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# REPORT OF THE PROGRAMME

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## THE 26<sup>TH</sup> UNAFEI UNCAC TRAINING PROGRAMME

### “STRENGTHENING PREVENTION, DETECTION AND PROSECUTION OF CORRUPTION, AND PUBLIC-PRIVATE PARTNERSHIP”

#### 1. Duration and Participants

- From 23rd October to 19th November 2024
- 25 overseas participants from 20 countries and regions
- 4 participants from Japan

#### 2. The Purpose of the Programme

This programme, which had “Strengthening Prevention, Detection and Prosecution of Corruption, and Public-Private Partnership” as its main theme, aimed to:

- 1) Analyse the current situation and causes of corruption in each participant’s country, share best practices in each country, and discuss effective future countermeasures;
- 2) Discuss measures to strengthen mutual coordination and cooperation between the public and the private sector at each phase of the prevention, detection and prosecution of corruption;
- 3) Foster mutual understanding and trust among participants and build a global network of criminal justice practitioners for the improvement of practices and the future exchange of information in each country.

#### 3. Contents of the Programme

(1) Lectures

- Visiting Experts
  - A) “Foreign Corrupt Practices Act (FCPA) and Foreign Extortion Prevention Act (FEPA)”  
Clayton Solomon  
(Trial Attorney, Foreign Corrupt Practices Act Unit, U.S. Department of Justice)  
  
Paul Hayden  
(Trial Attorney, Foreign Corrupt Practices Act Unit, U.S. Department of Justice)
  - B) “Investigating and Prosecuting Corruption”  
“Investigating Corruption: Putting It Together”  
Kimberly Sokolich  
(Resident Legal Advisor, Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), U.S. Department of Justice)
  - C) “Selected provisions from UNCAC and implementation in Southeast Asia”  
Annika Wythes  
(Team Lead for Anti-Corruption Hub for Southeast Asia, United Nations Office on Drugs and Crime (UNODC), Regional Office for Southeast Asia and the Pacific)
  - D) “The OECD Anti-Bribery Convention and the OECD Working Group on Bribery”  
Dr. Balázs Garamvölgyi  
(Legal Analyst, Organisation for Economic Co-operation and Development (OECD), Anti-corruption Division)

- Japanese Experts
  - A) "Antimonopoly Act, Act on Prevention of Bid Rigging and Other Legislation"  
FUJIWARA Takeshi  
(Special Investigation Coordinator, Investigation Bureau, General Secretariat, Japan Fair Trade Commission)
  - B) "Detection and Investigation of Corruption Cases"  
SUZUKI Shigetomo  
(Assistant Director, Criminal Investigation Bureau, National Police Agency)
  - C) "Preventive Measures Against Corruption by Government Officials"  
MATSUO Yuriko  
(Chief Ethics Policy Planning & Coordination Officer, National Public Service Ethics Board)
  - D) "Detection, Investigation and Prosecution of Major Corruption Cases, Focusing on Proceedings with Investigation"  
SEKIGUCHI Shintaro  
(Public Prosecutor, Criminal Affairs Department, Tokyo High Public Prosecutors Office)
  - E) "The Use of Digital Forensics in Investigations of Crime"  
McIlroy Nanae  
(Public Prosecutor, Japan Prosecutors Unit on Emerging Crimes (JPEC), Supreme Public Prosecutors Office)

(2) Opinion Exchange Sessions

A) Private Lawyers from Anti-Bribery Committee Japan (ABCJ)

NISHIGAKI Kengo (Attorney at Law)

INAGAWA Tatsuya (Attorney at Law)

MATSUO Nobuhiro (Attorney at Law)

FUKUHARA Ayumi (Attorney at Law)

B) Private Companies and Academia

YABE Hidetaka  
(Executive Director, Global Compact Network Japan)

FUJINO Shinya  
(Associate Professor, Vietnam Japan University)

OGAWA Toru  
(Legal Department, TOYOTA Motor Corporation)

IMAI Takeyoshi  
(Professor/ Lawyer, Hosei University Law School)

(3) Individual Presentations

Each participant made an individual presentation describing the current situation and challenges in the participant's country. Participants asked many questions to the presenters and an active discussion was held. Materials for presentation and overview sheets which described the legal system of the respective participants' countries were shared for reference by the participants.

## REPORT OF THE PROGRAMME

### (4) Study Visits

The participants visited the following facilities to learn about anti-corruption efforts in Japan.

- Yokohama Customs
- Supreme Court

### (5) Group Workshops

The participants were divided into four groups. Based on the knowledge gained through the individual presentations, lectures by experts and study visits, the participants discussed measures for strengthening prevention, detection and prosecution of corruption. The results of the discussions were summarized as concrete action plans for possible future measures, and presented to all participants and staff of UNAFEI, followed by a question-and-answer session.

## **4. Feedback from the Participants**

Most participants highly appreciated the well-structured programme, noting that they enhanced their knowledge and understanding of global trends and emerging anti-corruption issues through the lectures by UNAFEI professors and experts, learning good practices from other countries through individual presentations, and sharing knowledge through group discussions and presentations. Many participants also commented positively that the programme enabled them to foster friendship and trust among participants. To address the key topic of this programme — “multi-stakeholder partnership” — many experts from Japan and abroad, including from the private sector, were invited to provide lectures and to engage in active exchange of views and opinions with the participants. The participants expressed their appreciation for the lectures and opinion exchange sessions, as they not only enhanced their perspectives of anti-corruption initiatives through public-private partnership but were also greatly inspired with the potential to develop such partnership in their home countries.

## **5. Comments from the Programming Officer**

Corruption undermines the rule of law and sustainable development, impeding public trust in the integrity of public officials and authorities, compromising the quality of public services and security. It can also result in the misappropriation of funds intended for development and discourage foreign investment. Despite a number of steps taken by the international community, including the UN Convention against Corruption and the OECD Convention against Bribery of Foreign Public Officials, an effective solution to this global problem remains elusive.

In order to effectively combat corruption, it is crucial not only to thoroughly detect, prosecute and impose serious punishments, but also to implement preventive measures, including education for youth and awareness-raising of the general public. In this regard, measures of prevention, detection, and prosecution of corruption taken by the public sector are not enough. Therefore, UNAFEI focused on public-private partnership in this programme, highlighting that investigation, prosecution and punishment by the public sector, when combined with preventive efforts by the private sector, are most effective when they complement and reinforce each other.

In this programme, UNAFEI brought together participants from 21 countries and regions to reflect on, learn about, and discuss anti-corruption measures over the course of a month. There is no universal, one-size-fits-all solution that can be applied to all these countries and regions, each with different systems, unique cultures and histories. Moreover, corruption is not merely a result of the greedy intentions or motives of the bribe-takers; rather, it is a complex issue intertwined with various social factors such as poverty, security, education, and historical and cultural contexts. Therefore, the reduction of corruption cannot be achieved solely through the introduction of specific legal systems or initiatives, nor by imposing severe punishments. Instead, it requires a long-term effort to gradually cultivate and foster societal climate and culture that does not tolerate corruption.

It is my sincere hope that the knowledge and perspectives gained by each participant through this programme will contribute to the development of anti-corruption measures in each country. There is a proverb that “a journey of a thousand miles begins with a single step”, and I believe that this programme will be an important step in the “journey of a thousand miles” of the fight against corruption for each country.