

MAIN ACTIVITIES OF UNAFEI (1 January 2011 - 31 December 2011)

I. ROLE AND MANDATE

The Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) was established in Tokyo, Japan in 1961 pursuant to an agreement between the United Nations and the Government of Japan. Its goal is to contribute to sound social development in Asia and the Pacific region by promoting regional cooperation in the field of crime prevention and criminal justice through training and research.

UNAFEI has paid utmost attention to the priority themes identified by the Commission on Crime Prevention and Criminal Justice. Moreover, UNAFEI has been taking up urgent, contemporary problems in the administration of criminal justice in the region, especially problems generated by rapid socio-economic change (e.g., transnational organized crime, corruption, economic and computer crime, and the reintegration of prisoners into society) as the main themes and topics for its training courses, seminars, and research projects.

II. TRAINING

Training is the principal area and priority of the Institute's work programmes. In the international training courses and seminars, participants from different areas of criminal justice discuss and study pressing problems of criminal justice administration from various perspectives. They deepen their understanding with the help of lectures and the advice of the UNAFEI faculty, visiting experts and ad hoc lecturers. This so-called "problem-solving through an integrated approach" is one of the chief characteristics of UNAFEI programmes.

Each year, UNAFEI conducts two international training courses (six weeks in duration) and one international seminar (five weeks in duration). Over the same period, 149 government officials from various overseas countries receive fellowships from the Japan International Cooperation Agency (JICA), an independent administrative institution for Official Development Assistance (ODA) programmes, to participate in all UNAFEI training programmes.

Training courses and seminars are attended by both overseas and Japanese participants. Overseas participants come not only from the Asia-Pacific region but also from the Middle and Near East, Latin America, and Africa. These participants are experienced practitioners and administrators holding relatively senior positions in the criminal justice field.

During its 50 years of existence, UNAFEI has conducted a total of 149 international training courses and seminars, in which approximately 3,571 criminal justice personnel have participated, representing 117 different countries. UNAFEI has also conducted a number of other specialized courses, both country- and subject-focused, in which hundreds of other participants from many countries have been involved. In their respective countries, UNAFEI alumni have been playing leading roles and holding important posts in the fields of crime prevention and the treatment of offenders and in related organizations.

A. The 147th International Senior Seminar

1. Introduction

The 147th International Senior Seminar was held from 13 January to 10 February 2011. The main theme was "Community Involvement in Offender Treatment." Ten overseas participants and six Japanese participants attended this Seminar.

2. Methodology

First, the Seminar participants introduced the current position regarding the role and function of criminal justice agencies in their respective countries in regard to the seminar's main theme. The participants were then divided into two group workshops as follows:

Group 1: Effective Measures for a Smooth and Sustainable Rehabilitation and Reintegration Process through Community Involvement

Group 2: Effective Measures to Improve Treatment Programmes and Interventions through Community Involvement

Each Group elected a chairperson, co-chairperson(s), a rapporteur, and co-rapporteur(s) in order to facilitate the discussions. During group discussion, the group members studied the designated topics and exchanged views based on information obtained through personal experience, the Individual Presentations, lectures, and so forth. Later, Plenary Meetings were held to discuss the interim outline of the Group Workshop reports and to offer suggestions and comments. During the final Plenary Meetings, drafts of the Group Workshop reports were examined and critiqued by all the participants and the UNAFEI faculty. Based on these discussions, the Groups further refined their reports and presented them in the Report-Back Sessions where they were endorsed as the Reports of the Seminar. The full texts of these Reports are published in UNAFEI Resource Material Series No. 84.

3. Outcome Summary

(i) *Effective Measures for a Smooth and Sustainable Rehabilitation and Reintegration Process through Community Involvement*

Group One discussed community involvement under three headings: (i) Obstacles to the Reintegration of Offenders; (ii) Institutional Treatment of Offenders; and (iii) Community-based Treatment of Offenders. The fourth topic they addressed was (iv) Measures/Recommendations to enhance Community Involvement in the Treatment of Offenders.

Beginning their discussion, several participants said treatment of offenders was not a priority in many developing countries, as there are many basic problems to be addressed first. Also, prisons traditionally operate as closed communities, which fuels public mistrust and discourages openness and transparency. The situation is worsened by the media that only highlights negative occurrences. Participants agreed that communities often fail to see any beneficial link between themselves and offenders and so are not motivated to become involved in their treatment. In addition, society views treatment of offenders as an exclusive function of government and believes that what is most needed for offenders is punishment. All participants agreed that public perception of prisons and prisoners was the single greatest barrier that militates against community involvement in the treatment of offenders and agreed that the following intervention strategies could be used to reduce obstacles: (i) public campaigns utilizing politicians, public figures, celebrities, and ex-offenders to increase awareness of the treatment of offenders; (ii) using the media to promote rehabilitation efforts to help change public perception; and (iii) to allow or encourage private organizations and NGOs to lobby government for legislative/policy changes to improve openness and transparency in prisons and promote public confidence. It was generally agreed that private organizations' and NGOs' support is invaluable, as governments struggle to adequately provide many critical requirements for the successful reintegration of offenders. Individuals, private organizations, and NGOs can be useful resources to help motivate offenders during rehabilitation.

The group agreed that poor socio-economic conditions, low self-esteem, and poor attitude were factors impinging on prisoners' levels of motivation to rehabilitate. Participants from Japan added that education was also critical to improve motivation levels and reduce recidivism. The Chairman remarked that both self-esteem and stable jobs are critical to levels of motivation, as are close family relationships and a connection with the community. Participants expressed the view that it is the responsibility of different tiers of government and criminal justice practitioners to engage the community in the treatment of offenders rather than waiting on the community to make the initial contact. To encourage support, the community must be convinced of the benefits to be achieved, and said benefits should be evidenced by tangible results.

Participants supported the view that the economic independence of ex-offenders contributes to a decisive reduction in recidivism rates and a safer society in which to live and work. The Group further agreed that the first six months after release are the most critical for ex-offenders, who are often estranged from family and without economic support, and, as such, accommodation and job placement are most important.

The group identified the following five issues as the main obstacles to community involvement in the treatment of offenders: (i) stigmatisation of offenders; (ii) lack of public awareness of the relation between rehabilitation and crime reduction; (iii) inadequate approaches to the community by criminal justice

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practitioners; (iv) limitations in legal frameworks; and (v) social exclusion of offenders. Following their comprehensive discussions, they agreed upon the following recommendations to respond to the aforesaid obstacles.

1. In each country, the State organ responsible for justice and law and order should be the leader in offender treatment. The first step is to ensure that judicial, police, and correctional officers understand the necessity of giving treatment to inmates consistent with their inevitable return to society;
2. All correctional institutions should develop public relations strategies based on partnership with electronic and print media;
3. Public campaigns, including commercial spots on TV and radio, should also emphasise programmes related to victims, especially compensation;
4. Educational awareness should be developed and extended to schools and universities showing the correlation between reintegration of ex-offenders and low recidivism. Reduction in social and financial costs should be highlighted.
5. Successful strategies, such as Singapore's Yellow Ribbon project, should be implemented, although national strategies must reflect and respect the culture of the country for which they were developed;
6. Present-day business analyses, such as SWOT and PESTLE, should be considered by judicial and correctional officers;
7. Administrative frameworks of correctional facilities should allow correctional managers to search for and implement local solutions to specific problems;
8. Correctional managers should be encouraged to be proactive in garnering the support of both individuals and community organizations;
9. Legal frameworks should be tailored to enhance community involvement in offender treatment as well as to emphasise diversion and restorative-justice mechanisms;
10. Systems such as the Japanese Volunteer Probation Officer arrangement, which have been successfully adopted by the Thai, Korean and Philippine criminal justice systems, should be considered, especially by countries with minimal community involvement in the treatment of offenders;
11. Correctional facilities should provide training focusing on employability skills, specifically related to cottage industries, in order to facilitate self-employment;
12. Government should provide tax incentives and subsidies for those private companies that accept ex-offenders as their employees.

(ii) Effective Measures to Improve Treatment Programmes and Interventions through Community Involvement

The group was assigned to discuss "effective measures to improve treatment programmes and interventions through community involvement" and agreed to conduct its discussion in accordance with the following agenda: 1) effective measures to rehabilitate offenders; 2) institutional treatment of offenders; 3) community-based treatment of offenders; 4) measures to enhance community involvement.

Regarding the rehabilitation of offenders, many participants stated that they are facing many difficult problems because of their different social conditions, legal matters, governmental funding, etc. Many countries wish to implement rehabilitation programmes, but they are expensive and priority has to be given to other demands. Some countries are concentrating on matters such as pardon, amnesty, and gun control to both prevent crime and to hasten the return of offenders to their communities. However, it is still important to ensure that some rehabilitation should take place before offenders are released into their communities.

The Group discussed possible solutions to the problems in the institutional treatment of offenders. All participants noted that the hesitance of institutional agencies to adopt open-door policies arises out of fear and negative public perception. Participants therefore felt that private companies, non-governmental, and faith-based organizations and individuals can play an important role in offender treatment and called for an open-door policy to incorporate them. The group also noted that the family has a great role to play to

facilitate offender treatment and resettlement and to curb recidivism. Another participant also suggested the importance of proper criminogenic assessment of offenders' needs, to stimulate participation of private companies, organizations, and individuals.

All participants agreed that in some developing countries that have no alternatives to imprisonment, review of existing legislation and enactment of new legislation should be introduced. Participants shared the views that intensive media and public enlightenment campaigns should be implemented, like Singapore's Yellow Ribbon Project and the Japanese Movement for a Brighter Society, Thailand's media and diplomats' open day visit to prisons, and the U.K.'s National Offender Management programmes. These programmes have been proved to be effective in garnering community support in their respective countries.

All participants agreed that continuous community outreach should be reviewed to raise social awareness and acceptance of offenders in society.

Additionally, some participants stated that HIV infection raises serious problems in offender treatment and that the government and NGOs can support HIV infected inmates and help to reduce the stigma attached to their diagnoses.

Following their discussions, the Group reached a set of conclusions, listed below, upon which they then based a set of recommendations, also listed below.

Conclusions

1. From the lectures given by Visiting Experts, international evidence has clearly established that offender treatment programmes are improved and more effective when appropriate cultural input is allowed. Therefore all programmes adopted must be adapted to the cultural and socio-economic situations of each country.
2. Categories of serious crimes vary in each country. This depends on each country's social conditions, legal matters, and other realities. The levels of treatment of offenders are also varied from one place to the other. Most developing countries are still faced with challenges that limit standards and rehabilitative assistance to offenders.
3. The importance of offender rehabilitation needs to be emphasised throughout criminal justice procedure.
4. The role of an offender's family is important and needs to be included as early as possible in the criminal justice process.
5. Private organisations and individuals can play more important roles in institutional and community-based offender treatment. Private enterprises can provide many services effectively or at low cost. The huge resources derived from charitable organizations, voluntary associations, NGOs, community-based organizations, including multi-national corporations, e.g. the Toyota Programme in the U.K., should be harnessed to assist in offender treatment and management.
6. Thorough needs assessment is important to guide community participation in offender treatment.
7. Public relations campaigns, incentives, and awards are veritable motivational tools that can encourage community participation in offender treatment.
8. Victim-offender reconciliation is necessary to enhance integration of offenders into society.
9. Ex-offenders face difficulties in finding jobs and resettling after their prison terms due to stigmatisation, social exclusion, and rejection. Aftercare services for ex-prisoners are therefore critical to help with reintegration.
10. Other obstacles that impede community involvement are: fear, stigmatisation, lack of understanding, indifference to offenders, sensational reporting by the media, lack of regulation or legislation, poor funding, and inadequate resources.

Recommendations

1. Institutional Treatment Stage

- To re-orientate the mindsets of the prison staff and offenders to allow the community to partner with

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them, especially in the developing countries;

- To ensure thorough assessment of the needs of offenders to guide the involvement of the community;
- To promote vocational training for prisoners to increase their employability, including self-employment;
- To recommend an open-door policy for correctional institutions to enhance community involvement.

2. Community-Based Treatment Stage

- To promote victim–offender reconciliation;
- To promote government and community partnership in offender-aftercare services;
- To recommend that the government support the community at the local level by providing funding to NGOs or CBOs, especially for the treatment of juvenile offenders;
- To recommend that organizations, such as the U.N., promote voluntary associations targeted at offender treatment;
- To recommend that communities harness resources to establish and manage community-based rehabilitation centres such as halfway houses and skill acquisition centres.

3. All Stages of Criminal Justice Procedure

- To promote public-relations activities to raise public awareness;
- To garner media support in public-relations activities;
- To seek support for offenders' families and offenders from relevant organizations;
- To revise legislation and regulation to allow for community involvement;
- To encourage charitable associations, NGOs, and multi-national corporations to be involved in offender treatment;
- To give incentives to organizations that employ ex-prisoners;
- To educate young people about the harmful effects of crime and offer them a second chance;
- To introduce collaborative court proceedings that involve lay people in sentencing;
- To involve the community in the planning and delivery of offender treatment to encourage ownership of the programmes;
- To promote collaboration on human resources between the courts and the community;
- To recommend that the government and NGOs support HIV infected inmates in an effort to reduce stigmatisation.

B. The 148th International Training Course

1. Introduction

The 148th International Training Course was held from 11 May to 17 June 2011. The main theme was “Drug Offender Treatment: New Approaches to an Old Problem.” Eight overseas participants, two international observers, and eight Japanese participants attended this Course.

2. Methodology

The objectives of the Course were primarily realised through the Individual Presentations and Group Workshop sessions. In the former, each participant presented the actual situation, problems, and future prospects of their country with respect to the main theme of the Course. The Group Workshops further examined the subtopics of the main theme. To facilitate discussion, the participants were divided into two groups to discuss the following topics under the guidance of faculty advisers:

Group 1: The Criminal Justice Response to Treatment of Drug-Dependent Offenders

Group 2: Effective Interventions for Drug-Dependent Offenders

The two groups elected a chairperson, co-chairperson(s), rapporteur, and co-rapporteur(s) to organize the discussions. The group members studied the designated subtopics and exchanged their views based on information obtained through personal experience, the Individual Presentations, lectures, and so forth. During the course, Plenary Meetings were held to discuss the interim outline of the Group Workshop

reports and to offer suggestions and comments. During the final Plenary Meeting the drafts of the Group Workshop reports were examined and critiqued by all the participants and the UNAFEI faculty. Based on these discussions, the Groups further refined their reports and presented them in the Report-Back Sessions where they were endorsed as the reports of the Course. The full texts of the reports are published in full in Resource Material Series No. 85.

3. Outcome Summary

(i) *The Criminal Justice Response to Treatment of Drug-Dependent Offenders*

The Group's discussions mainly focused upon treatment for drug-dependent offenders in the view of criminal justice policy rather than medical policy, which views drug addiction as a chronic and relapsing disease. The criminal justice model of treatment considers drug-dependent offenders "criminals", while the medical model considers them "patients." Each country represented in the discussions has a "criminal model" of treatment, but only three — Thailand, Indonesia, and Afghanistan — have already introduced the "patient model" in conjunction with the "criminal model." The Group agreed that drug-dependent offenders are indeed patients suffering from chronic disease and in need of appropriate treatment. Such understanding, however, did not lead directly to a conclusion that national policies should be switched to a solely "patient model." Some participants presented different views referring to the actual situation of each country, such as the national budget or public consciousness; others gave their opinions that some circumstances may disturb the immediate transition to the "patient model." The direct and simple question of which model is more appropriate to a particular country is to be decided through long-term and comprehensive discussions nationwide in each country. Furthermore, even in countries that adopt the patient model, it is not that the criminal model must be abandoned. Punishment of offenders is imposed if needed. It is not a matter of choosing one or the other; the crucial point is to maintain the proper balance in choosing either punishment or treatment.

The Group decided to exchange opinions about criminal justice policy from a viewpoint of "initial intervention" (intervention at the earliest possible stage of dependency, which the Group considered the most effective form of intervention) and "through care" for drug-dependent offenders, by comparing the "criminal model" and "patient model." In particular, the Group examined: (1) diversion programmes, as one outcome of the "patient model"; (2) drug courts, one option which has been adopted in the "criminal model" countries; and (3) partnership with governmental and non-governmental organizations. Each of these concepts was discussed with reference to both above-mentioned models of treatment, "patient" and "criminal." The Group considered the advantages and challenges of each concept.

In terms of diversion programmes, the Group listed advantages including the reduction of reoffending; the minimizing of the label "criminal"; early reintegration of offenders; and reduced government expenditure. With regard to drug courts, they noted that this allowed "initial intervention" within a "criminal model," as well as motivating offenders. Finally, the Group noted that partnering with NGOs mobilises the human and material resources of the private sector and can continue to engage offenders after the conclusion of the criminal process.

In conclusion, the Group advocated a balance between the "criminal" and "patient" models of treatment. They agreed that diversion systems, drug courts, and partnerships with NGOs are factors which can help in the treatment of drug-dependent offenders; however, they felt that introducing such elements of treatment into existing legal frameworks would be difficult. Despite this, they concluded that the advantages of these programmes, particularly "initial intervention," merited efforts to incorporate them into existing frameworks. Regarding "through-care," the Group highlighted the importance of cooperation with NGOs. They noted that lack of transparency can be a problem in dealing with NGOs, but cautioned that excessive attempts to regulate NGOs can erode the advantages of partnering with such organizations.

(ii) *Effective Interventions for Drug-Dependent Offenders*

Prior to the discussion, the group agreed that the drug-dependency situation differs substantially among countries and regions. Therefore, treatment or intervention should be provided considering each country's specific situation. Treatment can be viewed in four different perspectives: the legal, spiritual, medical, and cognitive-behaviour models. There are treatment options under different models and in order to enhance the treatment, the process must be implemented properly, with a focus on the individual's background. The Risk-Need-Responsivity (RNR) Model is perhaps the most influential model for the assessment and

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treatment of offenders.

The Group then engaged in an in-depth discussion of the intervention programmes for the treatment of drug-dependent offenders currently provided in the participating countries. They elaborated upon various models of treatment.

First, they addressed the therapeutic community (TC) modality programme, which is a self-help social learning treatment model for clients with drug-abuse problems and other problems such as alcoholism, stealing, and other anti-social tendencies. It is also used in working with special groups of individuals, such as those in prisons. Although it contains five treatment modules, it does not specifically address drug offender treatment. It is applied in the Maldives, the Philippines, and Thailand, although the discussion reflected that it is a broad treatment programme that does not actually contain a specific module for the treatment of drug-dependent offenders.

Cognitive Behaviour Therapy (CBT), applied in Japan, with the introduction of Narcotics Anonymous, the Matrix Model, and Workbook, allows the patient to monitor his or her own thoughts and cognition and to control his or her behaviour. It is even possible for the inmate to change his or her behaviour to desired behaviour. Since it is a package model, it is effective in the treatment of drug offenders. CBT is implemented easily all over Japan using the Workbook. Although it is difficult to maintain in the community, Japanese probation officers find a way to effectively implement it with support from civil society.

For the purpose of stopping drug abuse, CBT directly benefits the offender by teaching a specific skill through training, while the therapeutic model indirectly benefits the patient, because it has to first create a community conducive to improving the patient's self-esteem. In fact, the latter model addresses drug-dependency and drug-addiction problems only haphazardly.

The group discussed the participation and utilization of family members in the treatment of drug offenders, since all the participants agreed that the family, as a basic unit of human behaviour, plays an important role in the treatment process. The Group acknowledged that there are uncooperative families, too.

Facilities and equipment were considered major components in the treatment process. Ideally, they require a large budget allocation, but treatment programmes can still be regulated and implemented based on available resources. Cooperation with social resources, specialist-like-self-help groups, authorities that offer employment and social welfare, halfway houses, etc., is very important, thereby making use of the talents, skills, and other abilities of the wider community. While being treated in the community, it is still important to strongly and continuously motivate the ex-prisoner, probationer, or parolee to sustain an ideal life, prevent relapse, and to be a dynamic member of the community. This means, for example, that the offender is offered several choices rather than simply being given the necessities of life without requiring him or her to make decisions.

The Group summarised its long discussion with this conclusion:

Treatment of drug-dependent offenders must be consistent and continuous and should have the following characteristics:

- E – Easy to implement and easy to train staff or operators
- F – Focus on treating drug offenders in prison, jail, on parole and probation
- F – Fair assessment of clients/inmates
- E – Efficiently carried out by staff and supported by clients/inmates
- C – Cost-benefit friendly or less costly
- T – Tested well as model treatment in a particular period
- I – Implemented well and prevents relapse and recidivism
- V – Variety of approaches to address particular needs of client/inmate
- E – Evidence-based evaluation is conducted

The group also made the following recommendations:

1. Intensify the implementation of the treatment programmes for drug-dependent offenders presently administered and conduct in-depth research on its effectiveness.
2. Adopt and adapt useful intervention programmes in the treatment of drug-dependent offenders that were learned and validated from the proponents and practitioners during the group discussions, lectures, and site visits to different facilities.

C. The 149th International Training Course

1. Introduction

The 149th International Training Course was held from 25 August to 30 September 2011. The main theme was "Measures to Secure Protection and Cooperation of Witnesses and Whistle-blowers." Ten overseas participants and six Japanese participants attended.

2. Methodology

The participants of the 149th Course explored the topic primarily through a comparative analysis of the current situation and the problems encountered. The participants' in-depth discussions enabled them to put forth effective and practical solutions.

The objectives were primarily realised through the Individual Presentations and the Group Workshop sessions. In the former, each participant presented the actual situation, problems, and future prospects of their country with respect to the main theme of the Course. To facilitate discussions, the participants were divided into two groups.

Each Group elected a chairperson, co-chairperson, rapporteur, and co-rapporteur(s) to organize the discussions. The group members studied the situation in each of their countries and exchanged their views based on information obtained through personal experience, the Individual Presentations, lectures, and so forth.

Group 1: Effective Measures to Secure Protection and Cooperation of Witnesses and Whistle-blowers with Special Attention to Organized Crime and Corruption

Group 2: Effective Measures to Secure Protection and Cooperation of Witnesses

The Groups presented their reports in the Report-Back Sessions where they were endorsed as the reports of the Course. The reports will be published in full in UNAFEI Resource Material Series No. 86.

3. Outcome Summary

(i) Effective Measures to Secure Protection and Cooperation of Witnesses and Whistle-blowers with Special Attention to Organized Crime and Corruption

The group discussed the current situation of witness and whistle-blower protection and cooperation in each of the participating countries with regard to the following subtopics: legislation for witness and whistle-blower protection; criminalisation and punishment of obstruction of justice; and mitigation of punishment and/or immunity grants for persons who provide substantial cooperation in an investigation or prosecution.

They found that among the participating countries there is no formal legislation for witness protection, save for in Indonesia and El Salvador. As for whistle-blower protection legislation, Japan has specifically legislated for such matters, while other countries have provisions in various other pieces of criminal or labour legislation. For countries with such patchy legislation, not all types of common and serious organized crimes are addressed, while even for countries with specific witness-protection legislation, the legislation is not easily upheld due to budget constraints, shortage of human resources, and poor technology and other infrastructure. However, in all countries, there are various informal countermeasures, such as police protection on an ad hoc basis.

With regard to criminalisation and punishment of obstruction of justice, participating countries reported no specific legislation. However, all participating countries address this issue in other general pieces of legislation. For example, some countries' penal or criminal codes criminalise and provide punishment for obstruction of justice, while others have an obstruction of justice clause in most of their separate pieces of

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legislation. However, there is still much room for improvement to meet the requirements of Article 23 of the UNTOC and Article 25 of the UNCAC, which provide for criminal sanctions against the use of threats, physical force or promise, offering or giving undue advantage to induce false testimony, or interfering with testimony or the production of evidence in a proceeding.

With regard to mitigation of punishment and/or immunity grants for persons who provide substantial co-operation in an investigation or prosecution, no specific legislation exists in the participating countries.

In discussing challenges to securing witness and whistle-blower protection and co-operation, the Group noted the following issues:

1. Lack of legislation is the major setback to successful implementation of protection programmes. Most protective measures are implemented on ad hoc bases, and experience has shown that once these ad hoc measures fail, there is no formal way of dealing with such issues. Legislation is required to take care of this situation. Informal measures can create problems. For example, since most cooperating witnesses are themselves criminals, accusations of corruption and conflict of interest can arise against officials of the justice system.
2. Witness protection programmes are capital intensive and most countries do not have the resources needed to sustain them.
3. For small countries, it is difficult or almost impossible to relocate witnesses within the country.
4. Since there is no dedicated personnel for witness-protection programmes in the participating countries, the issue remains in the hands of personnel who perform this job in an ad hoc manner without any expertise.
5. Since there is not one agency to co-ordinate amongst different departments, lack of adequate information and ineffective communication often leads to failure in providing proper protection.
6. There are acts that are not described as obstructions of justice but nevertheless have the power of intimidating a witness, for example, an accused offender driving a car or loitering near the victim's home, work place, school, or family members and relatives.
7. In countries with no whistle-blower and witness-protection legislation, there has been a rise in serious criminal acts, as many offenders are not caught, because witnesses hesitate to cooperate with law enforcement agents for fear of their safety and undue treatment.
8. Lack of legislation for mitigation of punishment and grant of immunity in these nations has worsened the situation as junior members of crime gangs never volunteer to disclose any information that may lead to the apprehension of the heads of those gangs.
9. There is a need to balance the protection of witnesses with the upholding of the defendant's right to a fair trial.
10. One of the challenges that some of the countries with witness-protection programmes are facing is the absence of any international/regional agreement/treaty with other countries. Thus, when it is difficult to relocate witnesses within the country, it is not possible to relocate them outside the country. Lack of any agreement also results in no effective cooperation in investigation of crime and control of criminals. Since organized crime has no boundaries, member states should not allow criminals the luxury and advantage of a borderless field of operation.
11. Slow disposition of cases can contribute to a witness's unwillingness to cooperate.

In response to these challenges, the group agreed on a number of recommendations, summarised below:

1. Whistle-blower and witness-protection legislation should be enacted in all participating states, and each country should seek to ratify the UN conventions (UNTOC and UNCAC).
2. Mitigation-of-punishment, grant-of-immunity, separate-criminalisation, and punishment-for-obstruction-of-justice legislation should be enacted by participating countries, including prohibitions against actions, gestures, and any psychological threats to the witness.

3. There is a need for participating countries without witness-protection and whistle-blower protection laws to, in the interim, formulate policies to guide the implementation of countermeasures.
4. Since many participating countries, save for Japan, are developing countries with scarce resources, in the short-term, emphasis should be on procedural kinds of witness protection that are cost and time effective.
5. Bi-lateral, regional, and international co-operation is much needed and should be formalised in the form of signed treaties and/or protocols, which should help in the relocation and protection of witnesses, the cooperation in criminal investigations, the extradition of criminals, and mutual legal assistance in controlling transnational organized crime.
6. Better coordinating efforts from various stakeholding agencies and professionals, for example police, judiciary, prosecutors, social welfare departments, etc. All should function under the umbrella of one department for streamlining the functioning of the programme.
7. There is a need to emphasise the human-resource capacity building of stakeholders.
8. Member States are urged to review infrastructure available in court buildings or prosecutors' offices with a view to providing separate waiting rooms or separate entrances for witnesses. This would not require a large budget and would increase the psychological and physical comfort of the witness.
9. Member States should fast track all serious crimes, especially those involving witnesses needing protection. A time frame for the disposal of the case should be formalised and adhered to, save under special circumstances with due permission from the court.

(ii) Effective Measures to Secure Protection and Cooperation of Witnesses

The Group addressed the topic "Effective Measures to Secure Protection and Cooperation of witnesses," with particular attention on non-organized crimes such as sex crimes, crimes involving child victims, and violent crimes. The discussions were based on the following agenda: 1) effective legislation and measures to protect witnesses; 2) criminalisation and punishment of obstruction of justice.

The Group verified that the police department of each respective country has responsibility for securing protection and cooperation of witnesses as one of their primary functions, and most countries have guidelines for their police forces in executing this duty. The Group agreed that it was important for police officers to be specially trained to deal with this duty. Most represented countries had established procedural measures at the trial stage to limit witnesses' psychological stress. However, only El Salvador has legislated for a standardised witness-protection programme. However, that country still faces problems with international relocation resulting from the ineffective implementation of treaties.

Most represented countries have measures to limit witnesses' exposure to the public or to psychological stress, and many countries have various kinds of measures to reduce fear through avoidance of face-to-face confrontation with the defendant and measures to make it difficult or impossible for the defendant to trace the identity of the witness. For example, existing legislation in Japan permits the use of screens during the testimony of witnesses. All participants' countries consider it important to balance witness safety with the defendant's right to a fair trial.

In the matter of criminalisation and punishment of obstruction of justice, the Group noted that, with one exception, all participating countries had criminalised this offence on the basis of the provisions of the UNTOC and UNCAC. Again, with one exception, all countries define the offence of witness interference as obstruction of justice. However, of those countries that have legislated for this issue, some experience difficulties in enforcement.

Following their discussions, the Group made recommendations under each subtopic.

In the matter of effective legislation and measures to protect witnesses, the Group made the following recommendations.

1. The police should protect witnesses when necessary.

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2. It is crucial that countries legislate for and establish the organizational structure of witness-protection measures.
3. Witness-protection measures are necessary for all countries; those who lack such measures should consider their introduction; those who have such measures should consider their improvement.
4. A comprehensive protection programme is effective in protecting witnesses, but it is financially onerous and should be considered as a measure of last resort; if not introduced, other specific measures should be taken to protect witnesses.
5. Protection programmes require a sufficient budget; countries should legislate to allow the proceeds of crime to be utilized to fund witness protection.
6. For victims of sex crimes, it is important to prevent secondary victimisation; for child victims it is important to implement specific measures to allow them to testify as comfortably as possible.

In the matter of criminalisation and punishment of obstruction of justice, the Group made the following recommendations:

1. To ensure the cooperation and protection of witnesses, it is necessary to criminalise obstruction of justice; countries with inadequate legislation in this regard must improve.
2. Where legislation is adequate but enforcement is not, enforcement must be improved so that the legislation functions effectively.

D. Special Seminars and Courses

1. The Eleventh Country-Focused Training Course on the Juvenile-Delinquent Treatment System for Kenya
The Eleventh Country-Focused Training Course on the Juvenile-Delinquent Treatment System for Kenya was held from 15 February to 11 March 2011. The main theme of the Course was “Capacity-Building of Child Care and Protection Officers in the Juvenile Justice System of Kenya.” Fifteen criminal justice officials from Kenya attended.
2. The Seventh Seminar on Criminal Justice for Central Asia
The Seventh Seminar on Criminal Justice for Central Asia was held from 2 to 14 March 2011. The main theme was “Addressing Corruption which Hinders Countermeasures for Drug Offences and Others; Especially, Ethics and Codes of Conduct for Judges, Prosecutors and Law Enforcement Officials.” Seven criminal justice officials from Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan) attended.
3. The 14th UNAFEI UNCAC Training Programme
The 14th UNAFEI UNCAC Training Programme was held from 13 October to 10 November 2011. The theme of the course was “Effective Legal and Practical Measures against Corruption.” In this Course, 16 overseas participants and six Japanese participants, all of whom were officials engaged in corruption control, comparatively analysed the current situation of corruption, methods of combating corruption, and measures to enhance international co-operation.
5. The 17th Seminar on Crime Prevention and Criminal Justice for the People’s Republic of China
The 17th Special Seminar for Senior Criminal Justice Officials of the People’s Republic of China was held from 15 to 30 November 2011. The main theme was “Public Dissemination of Legal Knowledge.” Fourteen criminal justice officials from the People’s Republic of China attended.
6. The Fifth Regional Seminar on Good Governance for Southeast Asian Countries
The Fifth Regional Seminar on Good Governance for Southeast Asian Countries, hosted by UNAFEI with the support of the Ministry of Foreign Affairs of Japan, was held from 7 to 9 December 2011 in Tokyo, Japan. The main theme was “Preventing Corruption: Administrative and Criminal Justice Measures.” Approximately 25 senior criminal justice officials from eight South-East Asian countries and two visiting experts attended.

III. TECHNICAL COOPERATION

A. Regional Training Programmes

1. Short-Term Experts in Kenya

Two UNAFEI professors were dispatched to Kenya, from 5 August to 10 September 2011, to provide technical assistance to the Project for Capacity Building of Child Care and Protection Officers in the Juvenile Justice System of Kenya.

IV. INFORMATION AND DOCUMENTATION SERVICES

The Institute continues to collect data and other resource materials on crime trends, crime prevention strategies, and the treatment of offenders from Asia, the Pacific, Africa, Europe, and the Americas and makes use of this information in its training courses and seminars. The Information and Library Service of the Institute has been providing, upon request, materials and information to United Nations agencies, governmental organizations, research institutes, and researchers, both domestic and foreign.

V. PUBLICATIONS

Reports on training courses and seminars are published regularly by the Institute. Since 1971, the Institute has issued the Resource Material Series, which contains contributions by the faculty members, visiting experts, and participants of UNAFEI courses and seminars. In 2011, the 82nd, 83rd and 84th editions of the Resource Material Series were published. Additionally, issues 134 to 137 of the UNAFEI Newsletter (from the 147th Seminar to the 149th Course, respectively) were published, which included a brief report on each course and seminar and other timely information. These publications are also available on UNAFEI's website <http://www.unafei.or.jp/english>.

VI. OTHER ACTIVITIES

A. Public Lecture Programme

On 28 January 2011, the Public Lecture Programme was conducted in the Grand Conference Hall of the Ministry of Justice. In attendance were many distinguished guests, UNAFEI alumni and the 147th International Senior Seminar participants. This Programme was jointly sponsored by the Asia Crime Prevention Foundation (ACPF), the Japan Criminal Policy Society (JCPS) and UNAFEI.

Public Lecture Programmes increase the public's awareness of criminal justice issues through comparative international study by inviting distinguished speakers from abroad. In 2011, Mr. Steve Pitts, Head of International Relations and External Programmes, National Offender Management Services, Ministry of Justice, UK, and Mr. Desmond Chin Kim Tham, Deputy Director of Prisons/Chief of Staff, Singapore, were invited as speakers. They presented papers entitled "Changing Lives and Making Communities Safer: Strengthening Rehabilitation through Involving Communities in England and Wales" and "The Yellow Ribbon Project: Advocating Community Acceptance and Enhancing Community Involvement," respectively.

B. Follow-Up Meeting to the Workshop on Strategies and Best Practices against Overcrowding in Correctional Facilities

UNAFEI held the Follow-up Meeting on the Workshop on Strategies and Best Practices against Overcrowding in Correctional Facilities, which was attended by the participants of the 147th Senior Seminar. The Meeting aimed to disseminate the outcome of the Workshop on "Strategies and Best Practices against Overcrowding in Correctional Facilities," organized by UNAFEI and held in Brazil on 16 April 2010 within the framework of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice. The main theme of the Meeting was "community involvement in offender treatment," the importance of which was recognised by the panellists and audience of the Workshop.

UNAFEI invited five prominent experts to this Follow-up Meeting: Sir Judge David Carruthers, Chairman of the New Zealand Parole Board; Prof. Yvon Dandurand, Senior Associate, International Centre for Criminal Law Reform and Criminal Justice Policy, Canada; Mr. Desmond Chin Kim Tham, Deputy Director of Prisons/Chief of Staff, Singapore Prison Service; Mr. Steve Pitts, Head of International Relations

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and External Programmes, National Offender Management Service, Ministry of Justice, UK; and Ms. Elinor Wanyama Chemonges, National Coordinator, Paralegal Advisory Services Project, Foundation for Human Rights Initiative, Uganda. Some of the experts had served as panellists and moderators at the Workshop, and others are experts on issues very relevant to the theme of this Meeting.

C. Assisting UNAFEI Alumni Activities

Various UNAFEI alumni associations in several countries have commenced, or are about to commence, research activities in their respective criminal justice fields. It is, therefore, one of the important tasks of UNAFEI to support these contributions to improve the crime situation internationally.

D. Overseas Missions

Deputy Director Haruhiko Ukawa and Ms. Makiko Sasabe (Staff) visited Bangkok, Thailand from 28 February to 5 March 2011. Deputy Director Ukawa visited executive officers of various authorities, with whom he held meetings to discuss recent activities of UNAFEI and criminal justice and anti-corruption issues of mutual interest. Offices visited included the Supreme Court of Justice, the Office of the Attorney General, the Ministry of Justice, the Office of the National Anti-Corruption Commission, the Anti-Money Laundering Office, and the UNODC Regional Centre for East Asia and the Pacific. He also delivered lectures on “The Role of Prosecutors in the Japanese Criminal Justice Process” at the Office of the Attorney General.

Deputy Director Haruhiko Ukawa and Professor Kumiko Izumi visited Vienna, Austria from 7 to 17 April 2011 to attend the 20th Session of the Commission on Crime Prevention and Criminal Justice held in the United Nations Office in Vienna. They also participated in a symposium on “Public-Private Partnerships against Transnational Organized Crime” on 8 April, organised by the UNODC in conjunction with the Commission. At the symposium, Deputy Director Ukawa served as the moderator for the session on “Cyber Crime: Working Together to Combat On-Line Child Exploitation.”

Professor Ayako Sakonji, Professor Mayu Yoshida, and Chief of Secretariat Takashi Hagiwara visited China from 5 to 12 July 2011 to meet Chinese criminal justice officials in preparation for the 17th Seminar on Crime Prevention and Criminal Justice for the People’s Republic of China, to be held at UNAFEI in November 2011.

Professor Ryo Tsunoda and Professor Yuichiro Wakimoto were dispatched to Nairobi, Kenya, from 12 August to 10 September 2011, and from 5 August to 3 September 2011, respectively, to provide technical assistance to the Project for Capacity Building of Child Care and Protection Officers in the Juvenile Justice System of Kenya.

Professor Ryo Tsunoda and Professor Yuichiro Wakimoto attended the 13th International Corrections and Prisons Association Annual General Meeting and Conference in Singapore from 11 to 17 September 2011.

Director Tatsuya Sakuma visited Cambridge, England from 3 to 7 September 2011 to attend 29th International Symposium on Economic Crime. Director Sakuma made a keynote address at the Symposium.

Mr. Yuichi Tada (Professor) visited Courmayeur, Italy, from 30 November to 6 December 2011 to attend the annual Co-ordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network and the ISPAC International Conference.

E. Assisting ACPF Activities

UNAFEI cooperates and collaborates with the ACPF to improve crime prevention and criminal justice administration in the region. Since UNAFEI and the ACPF have many similar goals, and a large part of ACPF’s membership consists of UNAFEI alumni, the relationship between the two is very strong.

VII. HUMAN RESOURCES

A. Staff

In 1970, the Government of Japan assumed full financial and administrative responsibility for running the Institute. The Director, Deputy Director and approximately nine professors are selected from among public prosecutors, the judiciary, corrections, probation, and the police. UNAFEI also has approximately

15 administrative staff members, who are appointed from among officials of the Government of Japan, and a linguistic adviser. Moreover, the Ministry of Justice invites visiting experts from abroad to each training course and seminar. The Institute has also received valuable assistance from various experts, volunteers, and related agencies in conducting its training programmes.

B. Faculty Changes

Mr. Toru Kawaharada, formerly a professor of UNAFEI, was transferred and appointed to Senior Probation Officer of the Sendai Probation Office on 1 April 2011.

Mr. Junichi Watanabe, formerly a professor of UNAFEI, was transferred to the Correction Bureau of the Ministry of Justice on 1 April 2011.

Mr. Ryo Tsunoda, formerly Chief Probation Officer at the Yokohama Probation Office, was appointed as a professor of UNAFEI on 1 April 2011.

Ms. Mayu Yoshida, formerly a corrections officer of Kasamatsu Prison, was appointed as a professor of UNAFEI on 1 April 2011.

Director Masaki Sasaki was transferred and appointed to Chief of the Sapporo Public Prosecutor's Office on 1 August 2011.

Mr. Tatsuya Sakuma, formerly Chief of the Otsu Public Prosecutor's Office, was appointed as the new Director of UNAFEI and took office on 5 August 2011.

VIII. FINANCES

The Ministry of Justice primarily provides the Institute's budget. UNAFEI's total budget for its programmes is approximately ¥70 million per year. Additionally, JICA and the ACPF provide assistance for the Institute's international training courses and seminars.