
INTRODUCTORY NOTE

It is with pride that the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) offers to the international community Resource Material Series No. 73.

This volume contains the work produced in the 134th International Training Course that was conducted from 28 August to 6 October 2006 and the Ninth Training Course on Corruption Control in Criminal Justice that was conducted from 18 October to 17 November 2006. The main theme of the 134th Course was “Challenges in the Investigation, Prosecution and Trial of Transnational Organized Crime”.

Advances in communications and technology have shrunk distances between states, made state frontiers porous and opened up previously unimaginable opportunities for commercial, political and social interaction, and consequently have dramatically expanded legitimate international commercial transactions. This process of globalization has also led to unprecedented opportunities for illegitimate activities by criminal organizations. Transnational criminal organizations have been among the first to take advantage of the new global reach made possible by the revolutions in communications, transportation and commerce. The rapid growth and geographical extension of organized crime in its various forms have been undermining the development process and impairing the safety and quality of life of citizens.

Following the increased threat of transnational crime, since the mid-1990s, the international community began to recognize the gravity of the threat posed by transnational organized crime to the political, economic and social fabric of society. Subsequently, in November 2000, after several years of negotiations by the United Nations, the General Assembly adopted the United Nations Convention against Transnational Organized Crime, together with its two following protocols as a historic step forward in countering this threat: (i) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and (ii) Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. These instruments were supplemented with the subsequent adoption in May 2001 of the Protocol against the Illicit manufacturing of and Trafficking in fire arms, their Parts and Ammunition.

By the use of the Convention and its Protocols, States Parties are able to rely on one another in investigating, prosecuting and punishing crimes committed by organized criminal groups where either the crimes or the groups who commit them have some element of transnational involvement. This should make it much more difficult for offenders and organized criminal groups to take advantage of the difficulties inherent in the investigation, prosecution and trial of cases involving several jurisdictions.

Giving due consideration to the significance of the Convention and its Protocols and the necessity of their effective implementation in the fight against transnational organized crime as mentioned above, UNAFEI, as a regional institute of the United Nations Crime Prevention and Criminal Justice Programme Network, believes that it is of vital importance to make full use of the countermeasures provided in the Convention and the Protocols in order to combat this threat. It has been several years since the international community first recognized the threat of transnational organized crime and each state has started to strengthen its legal regime to combat it both domestically and internationally in line with the Convention and the Protocols. In order to facilitate such efforts, which are still in progress in many countries, it is time to review how each country's criminal justice system has in practice dealt with transnational organized crime, and what problems and challenges it faces. UNAFEI, therefore, explored in this Course various practical issues that relate to the investigation, prosecution and trial of transnational organized crime, with

special attention to the Convention and its three Protocols.

In this issue, in regard to the 134th Course, papers contributed by visiting experts, selected individual presentation papers from among the participants, and the Reports of the Course are published. I regret that not all the papers submitted by the Course participants could be published. In regard to the Ninth Corruption Course selected individual presentation papers from among the participants are published.

I would like to pay tribute to the contributions of the Government of Japan, particularly the Ministry of Justice, the Japan International Cooperation Agency, and the Asia Crime Prevention Foundation for providing indispensable and unwavering support to UNAFEI's international training programmes.

Finally I would like to express my heartfelt gratitude to all who so unselfishly assisted in the publication of this series; in particular, the editor of Resource Material Series No. 73, Ms. Grace Lord.

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