
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 the Resource Material Series No. 92.

Part One of this volume contains the work product of the 155th International Training Course, conducted from 18 August to 2 October 2013. The main theme of the 155th Course was *Effective Collection and Utilization of Evidence* in Criminal Cases. Part Two contains the work product of the 16th UNAFEI UNCAC Training Programme, conducted from 6 October to 13 November 2013. The main theme of the 16th UNCAC Programme was *Effective Measures to Prevent and Combat Corruption and to Encourage Cooperation between the Public and Private Sectors*.

With regard to the 155th Course, achieving prompt and proper punishment of offenders requires that criminal investigators discover the facts of the crime during their investigations, and it is equally important to utilize evidence effectively to prove guilt at trial. Historically, acquiring statements from suspects, victims and key witnesses has been the primary means of gathering evidence. However, over the past 50 years, it has become difficult to acquire such statements because of changes in society and greater commitments to human rights, especially the rights of the accused.

When interviewing or interrogating witnesses or suspects, investigators must carefully obtain accurate statements. Some countries have introduced special interview or interrogation techniques based on cognitive psychology, such as the PEACE Model (interview) in England and the REID Technique (interrogation) in the United States of America. Additionally, several countries have systems that facilitate witness testimony, such as offers of immunity and plea bargaining, or that compel witnesses to testify through the use of subpoenas. In addition to interrogation, some countries use special investigation techniques to acquire important statements, such as undercover operations controlled delivery and electronic surveillance, including wiretapping.

On the other hand, progress in science and technology has brought forensics to the field of criminal investigation. Recently, new investigation techniques to acquire objective evidence, such as genetic (DNA) testing, computer forensics and video analysis, are being introduced in many countries and are becoming essential investigation methods.

With regard to the 16th UNCAC Programme, corruption poses a serious threat to the stability and security of societies. The threat is even greater when corrupt practices prevail in the public sphere. The enormous negative impact of corruption and its increasing transnational aspects led to universal recognition that this phenomenon had to be addressed collectively at the international level. Consequently, several multilateral instruments against corruption have been adopted since the mid-1990s. The most important of these instruments, the United Nations Convention against Corruption (hereinafter referred to as “UNCAC”) was adopted by the UN General Assembly on 31 October 2003.¹

Articles 15 through 25 of UNCAC establish a framework for the criminalization of corrupt acts, including public- and private-sector bribery, embezzlement, trading in influence, and money laundering. As for any crime, investigators must use a combination of effective interview and interrogation techniques in addition to the best available electronic and forensic technologies. Moreover, as UNCAC stipulates in Articles 12, 13 and 39, cooperation between the public sector and the private sector is very important to prevent and combat corruption effectively. Finally, international cooperation is vital to combating corruption, and countries must share information on the status of corruption within their respective borders. Such relevant information includes experiences, current problems, and sophisticated techniques in the investigative, judicial and asset recovery processes.

UNAFEI, as one of the institutes of the United Nations Crime Prevention and Criminal Justice Programme Network, held these training programmes to offer participants opportunities to share experiences, gain knowledge, and examine crime prevention measures in their related fields, as well as to build a human network of counterparts to further international cooperation, which is vital to addressing these issues.

¹G.A. Res. 4, U.N. GAOR, 58th Sess., Supp. No. 49, at 5, U.N. Doc. A/Res/58/4 (2003).

In this issue, in regard to both the 155th International Training Course and the 16th UNAFEI UNCAC Training Programme, papers contributed by visiting experts, selected individual presentation papers from among the participants, and the reports of the 155th Course and the 16th UNCAC Training Programme are published. I regret that not all the papers submitted by the participants of each programme 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.

March 2014

A handwritten signature in black ink, reading "Tomoko Akane". The signature is stylized with a large, sweeping flourish over the name.

Tomoko Akane
Director of UNAFEI