

CHAIR'S SUMMARY

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Sixth Regional Seminar on Good Governance
for Southeast Asian Countries
International Cooperation: Mutual Legal Assistance and Extradition
(12-14 December 2012, Tokyo, Japan)

1. The Sixth Regional Seminar on Good Governance for Southeast Asian Countries, hosted by the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), was held in the Main Conference Room of the Ministry of Justice of Japan, in Tokyo from 12 to 14 December 2012.

2. Officials and experts from the following countries and organizations attended the seminar:

Cambodia; Indonesia; Lao PDR; Malaysia; Myanmar; Philippines; Thailand; Vietnam; the Seoul High Prosecutors' Office of the Republic of Korea; the Attorney-General's Chambers of Singapore; the Ministry of Justice of Japan; the National Police Agency of Japan; and the Ministry of Foreign Affairs of Japan.

3. Officials and experts from the following organizations also joined the seminar:

The Basel Institute on Governance; Beijing Normal University; ILANUD; and the Korean Institute of Criminology.

4. Mr. Tatsuya Sakuma, Director of UNAFEI, delivered the opening speech, expressing his gratitude to the above countries and organizations for their participation.

5. Mr. Kenichi Kiyono, Deputy Director of UNAFEI, provided an overview on international cooperation, emphasized the importance of international cooperation to combat corruption, and identified common obstacles and measures to overcome them.

6. Speakers from the Ministry of Justice of Japan, the Seoul High Prosecutors' Office of the Republic of Korea and the Attorney-General's Chambers of Singapore gave comprehensive presentations on the frameworks of mutual legal assistance and extradition and discussed practical issues.

7. In the country presentations, the participants outlined their respective countries' basic mechanisms and procedures for mutual legal assistance and extradition, conditions and requirements for rendering assistance, the scope of offences, available types of assistance, grounds for refusal, and their experiences and successful instances of cooperation. Some countries pointed out the practical challenges of requesting and receiving mutual legal assistance and extradition and advocated constructive proposals to solve these issues.

8. The speaker from Beijing Normal University presented the legal framework and practice of mutual legal assistance in China. The speaker from the Basel Institute on

Governance addressed the universal legal framework for mutual legal assistance regarding asset recovery.

9. During discussions, participants and speakers pointed out various obstacles they face regarding international cooperation, such as the lack of knowledge on legislation, requirements and procedures of mutual legal assistance and extradition, the lack of personal and professional interaction between central authorities, problems with the translation of formal requests into the requested country's official language, delay in the execution of requests, and a lack of well-trained personnel involved in international cooperation.
10. During the Meeting, the participants shared the following views and ideas to overcome challenges:
 - The importance of establishing an effective and clear framework of mutual legal assistance and extradition, particularly the identification and designation of responsible and effective central authorities.
 - The benefit of having a forum for the exchange of updates on the formal and informal frameworks of international cooperation and having a mechanism for sharing contact information.
 - The necessity of prompt execution of requests for mutual legal assistance and extradition, and transparency in the process of receiving and executing the requests.
 - The importance of facilitating and utilizing informal channels before the submission of formal requests, enhancing the network between counterparts.
 - The benefit of using English versions of the requests in informal consultation or as formal requests, where appropriate.
 - The importance of building confidence and trust between counterparts at central authorities and related agencies to facilitate international cooperation.
 - The benefit of holding annual conferences of central authorities and other related organizations, such as this Good Governance Seminar, to make the international framework of mutual legal assistance and extradition more effective and to boost mutual understanding and relations of trust.
 - The importance of learning from other countries' experiences and exchanging good practices.
11. The visiting experts and participants expressed their thanks and appreciation to the Japanese Ministry of Justice and UNAFEI for hosting this Sixth Good Governance Seminar for Southeast Asian Countries.

Tokyo, 14 December 2012