



# Knowledge Co-Creation Program (Group & Region Focus)

GENERAL INFORMATION ON

CRIMINAL JUSTICE RESPONSE TO CORRUPTION

課題別研修「汚職対策(刑事司法)」

**JFY 2019**

NO. 201984513-J002

Course Period in Japan: From October 6, 2019 to November 16, 2019

This information pertains to one of the JICA Knowledge Co-Creation Program (Group & Region Focus) of the Japan International Cooperation Agency (JICA), which shall be implemented as part of the Official Development Assistance of the Government of Japan based on bilateral agreement between the relevant Governments.

JICA Knowledge Co-Creation (KCC) Program as a New Start

In the Development Cooperation Charter which was released from the Japanese Cabinet on February 2015, it is clearly pointed out that *"In its development cooperation, Japan has maintained the spirit of jointly creating things that suit partner countries while respecting ownership, intentions and intrinsic characteristics of the country concerned based on a field-oriented approach through dialogue and collaboration. It has also maintained the approach of building reciprocal relationships with developing countries in which both sides learn from each other and grow and develop together."* We believe that this 'Knowledge Co-Creation Program' will serve as a center of mutual learning process.

# I. Concept

## Background

Corruption poses a serious threat to the stability and security of societies and undermines the rule of law. It erodes the quality of public service, impedes investment and support from overseas, thus preventing sustainable development and economic growth. In our globalized society, corruption is no longer a domestic problem. Corruption with transnational aspects is not uncommon, such as where corruption or the proceeds thereof involve international transactions. Corruption is also a major obstacle to the international community's fight against transnational organized crime and terrorism, since organized-crime and terrorist groups frequently use corruption and violence to operate and protect their interests. 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.

Several multilateral instruments against corruption have been adopted since the mid-1990s.<sup>1</sup> 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. Moreover, in 2015, the United Nations General Assembly adopted the 2030 Agenda for Sustainable Development.<sup>2</sup> One of the targets is to substantially reduce corruption and bribery in all their forms (Target 16.5). Accordingly, fighting against corruption is attracting attention as an important issue all over the world.

However, adopting global conventions and setting targets are insufficient to eradicate corruption. It is not an easy task for criminal justice authorities to fully implement the provisions of UNCAC on investigation, prosecution, adjudication, confiscation of criminal proceeds and asset recovery. Many countries are still in the process of tackling this problem.

The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), as a United Nations Crime Prevention and Criminal

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<sup>1</sup> For example, the Inter-American Convention against Corruption, adopted by the Organization of American States, the Convention on the Fight against Corruption involving Officials of the European Communities or Officials of Member States of the European Union, adopted by the Council of the European Union, the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted by the Organisation for Economic Cooperation and Development, the Criminal Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe, the African Union Convention on Preventing and Combating Corruption, adopted by the Heads of State and Government of the African Union

<sup>2</sup> *"Transforming our world: the 2030 Agenda for Sustainable Development"*, General Assembly resolution 70/1

Justice Programme Network Institute, decided to hold this training programme in order to explore ways to strengthen the capacity of criminal justice authorities of each country against corruption, in line with the requirements of UNCAC. UNAFEI has been holding these training programmes since 2000, covering various corruption-related themes through the programmes. This programme will focus on effective measures to detect, investigate, prosecute and adjudicate corruption cases involving high-profile persons, such as politically exposed persons<sup>3</sup>, high ranking public officials and managers of state-owned, state-controlled and multinational enterprises.

Over the past several decades, increasing globalization and rapid progress of information technology have changed the world drastically. Globalization has promoted trade and transportation, facilitating transnational business. Information technology has increased the speed of communications, which has enabled the exchange of massive amounts of information in an instant. While these changes have facilitated economic growth, new trends of corruption led to new challenges in the investigation and prosecution, in particular, in high-profile cases.

As a new trend, corruption has become increasingly transnational and complex in nature. Along with the increase in the number of international transactions, corrupt practices and laundering of corruption proceeds have become international in nature. This is particularly true where high-profile individuals are involved in corrupt transactions. First, abuse of authority, including misappropriation of state funds, frequently involves transnational businesses, such as in relation to large-scale public procurement projects, government-involved foreign investments, state-owned companies' activities, and development aid projects. Second, where these persons are involved, corruption and money laundering schemes frequently become more complex and transnational, such as by the use of shell companies, international consultants as intermediaries, offshore bank accounts and nominal account holders, as well as by use of international currency transfers and securities trades, etc. The complexity of these schemes makes it difficult to identify the true beneficiaries and to draw evidentiary links to corrupt high-profile individuals.

Also, corrupt high-profile individuals do not hesitate to take advantage of their prominent positions and power to maintain their illegal gains and to avoid prosecution by means of exerting undue political influence over criminal justice authorities, including the judiciary. Further, in a number of jurisdictions, corrupt high-profile individuals often have connections with international criminal organizations, participating in each other's

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<sup>3</sup>FATF Guidance: Politically Exposed Persons (Recommendations 12 and 22) “, FATF/OECD (2013):4,5

corruption and money laundering schemes using illegal businesses or fictitious transactions disguised as legitimate businesses. In such cases, both corrupt high-profile individuals and criminal organizations work hand in hand to continue their illegal schemes with impunity. As a result, witnesses are reluctant to report to and cooperate with criminal justice authorities for fear of retaliation, and the proper functioning of the criminal justice system is obstructed due to improper political pressure and intimidation. This situation makes it even more difficult to properly detect, investigate, prosecute and adjudicate corrupt officials.

Another trend causing new challenges is the increased use of information technology. Nowadays, all aspects of our lives have become highly dependent on information technology and electronic devices such as computers and smartphones. As corruption, particularly where it is committed by high-profile individuals, frequently involves transborder financial transactions and the proceeds are often concealed disguising the corrupt transactions as proper business activities, such complex corruption schemes cannot be accomplished without the use of electronic devices and networks. Therefore, essential evidence quite often takes the form of electronic data preserved in a number of electronic devices and internet servers. Accordingly, collection and analysis of such data has become increasingly important especially in high-profile corruption investigations. Due to the recent development and prevalence of digital currencies, including crypto-assets, investigators must enhance their ability to use advanced information technology, and must have access to specialized experts in this field. Accordingly, it is of vital importance for criminal justice practitioners to develop measures to: (i) detect, investigate and prosecute corruption of a highly secretive and complex nature, (ii) collect and analyze electronic data, and (iii) overcome political interference and ensure integrity of criminal justice authorities.

To successfully detect, investigate and prosecute corruption, it is crucial to improve practical measures to obtain information of corruption allegations from various sources. In this regard, first, witnesses, accomplices or anyone with information on a corruption allegation must be encouraged to report it to, and cooperate with, the law enforcement or other criminal justice authorities. Such measures include whistle-blower protection, witness protection and plea agreements (see articles 32, 33 and 37 of the UNCAC). Second, special investigative techniques, such as interception of communications, electronic surveillance, and undercover operations can be powerful tools to identify and investigate high-profile targets, including criminal organizations (see article 50 of UNCAC). Third, information obtained through investigation into related cases, such as accounting, securities or tax offenses and money laundering, and from relevant regulatory or investigative authorities and the private sector, including financial institutions, can be



valuable sources of information. Thus, information sharing with relevant national authorities, including financial intelligence units (FIUs) and taxation or securities authorities, and the private sector should be improved (see articles 12.2(a), 38 and 39 of UNCAC). Further, considering the highly transnational nature of corruption and money laundering, information sharing with foreign investigative authorities (see articles 46.4, 48 and 56 of UNCAC) can be very effective at generating leads in corruption investigations. Also, international cooperation, in particular mutual legal assistance and law enforcement cooperation, has become increasingly crucial to proceed with the investigation and prosecution successfully, and UNCAC has a set of extensive provisions in this regard (Chapters IV and V). Fourth, effective financial disclosure systems for high-profile individuals and thorough scrutiny of the disclosed information can be a useful source to institute corruption investigations (see article 52 of UNCAC). In addition, in order to pursue complex investigation and prosecution, applying the offense of illicit enrichment (see article 20 of UNCAC), if available, can be a valuable measure, since it lessens the evidentiary burden on the investigators and prosecutors. Furthermore, importance of conventional investigative measures such as analyzing information from open sources, following paper trails and interviewing corroborative witnesses should not be underestimated; full use of both conventional and newly developed measures is a key to successful detection and investigation.

Regarding the collection and analysis of electronic evidence, law enforcement should develop the skills of its investigators and staff to ensure that a sufficient number possess knowledge and skills in the use of advanced technology. Specialists need to be hired or trained to restore deleted data and decipher codes or passwords.

Finally, to overcome political interference, it is essential for all criminal justice authorities to remain fair, independent and impartial in investigating, prosecuting and adjudicating corruption cases. If this is not done, corrupt high-profile individuals will not be brought to justice. They will continue to engage in corruption with impunity and grow an enormous amount of wealth from corrupt practices without any substantial risk. However, overcoming political interference is particularly difficult in jurisdictions where corrupt high-profile individuals are prevalent and where criminal organizations are working with them. Establishment of a specialized independent body, provision of appropriate training, allocation of adequate resources, and having rules of conduct for these authorities (see articles 6, 11 and 36 of UNCAC) and enforcement of obstruction of justice offenses (see article 25 of UNCAC) can be useful to address this challenge. Moreover, in many jurisdictions, heads of states, ministers, members of parliament and senior public officials are more or less entitled to immunity from arrest, prosecution etc. This may also hamper investigation, prosecution and adjudication in a timely, thus effective manner, particularly

where in addition, political interference is exercised. Therefore, it is important to strike an appropriate balance between the necessity of such immunities and privileges and effective investigation, prosecution and adjudication (see article 30 of UNCAC).

#### **For what?**

The objective of this programme is to give criminal justice officials in the participating countries an opportunity to share experiences, gain knowledge, and examine concrete measures for fighting corruption. It is also expected that the participants will create an international network of counterparts.

#### **For whom?**

This programme is offered to relatively senior criminal justice officials, such as investigators, public prosecutors, judges and members of specialized anti-corruption organizations, who actually deal with corruption cases. Members of legislative bodies and public officials from policy-making bodies, research institutes, and other criminal justice organizations in charge of anti-corruption measures are also acceptable on the condition that they have sufficient knowledge of the criminal justice system.

#### **How?**

This programme consists of lectures (by UNAFEI professors and experts from inside and outside Japan), discussion sessions (individual presentations by participants and group workshops), observation visits, and other activities. This curriculum will facilitate dialogue in which experience and expertise will be shared, new knowledge acquired, and a professional network created.

## **II. Description**

**1. Title (J-No.): Criminal Justice Response to Corruption (201984513-J002)**

**2. Period of Programme**

<b>Duration of the programme:</b>	September 2019 to November 2019
<b>Preliminary Phase:</b> (in participants' home countries)	September 2019 to October 2019
<b>Core Phase in Japan:</b>	October 6 to November 16, 2019

**3. Target Countries**

Afghanistan, Armenia, Bangladesh, Brazil, Democratic Republic of the Congo, Fiji, Indonesia, Jordan, Kazakhstan, Lao PDR, Malawi, Malaysia, Myanmar, Nepal, Niger, Pakistan, Papua New Guinea, Peru, Sierra Leone, Sri Lanka, Thailand, Ukraine, Uzbekistan, Viet Nam, Zimbabwe

**4. Eligible / Target Organizations**

Eligible participants should come from organizations involved in the criminal justice response to corruption; such as the police, prosecution, courts, and specialized anti-corruption organizations, who actually deal with corruption cases. Legislative-affairs and public officials from policy-making bodies, research institutes, and other criminal justice organizations in charge of anti-corruption measures are also acceptable on the condition that they have sufficient knowledge of the criminal justice system.

**5. Course Capacity**

25 participants

**6. Language to be used in this Programme**

English

**7. Programme Objective**

The main theme of the programme is “**Detection, Investigation, Prosecution and Adjudication of High-Profile Corruption**”.

Participants will:

- (1) share their respective countries' experiences, practices, strategies and recommendations with respect to anti-corruption efforts, with reference to recent international trends; and
- (2) establish a global network for the exchange of updated information on the practices of the respective countries.

**8. Overall Goal**

To encourage criminal justice organizations to take more proactive and effective measures against corruption.

## 9. Expected Module Output and Contents

This programme consists of the following components. Details on each component are given below:

<b>(1) Preliminary Phase in participants' home countries</b> (September 2019 to October 2019) <i>Participating organizations make required preparations for the Programme in their respective countries.</i>		
Expected Module Output	Activities	
Individual Presentation Paper is prepared	(1) Preparation and submission of Individual Presentation Paper.	

  

<b>(2) Core Phase</b> (October 6 to November 16, 2019) <i>Participants dispatched by the organizations attend the Programme in Japan. This Programme will be mainly composed of lectures, presentations, discussions and observation visits.</i>		
Expected Module Output	Subjects/Agendas	Methodology
The current situations and issues in the participants' countries concerning anti-corruption enforcement	(2) Individual presentation; questions and answers	Research and study by participants  Presentation
Recent international trends, including Japan's experiences with anti-corruption enforcement	(3) Lectures by UNAFEI faculty and persons from relevant organizations, including foreign experts, and observation visits to relevant facilities	Lectures
Effective measures to address issues in the respective countries concerning anti-corruption enforcement	(4) Discussions in Group Workshops and formulation of the joint report	Workshops

Sharing recommendations for anti-corruption enforcement and establishing a global network centred on UNAFEI	(5) Presentation of the result of group workshops in plenary meetings and making a contact list	Presentation and Plenary Discussion
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### <Structure of the Programme>

#### **1. Main Theme and objectives of the Programme:**

The main theme of the Programme is “**Detection, Investigation, Prosecution and Adjudication of High-Profile Corruption**”. (22nd UNAFEI UNCAC TRAINING PROGRAMME)

This programme will focus on: (1) effective measures to detect, investigate and prosecute high-profile corruption such as politically exposed persons, high-ranking public officials and managers of state-owned, state-controlled and multinational enterprises; (2) effective measures to collect and analyze evidence, including evidence in electronic form, for successful prosecution; and (3) effective measures to overcome undue political influence and ensure integrity of criminal justice authorities. These three topics are designed to guide each participating country in the development and improvement of its criminal justice system and administration. The expected outcome of this programme is the identification of best practices to fight against corruption which are commonly shared among the participating countries regardless of the differences in their legal systems, cultures and societies.

Through a variety of lectures, presentations, discussions, observation tours and intensive group workshops, participants will learn the theories, principles and practical experiences of other countries. The programme will also explore the advantages and/or shortcomings of the participating countries’ systems and practices concerning anti-corruption enforcement by paying special attention to UNCAC, which embodies key values and concepts.

With its comparative approach, the programme will expose participants to new perspectives and will inspire them to explore ways to improve their own systems and practices. While the experiences of countries which have been successful in fighting against corruption can serve as good examples to be studied, understanding the common challenges that countries face in terms of anti-corruption enforcement can also inspire countries towards overcoming such challenges.



Ultimately, the exchange of information and ideas during the programme will contribute to the building of clean and sustainable societies based on core values such as the rule of law. In addition, the programme will promote the formation of personal and professional relationships among the participants, which will benefit each one of them and their respective countries in the future by the sharing of updated information, thus enhancing international cooperation in fighting against corruption.

## **2. Key Topics of the Programme:**

The following are key topics that will be addressed during the Programme:

- 1) The criminal justice response to and the current situation of high-profile corruption
  - (a) Criminal justice response to high-profile corruption
    - Types of corruption and related offences
    - Investigative, prosecutorial and adjudicative bodies designated to investigate, prosecute and adjudicate high-profile corruption cases
    - Immunities and jurisdictional, procedural and other privileges (e.g., immunity from arrest, detention or prosecution, special procedures for arrest or prosecution, trial by special body, suspension of a sentence of imprisonment) applicable to high-profile corruption suspects
  - (b) The current situation of high-profile corruption in each participating jurisdiction (characteristics, statistics, etc.)
- 2) Effective measures and practical challenges to detecting, investigating and prosecuting high-profile corruption
  - (a) Detection
    - Measures to encourage reporting (e.g. whistle-blower protection)
    - Investigation into corruption-related offences (e.g., accounting, securities or tax offences and money laundering)
    - Information sharing with relevant national agencies (e.g., financial intelligence units (FIUs), taxation and securities authorities) and the private sector (e.g., banks and other financial institutions)
    - Formal and informal information sharing with foreign investigative and other relevant agencies (e.g. FIU-FIU information sharing)
    - Financial disclosure systems and scrutinizing information disclosed by high-level officials
    - Analysis of open source information (e.g., media reports, online information)
    - Other
  - (b) Investigation and prosecution
    - Measures to encourage witnesses and accomplices to cooperate with criminal

- justice authorities (e.g. witness protection, plea agreements, etc.)
- Use of special investigative techniques (e.g., undercover operations, electronic surveillance, interception of communications)
  - Measures to facilitate international cooperation, in particular, mutual legal assistance (MLA) and law enforcement cooperation
  - Use of illicit enrichment
  - Other measures
- (c) Measures to overcome immunities and jurisdictional, procedural and other privileges
- 3) Effective measures and practical challenges to collecting and analyzing electronic data
- (a) The current situation of electronic evidence
- Types of electronic evidence observed in corruption cases involving high-profile individuals (e.g., communications between accomplices, financial transactions, GPS location)
  - Types of electronic evidence/devices (e.g., social networking services, cellphone/smartphone data, personal computer, internet logs, GPS data)
- (b) Effective measures and practical challenges to collecting and analyzing electronic evidence
- Search and seizure and other measures to collect electronic evidence
  - Analysis of electronic data (e.g., digital forensics, use of software/apps for analysis, access to experts)
  - Measures to develop knowledge and skills of investigators
- 4) Effective measures to overcome political interference and ensure the integrity of criminal justice authorities
- Mechanisms to ensure independence in the investigation, prosecution and adjudication of high-profile corruption cases
  - Measures to ensure integrity of investigators, prosecutors and judges (e.g., adequate remuneration, codes of conduct, financial disclosure, recruitment and training, integrity training/testing)
  - Specialized independent authorities for investigation, prosecution or adjudication
  - Enforcement of obstruction of justice offences
  - Other measures

**Each participant is required to submit an Individual Presentation Paper regarding**

the above-mentioned topics as they apply to his or her country, and to explain and discuss these topics in his or her individual presentation.

Each participant is requested to review the text of UNCAC, the Legislative Guide and the Technical Guide related to the topics listed above to prepare for discussions during the programme. The texts are available through the following links:

<http://www.unodc.org/unodc/en/treaties/CAC/>

<http://www.unodc.org/unodc/en/treaties/CAC/legislative-guide.html>

[http://www.unodc.org/documents/corruption/Technical\\_Guide\\_UNCAC.pdf](http://www.unodc.org/documents/corruption/Technical_Guide_UNCAC.pdf)

### **3. Preliminary Phase (activities in participants' home countries):**

#### **Preparation of the Individual Presentation Paper**

Before coming to Japan:

- (1) Each participant is required to prepare **one paper: an individual presentation paper** relating to the Programme's main theme [**IP Paper**]. The IP Paper is the main assignment for this programme prior to arrival.
- (2) **In the IP Paper**, participants are requested to focus on the main theme of this Programme, "**Detection, Investigation, Prosecution and Adjudication of High-Profile Corruption**" bearing in mind the objectives of the Programme. **The IP paper should contain at least one corruption case study or anti-corruption education methods handled in the participant's country with reference to one or more topics listed in the section entitled 2. Key Topics of the Programme**. (See **pages 10-11/28.**) The case does not need to be one which the participant has been involved in, but the participant should provide sufficient information about the case in his/her individual presentations for further discussions. If the participant cannot provide a case study or an anti-corruption education method, he/she could replace the IP paper with a detailed explanation of other anti-corruption methods.
- (3) The IP paper should be topic-focused and analytical; it should, for example, 1) describe the current situation and challenges concerning the issue, 2) identify underlying problems, and 3) explore possible solutions. Matters outside of this scope, such as a general introduction to the participant's country (e.g. geography, economy and population) are not necessary unless directly relevant to the substance of the discussion. Participants are requested to focus on their own successful experiences and challenges, and also specific perspectives on related agencies.
- (4) After completing the selection schedule, **the accepted participants** are required to

- prepare the **Overview Sheet**. UNAFEI professors will inform only the accepted participants directly (by an official letter) of the specific contents to be addressed in the Overview Sheet. The Overview Sheet should be written about the criminal justice system and anti-corruption measures concerning the main theme in your country. It will serve as background information and form the basis of discussions in this Course.
- (5) The IP paper should be **at least 8 pages** in length, double-spaced, and typewritten on a personal computer in MS-Word, A4-size. (For details, see pages 20-25/28). However, in order to ensure that there will be sufficient time for questions and answers, participants are urged to deliver their presentations within the time limits, of which UNAFEI professors will inform you at a later stage.
  - (6) Each participant is required to submit the IP paper as an electronic file in the aforesaid format together with the Application Form. Please refer to pages 15-17/28 for details.
  - (7) Prior to the participants' departure from their home countries, UNAFEI professors will contact them to discuss or offer suggestions on the content and length of their papers. Participants should check their e-mail regularly for messages from UNAFEI.
  - (8) The participants are requested, as appropriate, to bring texts of laws and regulations relevant to the theme of the Programme as well as statistics and other relevant materials (e.g. documents, videos, photographs, charts etc.) to enrich and enhance their contribution to the Programme, particularly with respect to the Individual Presentations and Group Workshop sessions.

#### **4. Core Phase (activities in Japan):**

This Programme will be mainly composed of lectures, individual presentations, plenary and group discussions, and observation visits as follows:

##### **(1) Individual Presentations (IPs)**

Individual presentations will give the participants the opportunity to compare the actual trends, systems and practices of their countries in regard to the main theme of the Programme. IP sessions are one of the core parts of the programme. Each participant will be requested to make a presentation on the situation in his or her country concerning the subject matter of the programme. After completing the selection procedure, UNAFEI professors will inform the participants directly (or by an official letter) of the specific contents to be addressed in the individual presentations. In order to ensure that there will be sufficient time for questions and answers, participants are urged to deliver their presentations within the time limits, of which UNAFEI professors will inform you at a later stage.

##### **(2) Group Workshops**

Group workshops further examine the topics under the main theme of the programme. The participants study the designated topics and exchange their views based on the information obtained through personal experience, the Individual Presentations, lectures, and so forth. The participants are expected to compile their results into a report.

**(3) In addition, the course will include:**

- **Lectures** by experts on subjects relating to the main theme and other subjects of general interest;
- **Observation visits** to agencies relating to the main theme of the course
- **Cultural and other programmes** of interest. (You may want to bring professional uniforms or traditional costumes to wear on these occasions.)



### **III. Conditions and Procedures for Application**

#### **1. Expectations for the Participating Organizations**

- (1) This programme is designed primarily for organizations that intend to address specific issues or problems identified in their operations. Applying organizations are expected to use the programme for those specific purposes.
- (2) In this connection, applying organizations are expected to nominate the most qualified candidates to address the said issues or problems, carefully referring to the qualifications described in Section III-2 below.
- (3) Applying organizations are also expected to be prepared to make use of knowledge acquired by the nominees for the said purpose.
- (4) Gender Consideration: JICA is promoting gender equality. Women are encouraged to apply for this programme while selection shall be made according to the qualifications mentioned in 2. of each nominee.

#### **2. Nominee Qualifications**

Applicants should:

- (1) be nominated by their government in accordance with the procedures mentioned in 4 below;
- (2) be university graduates or the equivalent thereof;
- (3) be relatively senior criminal justice officials, such as investigators, public prosecutors, judges and members of specialized anti-corruption organizations, who actually deal with corruption cases. Legislative-affairs and public officials from policy-making bodies, research institute, and other criminal justice organizations in charge of anti-corruption measures are also acceptable on the condition that they have sufficient knowledge of the criminal justice system
- (4) have at least five (5) years' practical experience related to the main theme of this Programme;
- (5) have a sufficient command of oral and written English;
- (6) be under fifty (50) years old;
- (7) be in good health, both physically and mentally, to participate in the Programme in Japan.

Pregnant applicants are not recommended to apply due to the potential risk of health and life of mother and fetus.

#### **3. Required Documents for Application**

##### **(1) Application Form**

The Application Form is available at the respective countries' JICA office or Embassy of Japan. If you have any official certificate of English ability (e.g.,

TOEFL, TOEIC, IELTS), please attach it (or a copy) to the application form.

\* If you have any difficulties/disabilities which require assistance, please specify necessary assistances in the Medical History (1-(d)) of the application forms. It may allow us (people concerned in this course) to prepare better logistics or alternatives.

## **(2) Photocopy of Passport**

## **(3) Individual Presentation Paper (as explained on pages 12-13/28)**

Before coming to Japan, each applicant should prepare an IP paper, and **it must be submitted together with the Application Form.**

\*For the theme(s) of the IP paper, please see pages 12-13/28.

\*IP paper should be **at least 8 pages** in length, double-spaced, and typewritten on a personal computer in MS-Word, A4-size. (In detail, see pages 20-25/28)

\*IP paper shall be prepared individually. The paper produced by more than one applicant is not allowed.

Note 1: **Applications not accompanied by IP Paper may not be considered for the screening of the nominees.**

Note 2: **Overview Sheet** \*

\* After completing the selection schedule, UNAFEI professors will inform **only the accepted participants** directly (by an official letter) of the specific contents to be addressed in the Overview Sheet. The Overview Sheet should be written about criminal justice system and anti-corruption measures concerning the main theme in your country. It will serve as background information and form the basis of discussions in this Course.

## **4. Procedure for Application and Selection**

### **(1) Submitting the Application Documents**

Closing date for application to the JICA Tokyo in JAPAN: **August 16, 2019.**

**Note: Please confirm the closing date set by the respective countries' JICA offices or Embassy of Japan to meet the final deadline in Japan.**

### **(2) Selection**

After receiving the documents through due administrative procedures in the respective government, the respective country's JICA office (or Japanese Embassy) shall conduct screenings, and send the documents to the supervising JICA Center in Japan, which organizes this project. Selection shall be made by JICA Tokyo in consultation with UNAFEI based on submitted documents according to qualifications. Organizations which can demonstrate their intention to utilize the opportunities provided by this programme will be given greater consideration in the selection process.

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Qualifications of applicants who belong to the military or other military-related organizations and/or who are enlisted in the military will be examined by the Government of Japan on a case-by-case basis, consistent with the Development Cooperation Charter of Japan, taking into consideration their duties, positions in the organization, and other relevant information in a comprehensive manner.

### **(3) Notice of Acceptance**

Notification of results shall be made by the respective country's JICA office (or Embassy of Japan) to the respective Governments **not later than September 6, 2019.**

## **5. Conditions for Attendance**

Participants are required:

- (1) to strictly adhere to the programme schedule;
- (2) not to change the programme topics;
- (3) not to extend the period of stay in Japan;
- (4) not to bring any family members;
- (5) to return to their home countries at the end of the programme in accordance with the travel schedule designated by JICA;
- (6) to refrain from engaging in political activities, or any form of employment for profit or gain;
- (7) to observe Japanese laws and ordinances. If there is any violation of said laws and ordinances, participants may be required to return part or all of the training expenditure depending on the severity of said violation.
- (8) to observe the rules and regulations of the accommodation and not to change the accommodation designated by JICA; and
- (9) to participate in the whole programme, including the preparatory phase prior to the programme in Japan. Applying organizations, after receiving notice of acceptance of their nominees, are expected to carry out the actions described in section II-9.

## IV. Administrative Arrangements

### 1. Organizer

(1) **Name:** JICA Tokyo

- **Contact:** Mr. Hikoyuki UKAI ([tictip@jica.go.jp](mailto:tictip@jica.go.jp))

### 2. Implementing Partner

(1) **Name:** United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI)

(2) **URL:** <https://www.unafei.or.jp/english>

### 3. Travel to Japan

(1) **Air Ticket:** The cost of a round-trip ticket between an international airport designated by JICA and Japan will be borne by JICA.

(2) **Travel Insurance:** Term of Insurance: From arrival in Japan to departure from Japan. Travel time outside Japan shall not be covered.

### 4. Accommodation in Japan

JICA will arrange the following accommodations for the participants in JAPAN:

JICA Tokyo Center (JICA TOKYO): 2019/10/06 – 2019/10/9, 2019/11/15 – 2019/11/16

Address: 2-49-5 Nishihara, Shibuya-ku, Tokyo 151-0066, Japan

TEL: +81-3-3485-7051 FAX: +81-3-3485-9655

(where “81” is the country code for Japan, and “3” is the local area code)

If there is no vacancy at JICA TOKYO, JICA will arrange alternative accommodation for the participants. Please refer to the facility guide of TIC at its URL, <http://www.jica.go.jp/english/contact/domestic/pdf/welcome.pdf>

United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI): 2019/10/9 – 2019/11/15

Address: 2-1-18 Mokuseinomori, Akishima-shi, Tokyo 196-8570, Japan

Tel: +81-42-500-5100 FAX: +81-42-500-5195

E-mail: [unafei@i.moj.go.jp](mailto:unafei@i.moj.go.jp) Website: <https://www.unafei.or.jp/english>

### 5. Expenses

The following expenses will be provided for the participants by JICA:

(1) Allowances for accommodation, living expenses, laundry, and shipping.

(2) Expenses for study tours (basically in the form of train tickets).

(3) Free medical care for participants who become ill after arriving in Japan (costs related to pre-existing illness, pregnancy, or dental treatment are NOT

included).

(4) Expenses for programme implementation, including materials.

For more details, please see pages 9-16 of the brochure for participants entitled "KENSU-IN GUIDE BOOK," which will be given to the selected participants before (or at the time of) pre-departure orientation.

**6. Pre-departure Orientation**

A pre-departure orientation will be held at the respective country's JICA office (or Japanese Embassy), to provide participants with details on travel to Japan, conditions of the workshop, and other matters.

## ***V. Other Information:***

- About seven (7) Japanese participants (judges, public prosecutors, police officer, etc.) are expected to join this programme.
- For more detailed information concerning the format of the IP paper, please refer to the attached memorandum given below.



## **MEMORANDUM ON FORMAT, STYLE AND USAGE**

To: Applicants  
From: Linguistic Adviser of UNAFEI  
Re: Individual Presentation Papers

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### **I. INTRODUCTION**

As part of our programme, we ask that seminar or course participants submit papers for presentation and possible publication on the programme theme. The following information is provided to guide the preparation of your paper(s) and to assist UNAFEI in the process of editing and publishing the Resource Materials Series. Your adherence to our formatting and stylistic requirements is greatly appreciated when drafting papers.

By submitting your paper to UNAFEI for publication, you represent that you are the paper's sole author and that all text requiring quotation or citation has been properly attributed to its source. Further, you authorize UNAFEI to edit your paper so that it conforms to the format, style and usage set forth herein.

### **II. PARTICIPANTS' INDIVIDUAL PRESENTATION PAPERS**

The papers of some participants are selected for publication in the Resource Materials Series. In order for a paper to be published, it must meet the format, style and usage criteria set forth below. Please submit each paper to be presented in electronic (MS Word) format as directed by UNAFEI. Papers that do not comply with the publication criteria may be returned to you for revision.

#### **A. Papers for Publication**

##### **1. Please format all papers as follows:**

- Papers do not require title or cover pages, but you may include them in the version of your paper that will be distributed to your fellow participants. However, title pages and national or agency logos will not be published in the Resource Material Series.
- It is not necessary to include an index. However, a clear structure, including an introduction, headings and conclusion, is important.
- Type the title of your paper in full capital letters, Times New Roman, 14-point font.
- Type the body of your paper in Times New Roman, 12-point font (including headings and sub-headings).
- Type all footnotes in Times New Roman, 10-point font.
- All text must be double spaced (for page-length and editing purposes).
- Please note that all copy within UNAFEI's publications is printed in black and white.

- Set top, bottom, left and right margins at 25.4 mm, or 1 inch.
  - Indent the first line of each paragraph of main body text.
  - Please ensure sufficient spacing. There should be a space of one line between paragraphs of text.
  - To make a series of points in text, please use either Roman numerals, e.g. (i), (ii), (iii), etc., or bullet points (this • symbol).
  - Please format headings, etc. as indicated in Appendix A below.
  - Block quotations (quotations exceeding 49 words in length) should be indented 20 mm from the left and right margins. The text should be single spaced, and do not use quotation marks. Please cite your authority using a footnote or string citation (legal).
  - Appendices should be placed at the end of your paper and should be alphabetized, e.g. Appendix A, Appendix B, etc., and formatted in the same style as the headings and text of your paper.
2. Please note the following on style and usage:
- Titles of works should appear in italics and should be quoted with the full title upon first mention, i.e. not "ICLR" but *International Criminal Law Review*.
  - Italics should be used for unusual Latin or other foreign language quotations. Well-known and common expressions such as de facto, ibid, supra and infra should be left in normal font type.
  - Italics may be used for emphasis. Please do not underline or use bold in the text.
  - All papers must be spell checked and proof read/edited *before* submission.
  - Wherever possible, please use gender-neutral language. Use of "his/her", "their", etc. is preferred. This is a policy of UNAFEI and the United Nations.
  - *Quotations*: Following the American style, quotations must be marked by double marks " " and are not indented; when a sub-quote appears within a quote, use single marks ' ' to identify the sub-quote.<sup>4</sup> Alternate quotation marks in the aforementioned order if further sub-quotes are necessary.
  - *Commas*: UN practice is to avoid the serial comma unless it is necessary to provide clarity. Proper usage is as follows: "The report addressed A, B and C." No comma appears after B. However, add a comma if it helps the reader, or is necessary for clarity: "Reports were presented by countries A and B, C and D, and E and F."

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<sup>4</sup> United Nations, *United Nations Editorial Manual Online* (New York, NY, 2004; pubd online 2004) < <http://dd.dgacm.org/editorialmanual/> > accessed 1 Apr. 2013 (Quotations).

### 3. Spelling and Hyphenation

Please use British English in accordance with United Nations' practice. However, British English diverges on certain spellings (*z* v. *s*) and on the hyphenation of prefix-formed compounds (*cooperate* v. *co-operate*). The following rules are intended to provide guidance on UN spelling conventions. See the *United Nations Editorial Manual Online* (the "UN Manual").<sup>5</sup>

- Generally, UN style prefers *z* to *s*. For example, *organization*, not *organisation*; *summarize*, not *summarise*. However, exceptions include *analyse* instead of *analyze*. Note that some words can only be spelled with an *s*, such as *advertise*.
- *Learned*, not *learnt*; *spelled*, not *spelt*.
- *Programme*, not *programme* (Br. English v. Am. English).
- *Centre*, not *center* (Br. English v. Am. English).
- *Behaviour*, not *behavior*; *colour*, not *color* (Br. English v. Am. English).
- *Prefix-Formed Hyphenated Compounds*: UN style prefers closing some compounds formed by prefixes (i.e. *cooperate* instead of *co-operate*) while hyphenating others (i.e. *re-examine* instead of *reexamine*).<sup>6</sup> Please consult the UN Manual for guidance.
- *Other Hyphenated Compounds*: Compound adjectives should be hyphenated if doing so avoids confusion: *short-term allowance* or *English-speaking people* (people who speak English as opposed to English people who can speak). Also, use double hyphenation for *anti-money-laundering measures*, because *anti-money* does not exist.

### 4. Additional Guidance and References

If there is a conflict between the UN Manual or any other source mentioned in this Memorandum, this Memorandum shall supersede all other authorities solely to the extent that they are applied to UNAFEI publications. For guidance on spelling beyond the UN Manual, consult the *Concise Oxford English Dictionary*, Twelfth Ed., or any subsequent edition thereof. Please direct any questions regarding this Memorandum to Tom Schmid, UNAFEI's Linguistic Adviser, at [tom@unafei.com](mailto:tom@unafei.com).

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<sup>5</sup> Ibid. (Spelling).

<sup>6</sup> Ibid.

**FORMAT AND EXAMPLES: Individual Presentation Papers**

Your paper should use the following system for headings and numbering:

**TITLE OF PAPER CENTERED IN FULL CAPITAL LETTERS (14-PT FONT)**

*Author's Name in Italics*

**I. MAIN HEADINGS SHOULD HAVE ROMAN NUMERALS AND BE IN  
BOLD, CAPITAL, 12-PT FONT LETTERS AND CENTRED****A. Secondary Headings Should Be Alphabetized, Bold with Key First Letters  
Capitalized****1. Minor Headings Should Be Numbered, Text Underlined with Key First Letters  
Capitalized**

*(i) Sub-headings under minor headings*

Sub-headings under minor headings should use small case roman numerals, be in lower case and indented.

(a) Any further headings should be alphabetized using bracketed lower-case letters.

## B. Example Text

The following is an example of the proper format for an actual paper when it is submitted to JICA and UNAFEI. This example uses text generated by Lorem Ipsum<sup>7</sup> as the body:

# JUVENILE JUSTICE IN THE UNITED STATES

*John Doe\**

## I. JUVENILE CRIME

Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip ex ea commodo consequat.

### A. The Legal Response

Sed ut perspiciatis unde omnis iste natus error sit voluptatem accusantium doloremque laudantium, totam rem aperiam, eaque ipsa quae ab illo inventore veritatis et quasi architecto beatae vitae dicta sunt explicabo.

#### 1. The Role of the Courts

Nemo enim ipsam voluptatem quia voluptas sit aspernatur aut odit aut fugit, sed quia consequuntur magni dolores eos qui ratione voluptatem sequi nesciunt.

**[EXAMPLE OF A BLOCK QUOTE]** Ut vel odio libero, in commodo nisi.  
Quisque felis magna, pulvinar sed ornare ut, interdum a quam. Etiam

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<sup>7</sup> Lorem Ipsum, <<http://www.lipsum.com>> accessed 29 Mar. 2013 ("Lorem Ipsum is simply dummy text of the printing and typesetting industry. Lorem Ipsum has been the industry's standard dummy text ever since the 1500s, when an unknown printer took a galley of type and scrambled it to make a type specimen book." Ibid.).

\* Insert your position, agency/ institution, and country, as well as any disclaimer required or desired by your employer.



02

vulputate risus eget metus consectetur elementum. Nullam fermentum convallis sem et fermentum. Pellentesque viverra dolor ut ligula hendrerit in egestas quam mollis. In vel est mauris. Aliquam non tellus vel purus scelerisque lacinia.<sup>8</sup>

Ut enim ad minima veniam, quis nostrum exercitationem ullam corporis suscipit laboriosam, nisi ut aliquid ex ea commodi consequatur?

*(i) Types of Courts*

At vero eos et accusamus et iusto odio dignissimos ducimus qui blanditiis praesentium voluptatum deleniti atque corrupti quos dolores et quas molestias excepturi sint occaecati cupiditate non provident, similique sunt in culpa qui officia deserunt mollitia animi, id est laborum et dolorum fuga. Et harum quidem rerum facilis est et expedita distinctio.

*(a) Family Court*

Nam libero tempore, cum soluta nobis est eligendi optio cumque nihil impedit quo minus id quod maxime placeat facere possimus, omnis voluptas assumenda est, omnis dolor repellendus.

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<sup>8</sup> Ibid. (This is an example of a block quote).

## *For Your Reference*

### **JICA and Capacity Development**

The key concept underpinning JICA operations since its establishment in 1974 has been the conviction that “capacity development” is central to the socioeconomic development of any country, regardless of the specific operational scheme one may be undertaking, i.e. expert assignments, development projects, development study projects, training programmes, JOCV programmes, etc.

Within this wide range of programmes, Training Programmes have long occupied an important place in JICA operations. Conducted in Japan, they provide partner countries with opportunities to acquire practical knowledge accumulated in Japanese society. Participants dispatched by partner countries might find useful knowledge and re-create their own knowledge for enhancement of their own capacity or that of the organization and society to which they belong.

About 460 pre-organized programmes cover a wide range of professional fields, ranging from education, health, infrastructure, energy, trade and finance, to agriculture, rural development, gender mainstreaming, and environmental protection. A variety of programmes are being customized to address the specific needs of different target organizations, such as policy-making organizations, service provision organizations, and research and academic institutions. Some programmes are organized to target a certain group of countries with similar developmental challenges.

### **Japanese Development Experience**

Japan was the first non-Western country to successfully modernize its society and industrialize its economy. At the core of this process, which started more than 140 years ago, was the “*adopt and adapt*” concept by which a wide range of appropriate skills and knowledge have been imported from developed countries; these skills and knowledge have been adapted and/or improved using local skills, knowledge and initiatives. They finally became internalized in Japanese society to suit its local needs and conditions.

From engineering technology to production management methods, most of the know-how that has enabled Japan to become what it is today has emanated from this “*adoption and adaptation*” process, which, of course, has been accompanied by countless failures and errors behind the success stories. We presume that such experiences, both successful and unsuccessful, will be useful to our partners who are trying to address the challenges currently faced by developing countries.

However, it is rather challenging to share with our partners this whole body of Japan’s developmental experience. This difficulty has to do, in part, with the challenge of explaining a body of “tacit knowledge,” a type of knowledge that cannot fully be expressed in words or numbers. Adding to this difficulty are the social and cultural systems of Japan that vastly differ from those of other Western industrialized countries, and hence still remain unfamiliar to many partner countries. Simply stated, coming to Japan might be one way of overcoming such a cultural gap.

JICA, therefore, would like to invite as many leaders of partner countries as possible to come and visit us, to mingle with the Japanese people, and witness the advantages as well as the

disadvantages of Japanese systems, so that integration of their findings might help them reach their developmental objectives.

#### **About UNAFEI**

The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) is a United Nations Crime Prevention and Criminal Justice Programme Network institute. UNAFEI was established in 1962 by agreement between the United Nations and the Government of Japan, with the aim of promoting the sound development of criminal justice systems and mutual cooperation in Asia and the Pacific Region. UNAFEI activities include training courses and seminars for personnel in crime prevention and criminal justice administration, and the research and study of crime prevention and the treatment of offenders. It also conducts special seminars outside of Japan.

UNAFEI annually organizes three international training courses and one international seminar. Participants represent various regions of the world such as Asia, the Pacific, Africa and Latin America. This programme contributes significantly to the training of personnel in criminal justice, and to providing ideas and knowledge for effective measures to combat crime in developing nations. For over 50 years, UNAFEI's efforts in training personnel have helped those individuals play leading roles in the criminal justice administration of their respective countries.



UNAFEI in Akishima, Tokyo



***CORRESPONDENCE***

For inquiries and further information, please contact the JICA office or the Embassy of Japan. Further, address correspondence to:

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**TEL: +81-3-3485-7051 FAX: +81-3-3485-9655**