
REPORT OF THE PROGRAMME

The 24th UNAFEI UNCAC Training Programme
“Identifying, Tracing, Freezing, Seizing, Confiscating and Recovering Proceeds of Corruption: Challenges
and Solutions”

1. Duration and Participants

- From 2 to 28 November 2022
- 30 overseas participants from 21 jurisdictions
- 2 participants from Japan

2. Programme Overview

This programme mainly focused on the challenges that criminal justice practitioners face in identifying, tracing, freezing, seizing, confiscating and recovering proceeds of corruption and asset recovery, and it explored solutions to those challenges. In particular, the programme considered the following topics: (i) effective investigative techniques for identifying and tracing proceeds of corruption in each jurisdiction, (ii) accurate and expeditious preservation and secure confiscation of proceeds of corruption and (iii) international cooperation. Also, this programme, through lectures on best practices and the participants’ discussions, aimed to enhance the participants’ knowledge of measures to improve anti-corruption efforts in their respective jurisdictions and to establish a global network for the exchange of updated information on the practices of the respective jurisdictions.

3. Contents of the Programme

(1) Lecturers

The following visiting experts from overseas and Japanese experts, as well as UNAFEI faculty members, gave lectures as follows:

- Visiting Experts
 - Mr. Federico Paesano
Senior Financial Investigation Specialist
Basel Institute on Governance
 - Mr. Tuomas Salminen
External Affairs Coordinator
Office of the Director, Division of External Operation, Registry
International Criminal Court
 - Ms. Vera Wang
External Affairs Coordinator
Office of the Director, Division of External Operation, Registry
International Criminal Court
- Japanese Experts
 - Mr. SATO Takuma
Deputy Director of Second Investigation Division
Criminal Investigation Bureau
National Police Agency
 - Mr. YUKI Takeshi
Chief, Japan Financial Intelligence Center (JAFIC)
National Police Agency
 - Mr. ICHIKAWA Hiroshi
Public Prosecutor
Director of Special Investigation Division
Tokyo District Public Prosecutors Office

- Mr. SEKI Yoshitaka
Public Prosecutor
Deputy Director of Public Security Division
Tokyo District Public Prosecutors Office

(2) Individual Presentations

Participants shared the practices and the challenges in their respective jurisdictions regarding the theme of the Programme through their individual presentations. Materials of all presentations were uploaded online for later reference by participants.

(3) Group Workshops

The participants were divided into three groups and exchanged their views and knowledge through discussions on topics: (i) effective investigative techniques for identifying and tracing proceeds of corruption in each jurisdiction, (ii) accurate and expeditious preservation and secure confiscation of proceeds of corruption, and (iii) international cooperation.

Regarding investigative techniques and preservation and confiscation, the participants mainly discussed measures to obtain information and evidence from financial institutions and measures to preserve assets in accounts, such as freezing accounts. Some participants pointed out that bank secrecy laws are often an obstacle to investigation, and that it is often difficult to conduct expeditious and effective identifying, tracing and preservation of the proceeds of corruption under legal systems which require judicial scrutiny for these measures, especially in the early stage of investigation, where sufficient evidence has not been collected to persuade judges. In this regard, the participants recommended the following practices: establishing a legal framework which allows prosecutors to issue preservation orders which are subject to judicial review, and encouraging financial institutions to include consent-based provisions in consumer banking contracts that permit the institutions to provide law enforcement authorities with account records. In addition, the need for awareness-raising among the public as part of preventing corruption and protection of whistle-blowers were pointed out.

Regarding international cooperation, it was recognized that issues identified regarding topics (i) and (ii) may be obstacles to international cooperation such as mutual legal assistance. In addition, the general issues regarding international cooperation are the delay or failure in responding to requests for mutual legal assistance in investigations, the complexity of procedures, as well as lack of information sharing on requirements for accepting such requests in respective jurisdictions. As measures to promote international cooperation, the participants were in favour of promoting information sharing and harmonization of legal frameworks, informal information exchanges through various frameworks both bilateral and multilateral, recognizing the necessity of collecting evidence in collaboration with foreign law enforcement authorities.

Each group concluded the programme by presenting their action plans based on the challenges they identified and what they learned in the lectures, presentations by the fellow participants and discussions.

4. Feedback from the Participants

Most participants commented that the lectures, individual presentations and group workshops helped them gain knowledge. On the other hand, some commented that it would have been better if more specific information and best practices had been exchanged. We appreciate all the feedback from the participants and take them into consideration in planning our training programmes in future.

5. Comments from the Programming Officer

Combating corruption is an issue that all countries face, and asset recovery is an urgent issue throughout the world. I felt the enthusiasm of the participants in the programme by their active participation. The participants were highly interested in the lectures, presentations and group workshops, which led to active discussions. We hope that the knowledge gained from this course will help the development and enhancement of each participant's jurisdiction.

This programme was held in person for the first time since UNAFEI's in-person training courses were suspended due to the Covid-19 pandemic. In-person communication throughout the programme made it easier for the participants to understand the content of the programme as well as to establish personal

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connections. We hope that this personal network will contribute to preventing corruption and asset recovery in the future.