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## INTRODUCTORY NOTE

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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 the Resource Material Series No. 79.

This volume contains the work produced in the 140<sup>th</sup> International Training Course, which was conducted from 1 September to 10 October 2008; the work produced in Eleventh International Training Course on the Criminal Justice Response to Corruption, which was held from 16 October to 14 November 2008; and the work product of the 141<sup>st</sup> International Senior Seminar, which was held from 13 January to 13 February 2009. The main theme of the 140<sup>th</sup> Course was “The Criminal Justice Response to Cybercrime”, while the main theme of the 141<sup>st</sup> Senior Seminar was “The Improvement of the Treatment of Offenders through the Enhancement of Community-Based Alternatives to Incarceration”.

UNAFEI, as a regional institute of the United Nations Crime Prevention and Criminal Justice Programme Network, decided that the focus of the 140<sup>th</sup> Course would be on the subject of cybercrime in order to provide an opportunity for criminal justice personnel with responsibility for the investigation, prosecution and adjudication of cybercrime to consider the various issues for the purpose of clarifying challenges and discovering solutions suitable for their own countries.

The detrimental effects of corruption on society are many and varied. In particular, corruption by public officials seriously undermines their integrity and neutrality in performing their official duties, leading to public distrust of the government and its institutions and potentially resulting in their eventual collapse. Corruption is a problem that needs constant challenge and attention; for this reason UNAFEI holds an annual international course specifically focused on corruption control. In recognition of the harm corruption can cause, especially in developing countries, and the fact that it can transcend national borders, the General Assembly of the United Nations adopted the UN Convention against Corruption in 2003. The Convention came into force in December 2005 and requires States Parties to implement a number of measures to tackle corruption in a comprehensive way, including measures directed at prevention, criminalization, international co-operation, and asset recovery. It is hoped that all countries, including our participants’ countries, will become party to this Convention and fully implement it, thereby taking a step closer to freeing the world from the grip of corruption.

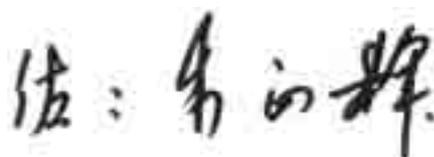
Regarding the 141<sup>st</sup> Seminar, the detention of offenders is one of the most basic measures used by criminal justice systems to secure proper legal procedures in the investigation and trial of criminal offences, and in maintaining justice and security in the community during the execution of a sentence. However, blanket detention of all offenders is inappropriate, for a number of reasons: in consideration of the humanitarian principle of avoiding restricting prisoners’ rights more than is necessary; to avoid the problem of prison overcrowding; and to enhance correctional and community treatment to meet offenders’ individual requirements. The United Nations has attempted to address this issue with various measures, including The United Nations Standard Minimum Rules for Non-Custodial Measures (the Tokyo Rules), “The Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-First Century”, and “The Bangkok Declaration: Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice” which have, in various different ways, guided Member States in the better treatment of offenders and the prevention of crime. However, despite the introduction of these measures and policies, the continuous increase of the prison population and subsequent overcrowding is still one of the most pressing problems in criminal justice in many countries. In view of the ongoing need for the formulation and implementation of effective community-based alternatives to incarceration, and the importance of such measures as stressed by the various UN instruments, UNAFEI, as a regional institute of the UN Crime Prevention and Criminal Justice Network, decided to hold this Seminar.

In this issue, in regard to the 140<sup>th</sup> Course and 141<sup>st</sup> Senior Seminar, papers contributed by visiting experts, selected individual presentation papers from among the participants, and the Reports of the Course and Seminar are published. In regard to the Eleventh Corruption Course, papers contributed by visiting experts and selected individual presentation papers from among the participants are published. I regret that not all the papers submitted by the Course and Seminar participants could be 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. 79, Ms. Grace Lord.

December 2009

A handwritten signature in black ink, consisting of the Japanese characters '佐々木 昌之' (Sasaki Masaki) written in a cursive style.

Masaki Sasaki  
Director, UNAFEI