japan)
	Mr. Hugo Rodolfo Gamarra Atencio	(Venezuela)
<b><i>Members</i></b>	Mr. Sonam	(Bhutan)
	Ms. Masayo Doi	(Japan)
	PSUPT. Odelon Garrido Ramoneda	(Philippines)
<b><i>Advisers</i></b>	Prof. Tomoyuki Noge	(UNAFEI)
	Prof. Haruhiko Higuchi	(UNAFEI)
	Prof. Hiroyki Shinkai	(UNAFEI)
	Prof. Satoko Ikeda	(UNAFEI)

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*Report Summary*

Group Three firstly discussed effective measures to control entry of terrorists and dangerous materials. They suggested the following measures i) the use of high performance detection equipment to detect smuggling ii) biometric I.D. systems to counter the problem of forged passports iii) the use of an Advanced Passenger Information System iv) severe penalties for those smuggling/illegal entry of terrorists or dangerous materials v) a monetary award system to encourage people to give information regarding illegal entry vi) greater powers for immigration and customs officials vii) cooperation with other enforcement agencies viii) use of sniffer dogs to detect dangerous materials ix) enhance land, sea and air patrols to detect illegal entry x) well trained immigration and customs officials and xi) the development of a database of terrorists to ensure early detection.

The Group then discussed effective measures to prevent and suppress terrorism acts within each country's own territory. They suggested the following measures i) having better knowledge of the terrorists' activities ii) criminalize terrorist activities and organizations iii) prevent terrorists from getting materials that can be used for terrorism iv) suppress terrorist financing v) strengthen security measures at potential terrorists targets vi) educate the public on the danger and impact of terrorist activities and vii) build strong inter-governmental agency cooperation by exchanging and sharing information.

Thirdly they discussed specific issues related to the investigation and prosecution of terrorism offences, specifically special investigative techniques, witness protection and the use and protection of intelligence information in criminal proceedings.

The final subject discussed was coordination and cooperation among relevant authorities. The Group suggested the following measures i) every agency should share information ii) each country should adopt the measures relating to mutual legal assistance laid down in the 13 UN Conventions and Protocols. Group Three concluded their discussions by stating, among other things, that every country should make every effort to enter into and fully implement the 13 UN Conventions and Protocols.

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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>
Jan 18	Tokyo District Public Prosecutors Office	• Mr. Masafumi Sakurai Chief Prosecutor
Jan 18	Ministry of Justice	• Mr. Seiken Sugiura Minister of Justice
Jan 24	Supreme Court	• Mr. Yuki Furuta Justice
Jan 24	Tokyo District Court	• Mr. Seishi Kanetsuki Chief Judge
Feb 1	National Research Institute of Police Science	• Mr. Jun Nakamura Head Explosion Investigation Section



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**Group Study Tours**

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<u>Date</u>	<u>Group</u>	<u>Agency/Institution</u>	<u>Main Persons Concerned</u>
Jan 20-21	<i>Kobe and Kyoto</i>	Hyogo Prefectural Police Headquarters	• Mr. Hirofumi Motooka Superintendent
		Osaka Regional Immigration Bureau, Kobe Branch	• Mr. Kunio Takahashi Director
Feb 5-7	<i>Sapporo, Hokkaido</i>	1 <sup>st</sup> Regional Coast Guard Headquarters	• Mr. Hitoshi Noami Director
		Hakodate Regional Customs	• Mr. Shinjiro Kawasaki Director
		Sapporo Prison	• Mr. Yoshiyasu Yonezawa Warden

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## Special Events

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Jan 10 *Welcome Party*

Jan 13 *Table Tennis Tournament*

The participants and staff held an exciting table tennis tournament followed by a prize giving ceremony and a small party.

Jan 16, 17 and 26 *Japanese Conversation Classes*

The overseas participants attended three Japanese conversation classes. They learned practical Japanese expressions. The Sensei (teacher) was Ms. Kumiko Yanagisawa (staff).

Jan 18 *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. Toshiaki Hiwatari, at the Lawyers Club, Tokyo.

Jan 20 *West Japan (Kobe/Kyoto) Study Tour*

In addition to the observation visits, the participants were able to enjoy trips to the Kinkaku-ji Temple, Kiyomizu-dera Temple and Sanjyusangen-Do Temple.

Jan 27 *Public Lecture Programme*

The Public Lecture Programme is conducted annually to increase social awareness of criminal justice issues through comparative international study. The Programme sponsored by the Asia Crime Prevention Foundation (ACPF), the Japan Criminal Policy Society (JCPS) and UNAFEI, was held in the Grand Hall of the Ministry of Justice and was attended by distinguished guests, UNAFEI alumni and the participants of the 132<sup>nd</sup> International Senior Seminar.

This year, Mr. Javier Ruperez (UNCTED), Mr. John Forbes (ADB), Prof. Dr. Juhaya S. Praja (Indonesia) and Mr. Jean-Paul Laborde (UNODC), were invited as speakers to the programme. They presented papers on "Anti-terrorism Concerted Efforts by the United Nations and the International Community"; "Remittance Based Money Laundering - Paradigm Shift?"; "Islam Post 9-11 - Indonesia's Experience"; and "Countering Terrorism: New International Criminal Law Perspectives", respectively.

Jan 27 *UNAFEI Alumni Reception*

The UNAFEI Alumni Association held an enjoyable reception for the participants at the Lawyers Club.

Jan 31

*ACPF Nangoku-Kai Party*

The ACPF Nangoku Branch hosted an enjoyable party, with a magic show, for the participants at the Le Meridien Pacific Tokyo Hotel.

Feb 5-7

*Hokkaido Study Tour*

In addition to the observation visits, the participants were able to enjoy trips to the Sapporo TV Tower, the Sapporo Brewery and Lake Shikotsu for the Ice Statue Festival. The participants also visited Odori Park where they enjoyed the exhibits of the Snow Festival. The ACPF Sapporo branch welcomed the participants and held an enjoyable reception in their honour.

Feb 9

*Farewell Party*

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## Reference Materials Distributed

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### **A. United Nations, UN Office on Drugs and Crime, Counter-Terrorism Committee, Counter-Terrorism Executive Directorate and Other UN Counter-Terrorism Bodies and Initiatives**

1. The United Nations System and Terrorism.
2. UNODC Terrorism Prevention Branch: Delivering Counter-Terrorism Assistance.
3. UN CTC and CTED-- Documents Related to Their Role and Mandate.
  - (1) S/2005/663: Work programme of the Counter-Terrorism Committee (1 October-31 December 2005) (annexed).
  - (2) S/2004/914: Report of the Secretary-General: Steps taken to make the Counter-Terrorism Committee Executive Directorate fully operational (annexed).
  - (3) S/2004/124: Proposal for the Revitalisation of the Counter-Terrorism Committee (annexed).
  - (4) UN Security Council Resolution 1535 (2004).
  - (5) S/2004/642: Letter dated 11 August 2004 from the President of the Security Council addressed to the Secretary-General [Informing endorsement by the Security Council of the "Organizational plan of the Counter-Terrorism Committee Executive Directorate" (Enclosure)].
4. Bangkok Declaration.

### **B. UN General Assembly Resolutions and UN Security Council Resolutions**

1. General Assembly Resolution 49/60: Measures to Eliminate International Terrorism.
2. General Assembly Resolution 51/210: Measures to Eliminate International Terrorism.
3. General Assembly Resolution 56/88: Measures to Eliminate International Terrorism.
4. Security Council Resolution 1267 (1999).
5. Security Council Resolution 1269 (1999).
6. Security Council Resolution 1368 (2001).
7. Security Council Resolution 1373 (2001).
8. Security Council Resolution 1377 (2001).
9. Security Council Resolution 1456 (2003).
10. Security Council Resolution 1535 (2004).
11. Security Council Resolution 1566 (2004).
12. Security Council Resolution 1624 (2005).

### **C. 13 UN Conventions on Terrorism and Related Materials**

1. Convention on Offences and Certain Other Acts Committed on Board Aircraft.
2. Convention for the Suppression of Unlawful Seizure of Aircraft.
3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation.
4. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation.
5. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons.
6. International Convention against the Taking of Hostages.

7. (1) Convention on the Physical Protection of Nuclear Material.  
(2) Amendment to the Convention on the Physical Protection of Nuclear Material.
8. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation.
9. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.
10. Convention on the Marking on Plastic Explosives for the Purpose of Identification.
11. International Convention for the Suppression of Terrorist Bombings.
12. International Convention for the Suppression of the Financing of Terrorism.
13. International Convention for the Suppression of Acts of Nuclear Terrorism.
14. 2005 protocols to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.
15. Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols (UNODC, 2003).
16. Check Lists for the 12 Universal Anti-Terrorism Conventions and for Security Council Resolution 1373 (2001) (UNODC).
17. Related UN Convention/Protocols: United Nations Convention against Transnational Organized Crime (Annex I), Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Annex II), supplementing the United Nations Convention against Transnational Organized Crime, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (Annex III).

#### **D. FATF Recommendations and Related FATF Documents**

1. The Forty Recommendations, incorporating the amendments of 22 October 2004 (Interpretative notes annexed).
2. Special Recommendations on Terrorist Financing (22 October 2004) (Interpretative notes included).
3. Guidance Notes for the Special Recommendations on Terrorist Financing and the Self-Assessment Questionnaire.
4. Guidance for Financial Institutions in Detecting Terrorist Financing
5. FATF Annual Report 2004-2005.

#### **E. Other Related Materials**

1. Report of the Secretary-General's High-level Panel: "A more secure world: Our shared responsibility" (2004) (extract).
2. Report of the Secretary-General: "In Larger Freedom: toward development, security and human rights for all" (21 March 2005) (extract).
3. "Strengthening Cooperation against International Terrorism" hosted by the Organization for Security and Co-operation in Europe (OSCE) in Cooperation with the UNODC, Vienna Austria, 11-12 March 2004 (extract).
  - (1) Contents, and Preface by Ambassador Javier Ruperez, Executive Director of the CTC of the Security Council.
  - (2) The Increase in the Number of Ratifications of United Nations Anti-Terrorism Conventions since the Adoption of UNSC Resolution 1373, Joel Sollier, Expert Advisor to the CTC.
  - (3) Presentation on the Technical Assistance Delivered by Terrorism Prevention Branch, Walter Gehr, Project Coordinator, TPB/UNODC.
4. Eleventh United Nations Congress on Crime Prevention and Criminal Justice, Bangkok, 18-25

April 2005, International cooperation against terrorism and links between terrorism and other criminal activities in the context of the work of the United Nations Office on Drugs and Crime.

- (1) Working paper prepared by the Secretariat (A/CONF.203/5).
- (2) Workshop 4: Measures to Combat Terrorism, with reference to the Relevant International Conventions and Protocols, Background paper (A/CONF.203/12).
- (3) A/CONF.203/18 Report of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice (extract).
- (4) Compilation of reports on workshops and ancillary meetings, Eleventh UN Congress on Crime Prevention and Criminal Justice, Bangkok, Thailand 18-25 April 2005 (extract).

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## Experts and Participants List

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### Visiting Experts

Mr. Jean-Paul Laborde  
 Chief  
 Terrorism Prevention Branch,  
 United Nations Office on Drugs and  
 Crime,  
 Vienna International Centre,  
 Vienna

Prof. Dr. Juhaya S. Praja  
 Professor  
 Post Graduate Programme,  
 Bandung Islamic State University,  
 Indonesia

Mr. John Forbes  
 Anti-Money Laundering Specialist  
 Office of the General Counsel,  
 Asian Development Bank,  
 Philippines

Mr. Javier Ruperez  
 Assistant Secretary-General  
 Executive Director,  
 Executive Directorate,  
 United Nations Counter-Terrorism,  
 Committee (CTED),  
 U.S.A.

### Overseas Participants

Mr. Sonam  
 Officer in Charge/Officer Commandant  
 Wangdue Police Station,  
 Royal Bhutan Police,  
 Bhutan

Mr. Laercio Rossetto  
 Police Chief  
 Civil Police of the Federal District,  
 Brazil

Mr. Eddy Sigfrido De Los Santos Perez  
 Brigadier, National Police Director  
 Institute for Superior Studies,  
 Dominican Republic

Mr. Aldrin Enrique Lainez Cruz  
 Boss of Post-Grade Unit at the Police  
 University,  
 Secretary of Security National Police,  
 Honduras

Mr. Devendra Kumar Pathak	Inspector General of Police (Law & Order) Assam Assam Police Headquarters, India
Mr. Prima Idwan Mariza	Head Sub Division Preparation Material for Law Socialization The Attorney General of the Republic of Indonesia, Indonesia
Mr. Souphy Norintha	Head of Protocol and Foreign Relations Division Ministry of Justice, Laos
Mr. Mohammad Supian Bin Mohd Yaacob	Superintendent of Customs Preventive Division, Royal Malaysian Customs Headquarters, Malaysia
Mr. Thet Lwin	Commander No. 1 Pol. Battalion Myanmar Police Force, Myanmar
Mr. Harishchandra Dhungana	Law Officer Ministry of Home Affairs, Nepal
Mr. Hodges Api Ette	Principal Legal Officer Department of Police Konedobu, Royal PNG Constabulary, Papua New Guinea
PSUPT. Odelon Garrido Ramoneda	Chief District Operations Division, Eastern Police District, Philippines
Colonel Ali Mohammed Alsahli	Colonel Naif Arab University for Security Science, Saudi Arabia
Mr. Jirawoot Techapun	Provincial Chief Public Prosecutor Juvenile and Family Litigation of Roi-ED Province, Thailand



Mr. Viliami 'Unga Afuha'amango Fa'aoa	Assistant Police Commander Ministry of Police, Tonga
Mr. Hugo Rodolfo Gamarra Atencio	Director Strategic Analysis and Monitoring of Information Directorate, Scientific, Penal and Criminalistics Investigation Organization, Venezuela
Ms. Le Thi Van Anh	Expert Department of Criminal and Administration Legislation, Ministry of Justice, Viet Nam
Mrs. Fortune Chimbaru	Principal Law Officer Attorney General's Office, Zimbabwe
<b>Japanese Participants</b>	
Ms. Masayo Doi	Deputy Director Nagoya Probation Office
Mr. Koichi Endo	Public Prosecutor/Professor The First Training Department, Research and Training Institute, Ministry of Justice
Mr. Tadashi Imai	Specialist General Affairs Department, Public Security Intelligence Agency
Mr. Ryuji Kuwayama	Principal Programme Supervisor International Affairs Division, Fuchu Prison
Ms. Mari Miyoshi	Director Registration Division Immigration Bureau, Ministry of Justice
Mr. Kazuo Sasaki	Judge/Professor Legal Training and Research Institute, Supreme Court
Mr. Makoto Uemura	Public Prosecutor Tokyo District Public Prosecutors Office

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**THE SIXTH TRAINING COURSE ON THE JUVENILE  
DELINQUENT TREATMENT SYSTEM FOR KENYA**

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UNAFEI held the Sixth Training Course on the Juvenile Delinquent Treatment System for Kenya from 17 October to 10 November 2005. The participants comprised officials working for the prevention of delinquency and the treatment of juvenile delinquents in Kenya including the children's department, the children's court, the police, probation officers, corrections officers and volunteer children's officers. The Course exposed Kenyan officials to the workings of the Japanese juvenile justice and treatment systems through lectures, a practicum and observation visits to relevant agencies.

Mr. Noah Mokaya Omambia Sanganyi	Assistant Director of Children's Services Department of Children's Services, Ministry of Home Affairs
Mr. Eliud Festus Mutwiri	Provincial Children's Officer Central Province
Mr. Peterson Ndwiga	Manager Kabete Rehabilitation School
Mr. Joseph Sila Mulinge	Manager/Children's Officer Kisumu Children's Remand Home
Ms. Caroline Chepkemoi Towett	Manager Nairobi Children's Remand Home
Ms. Loise Mugure Gikuhi	District Children's Officer Embu District
Mr. Kenneth Mbito Mvurya	District Children's Officer Lamu District
Mrs. Bibiana Robayi Khamete Andabwa	Volunteer Children's Officer Kakamega District
Mr. Johnstone Cheruiyot Koech	Senior Probation Officer Probation Department, Ministry of Home Affairs
Ms. Teresia Achieng Oloo	Probation Officer Probation Department, Ministry of Home Affairs
Mr. Angus Masoro Kimega	Superintendent in Charge Shimo La Tewa Borstal Institution

Ms. Rhoda Akinyi Anyim	Officer in Charge Kisumu Women Prison
Ms. Beatrice Nthiori Thurania	Children's Court Magistrate Mombasa Law Courts
Mr. Walter Ndolo Nyarima	Acting Principal Magistrate Busia Law Courts
Mr. Joseph Kipsang Kiget	Senior Superintendent of Police/Officer Commanding Police Teso Police Division
Ms. Lilian Gloria Akoth Okembo	Chief Inspector/Officer in Charge Traffic Department Instructor, Kenya Police College

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**EIGHTH INTERNATIONAL TRAINING COURSE ON  
CORRUPTION CONTROL IN CRIMINAL JUSTICE**

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UNAFEI conducted the Eighth International Training Course on Corruption Control in Criminal Justice entitled "Corruption Control in Criminal Justice" from 24 October to 17 November 2005. In this Course, Japanese and foreign officials engaged in corruption control comparatively analyzed the current situation of corruption, methods of corruption prevention, and measures to enhance international cooperation.

The participants, through the Course, recognized the importance of cooperation among relevant agencies, as well as among States, to successfully tackle corruption cases and planned to establish a discussion group to enable them to maintain the network they had established at UNAFEI in order to continue to exchange information and cooperate in the future, including offering mutual legal assistance.

Ms. Irina Kharatyan	Specialist Department of Legal Expertise Court of Cassation, Armenia
Mr. Golam Shahriar Chowdhury	District Anti Corruption Officer (Investigator) Anti Corruption Commission, Bangladesh
Ms. Lerato Dube	Senior Anti Corruption Officer Directorate on Corruption and Economic Crime, Botswana
Ms. Pen Somethea	Searching and Publishing Law Manager Criminal and Commutation Affaires Department, Ministry of Justice, Cambodia
Ms. Aliti Kiji Choi	Senior Legal Officer Director of Public Prosecution Office, Fiji
Mr. Arie Sudihar	Head of Section for Special Crime District Prosecution Service of Manokwari, Indonesia
Mr. Kadhem Salman Nuha Altimimi	Investigator Commission on Public Integrity, Iraq

Mr. Acksonesinh Vixayalai	Assistant Judge People's Supreme Court, Laos
Mr. Herinavalona Thierry Ravalomanda	Magistrate Deputy Public Prosecutor, Chaine Penale Anti Corruption, Madagascar
Ms. Oyunchimeg Jamsran	Associate Prosecutor General State General Prosecutor's Office Mongolia
Pol. Col. Ohn Myint	Deputy Commander Criminal Investigation Department, Myanmar Police Force, Myanmar
Mr. Suresh Adhikari	Under Secretary Commission for the Investigation of Abuse of Authority, Nepal
Mr. Hassan Muslim Sule	Prosecutor Economic and Financial Crimes Commission, Nigeria
Mr. Samuel Precia Rodriguez	Police Superintendent Internal Audit Office, Philippine National Police Philippines
Mr. Vincent Wagona	Acting Senior Principal State Attorney Directorate of Public Prosecutions, Uganda
Mr. Daisuke Iwamura	Prosecutor Morioka District Public Prosecutors Office, Japan
Mr. Akira Maruta	Judge Osaka District Court, Japan
Mr. Takeshi Mochizuki	Prosecutor Nagasaki District Public Prosecutors Office, Sasebo Branch, Japan

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## INFORMATION ABOUT FORTHCOMING PROGRAMMES

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### **1. The Eleventh Special Seminar for Senior Criminal Justice Officials of the People's Republic of China**

The Eleventh Special Seminar for Senior Criminal Justice Officials of the People's Republic of China will be held from 20 February to 9 March 2006. The theme of the Seminar is "Towards a Criminal Justice System that can meet the Challenges of Globalization and Reflects the Citizen's Point of View".

### **2. The Second Seminar on the Criminal Justice System for Central Asia**

The Second Seminar on the Criminal Justice System for Central Asia will be held from 27 February to 16 March 2006 at UNAFEI. The Seminar is entitled a "Criminal Justice System that Meets the Needs of the New Epoch".

### **3. The Third Training Course on Strengthening the Anti-Corruption Capacity in Thailand**

The Third Training Course on Strengthening the Anti-Corruption Capacity in Thailand will be held from 6 to 27 April 2006. This Training Course is the final course of a series of three and will focus on the most effective methods of preventing corruption.

### **4. The 133<sup>rd</sup> International Training Course**

The 133<sup>rd</sup> International Training Course entitled "Effective Prevention and Enhancement of Treatment for Sexual Offenders" will be held from 15 May to 22 June 2006.

#### Rationale

There are various types of sexual offences in the world. Each jurisdiction has its own definitions and forms of punishment for sexual offenses/offenders. Various measures at each stage of the criminal justice system have been taken by each country/ jurisdiction characterized by differences in relevant determinants such as laws related to sexual offenses, types of dominant offenses in each country, etc. As to sexual offender treatment for rehabilitation and reintegration into society, new types of practices have been introduced in some European and North American countries over the last two decades. Empirical evaluation studies of these practices have also been carried out.

With regard to sexual offender treatment in correctional institutions, various new treatment programs based on cutting-edge behavioral/medical knowledge have been developed and utilized in addition to the basic programs for rehabilitation such as vocational training, counseling, etc. For instance, programs for sexual offenders include behavioral therapy using conditioning techniques, medical treatment such as surgical or chemical castration, cognitive-behavioral skills training and relapse prevention programs, etc. In institutional settings, some countries establish special institutions or units for sexual offenders, and/or provide intensive treatment programs in order to enhance their treatment effects.

As to treatment for sexual offenders who are convicted but not committed to prison, or have received a community-supervision order, many types of programs have been introduced, such

as group programs based on the cognitive-behavioral approach, long term probationary supervision, etc. Various Preventive measures have also been developed and implemented such as an electric monitoring system for probationers, a sexual offenders register system, DNA data banks containing the DNA profile of convicted sexual offenders which is utilized for investigation, peace bonds, criminal court orders to set out specific conditions to protect the safety of victims, etc.

In order to achieve and maintain its effectiveness and efficiency, the program should focus on the particular offender's own problems. As mentioned above, the definitions of sexual offenses are not always the same among countries/jurisdictions. Moreover, each offender has his/her own unique problems. Therefore, an accurate and reliable risks and needs assessment for offenders should be done in order to ensure the appropriate delivery of treatment and rehabilitative services. Practices and experiences of these detailed assessments have also been accumulated and evaluated for further improvement of current programs.

There are some important issues to cover in order to improve prevention and treatment programs for sexual offenders. For instance, it is necessary to explore possible strategies at each stage of the criminal justice system, from preventive activity, investigation, prosecution to rehabilitation of offenders. Appropriate punishment, a sentencing based upon the offender's risk of re-offending and diversification of disposition should be re-examined. More specifically, stalking orders or other punishment for stalking committed with a sexual motivation, sexual misconduct with or exploitation of children, etc. should be discussed. Moreover, if a new program or measure puts emphasis only on prevention of re-offending, it might hinder offenders reintegrating into society or violate their basic human rights. Furthermore, it is also important to consider victims of sexual offenses in the criminal justice process.

The United Nations, and various international bodies and organizations, have taken various measures to combat problems related to sexual offenses. For instance, in 1993, the General Assembly of the United Nations adopted the "Declaration on the Elimination of Violence against Women". Following this Declaration, in 1995, the Forth World Conference on Women, held in Beijing, adopted the "Beijing Declaration and Platform for Action". In this conference, "Violence against Woman" was identified as one of the "most important problematic areas" in the "Platform of Action". "To take integrated measures to prevent and eliminate violence against women" was one of the two strategic objectives concerning the issue of violence against woman provided in the "Platform of Action" in which specific actions to be taken by member countries/jurisdictions are illustrated.

Various resolutions, declarations, guidelines, and codes of conduct concerning crime prevention and treatment of offenders adopted by the United Nations should also be taken into consideration. With regard to institutional treatment, the international society and the United Nations have set out certain basic requirements in the United Nations standards and norms such as the "United Nations Standard Minimum Rules for the Treatment of Prisoners", adopted at the First Congress on the Prevention of Crime and the Treatment of Offenders in 1955, and other resolutions, declarations, guidelines and codes of conduct. Each Member State/jurisdiction has made efforts to implement these standards and norms by making the necessary changes to their relevant domestic laws and practices. Similarly, the General Assembly of the United Nations adopted the "United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)" in 1985 for juvenile offenders, and the "United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)" in 1990 for community-based treatment. These rules are also important for Member States to re-examine their current preventive measures and treatment programs for sexual offenders.

## Objectives

On the basis of the explanations indicated above, the purpose of this International Training Course is to offer participants the opportunity to share information on the current situation of sexual offenses, punishment, prevention and treatment for sexual offenders; and challenges faced by each country. At the same time, this Course offers opportunities to explore more effective measures and strategies for preventing sexual offenses and providing treatment programs for sexual offenders to promote their reintegration into society.

In summary, among the major topics to be discussed are the following items:

- (1) To examine and analyze the current situation of sexual offenses; the legal framework of prevention, punishment, and treatment for sexual offenders; and practices and programs for prevention and treatment.
  - (a) Current situation of sexual offenses and other related offences.
  - (b) The legal framework of punishment and treatment.
  - (c) Preventive measures and treatment programs.
  
- (2) To identify current problems and challenges faced by each country/jurisdiction and their practices concerning prevention of sexual offenses, punishment and treatment for sexual offenders.
  - (a) Investigation, prosecution, and sentencing procedures (including legislation and punishment).
  - (b) Institutional treatment programs.
  - (c) community-based treatment programs and supervision.
  - (d) Preventive measures.
  - (e) Inter-agency cooperation.
  
- (3) To explore effective measures and strategies to improve prevention and treatment programs for sexual offenders at each stage of the criminal justice system.
  - (a) Best practices and empirical studies.
  - (b) Effective preventive measures/treatment models at each stage of the criminal justice system.
  - (c) Inter-agency cooperation to establish an integrated sexual offender treatment model.
  - (d) Preventive measures/treatment models applicable to each country.
  - (e) Possible international cooperation.



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**ADMINISTRATIVE NEWS**

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**Overseas Trips by Staff**

Director Masahiro Tauchi and Mr. Hiroyuki Shinkai (Professor) visited China to attend the Second International Congress of the ASEAN and China Cooperative Operations in Response to Dangerous Drugs from 17 to 21 October, 2005.

Director Masahiro Tauchi, Mr Keisuke Senta (Deputy Director), Mr. Tomoyuki Noge (Professor), Ms. Satoko Ikeda (Professor), Mr. Ryousei Tada (staff) and Mr. Takayuki Aizawa (staff) visited Bangkok, Thailand from 24 to 30 November and 24 November to 3 December, 2005 respectively, to attend the In-Country Training Course under the three-year project on "Strengthening of Anti-Corruption Capacity in Thailand".

Director Masahiro Tauchi visited Courmayeur, Italy to attend the 2005 PNI coordination meeting from 30 November to 4 December, 2005.

Ms. Kayo Ishihara (Professor) visited Shenzhen City, the Peoples Republic of China to attend the First Asia-Europe Prosecutors General Conference from 9 to 12 December, 2005.

Ms. Megumi Uryu (Professor) visited Macau, SAR, Peoples Republic of China to attend the Third Asia and Pacific Regional Conference of the International Association of Prosecutors from 12 to 14 January, 2006.

Ms. Satoko Ikeda (Professor) visited Ottawa, Canada and Washington D.C., USA, to conduct research on identity theft from 10 to 20 January, 2006.

Mr Keisuke Senta (Deputy Director) visited Bangkok, Thailand to attend the High Level Seminar for the Asia-Pacific Region to Promote the Ratification and Implementation of the United Nations Convention against Corruption and discuss details of the forthcoming 3<sup>rd</sup> training course for the officials of the ONCC from 15 to 21 January, 2006.

Director Masahiro Tauchi, Ms. Tae Sugiyama (Professor), Ms. Tamaki Yokochi (Professor), Mr. Kazunari Arakawa (Chief, General and Financial Affairs Section) and Ms. Tomomi Matsuoka (staff) visited the Philippines with thirteen Volunteer Probation Officers to participate in the Third Session of the In-Country Training Programme on a Holistic Approach to Volunteer Resource Development. Mr. Kazunari Arakawa and Ms. Tomomi Matsuoka visited from 17 to 21 January, Director Masahiro Tauchi from 19 to 25 January, 2006 and Ms. Tamaki Yokochi from 17 January to 11 February, 2006 in order to monitor and evaluate the progress of the revitalization of the Volunteer Probation Aide programme.

Mr. Hiroyuki Shinkai (Professor) visited the United Nations Office on Drugs and Crime, Vienna to attend an Expert Group Meeting on Crime Data Collection from 7 to 12 February, 2006.

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**FACULTY AND STAFF OF UNAFEI**

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**Faculty:**

Mr. Masahiro Tauchi	Director
Mr. Keisuke Senta	Deputy Director
Mr. Motoo Noguchi	Professor, 132 <sup>nd</sup> Seminar Programming Officer
Mr. Haruhiko Higuchi	Professor
Ms. Tae Sugiyama	Professor, Chief of Information and Library Science Division
Mr. Hiroyuki Shinkai	Professor
Ms. Tamaki Yokochi	Professor
Ms. Kayo Ishihara	Professor, 132 <sup>nd</sup> Seminar Deputy Programming Officer
Mr. Masato Uchida	Professor, Chief of Research Division
Mr. Tomoyuki Noge	Professor
Ms. Megumi Uryu	Professor
Mr. Iichiro Sakata	Professor, Chief of Training Division
Ms. Satoko Ikeda	Professor
Mr. Simon Cornell	Linguistic Adviser

**Secretariat:**

Mr. Junichi Ebara	Chief of Secretariat
Mr. Hitoshi Nishimura	Deputy Chief of Secretariat

**General and Financial Affairs Section:**

Mr. Kazunari Arakawa	Chief
Mr. Takanobu Sano	
Mr. Takayuki Aizawa	
Mr. Yuki Yoshi Tatsuda	
Mr. Mitsuo Dai	Driver
Ms. Tomoko Inamasu	

**Training and Hostel Management Affairs Section:**

Mr. Ryousei Tada	Chief
Mr. Seiji Yamagami	
Ms. Ayako Tanaka	132 <sup>nd</sup> Seminar Assistant Programming Officer
Ms. Yukari Ishikawa	
Mr. Hideyuki Inoue	

**International Research Affairs Section:**

Mr. Masayuki Tanuma	Chief
Ms. Keiko Noda	Librarian

**Secretarial Staff:**

Ms. Tomomi Matsuoka  
Ms. Kumiko Yanagisawa

**Kitchen:**

Mr. Misao Saito                      Chef

**JICA Coordinator:**

Mr. Shoji Tanaka

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