

## **CONTRIBUTION OF UNAFEI TO THE 12<sup>th</sup> CONGRESS**

### **1 Major recent activities of UNAFEI relevant to the agenda items of the 12th United Nations Congress on Crime Prevention and Criminal Justice and its workshops themes**

#### **(1) Annual activities of UNAFEI**

Every year, **UNAFEI**, the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, holds two international training courses and one international seminar, inviting practitioners in crime prevention and criminal justice. Apart from these courses and seminars, **UNAFEI** holds many training courses and seminars which focus on either specific themes or countries.

To date, more than 4,200 participants from 130 countries in the Asia-Pacific region, Africa, Latin America, the Caribbean and Eastern Europe, have taken part in our courses and seminars. Some of these alumni, representing their home countries, delivered National Statements at the 12<sup>th</sup> Congress. This alumni network is a great asset not just for UNAFEI but also for the participating countries.

**UNAFEI** also holds Regional Seminars outside Japan, in co-operation with the host countries and **UNODC** (United Nations Office on Drugs and Crime), to improve Good Governance in Southeast Asian countries. In addition, **UNAFEI** holds third country seminars in Latin America in co-operation with **ILANUD** (the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders) in Costa Rica.

In selecting the themes of these courses and seminars, **UNAFEI** pays due attention to the priority areas of the **UNCPCJP** (United Nations Crime Prevention and Criminal Justice Programme) identified by the General Assembly, the **ECOSOC** (Economic and Social Council) and the **CCPCJ** (Commission on Crime Prevention and Criminal Justice), as well as the needs of countries participating in its courses and seminars.

#### **(2) Major recent activities of UNAFEI relevant to the agenda items of the 12th United Nations Congress on Crime Prevention and Criminal Justice and its workshops themes**

Major recent activities of **UNAFEI** relevant to the agenda items of the 12th **Congress** on Crime Prevention and Criminal Justice and its workshops themes are as follows.

**(Children, Youth and Crime)**

**UNAFEI** held international training courses on the subject of crimes by or against juveniles in 2005, 2007 and 2008. It has also continued its technical co-operation project with the Kenyan government, aimed at improving institution-based and community-based treatment of juvenile offenders in Kenya.

**(Terrorism and Cybercrime)**

**UNAFEI** held training courses on strengthening legal systems to combat terrorism as well as the criminal justice response to cybercrime in 2006 and 2008 respectively, and examined effective measures against such crimes.

**(Crime Prevention and the Treatment of Prisoners in the Criminal Justice System)**

**UNAFEI** held seminars on prevention of crimes associated with urbanization and effective intervention models for prevention and decrease of recidivism by offenders including prisoners in 2005 and 2007.

**(Promotion of International Co-operation to Address Transnational Organized Crimes)**

In accordance with international agreements, such as the **UNTOC**(United Nations Convention against Transnational Organized Crime) and the **UNCAC**(United Nations Convention against Corruption), **UNAFEI** held training courses and seminars on the subject of investigation, prosecution and adjudication of transnational organized crimes and effective legal and practical measures against corruption in 2006 and 2008 respectively.

In addition, in 2009, **UNAFEI** co-hosted the Third Regional Seminar on Good Governance for Southeast Asian countries in Manila, the Republic of the Philippines, with the Department of Justice of the Philippines and the **UNODC** Regional Centre for East Asia and the Pacific. The Seminar focused on international co-operation with respect to recovery of the proceeds of crime and anti-money laundering measures.

**(International Criminal Justice Education for the Rule of Law)**

In 2009, UNAFEI held an international training course on ethics and codes of conduct for judges, public prosecutors and law enforcement officials, wherein issues of education and training for criminal justice practitioners were explored.

### **(Overcrowding in Correctional Facilities)**

Overcrowding in correctional facilities is one of the most serious and most pressing issues faced in many parts of the world. It leads to deterioration in the living conditions of inmates and infringes upon their rights, which are set out in various international instruments. It undermines the overall effectiveness and efficiency of the criminal justice system by, *inter alia*, hampering the provision of appropriate correctional treatments aimed at the rehabilitation and social re-integration of offenders, as well as reducing recidivism.

In 2009, UNAFEI held an international seminar on overcrowding in correctional facilities.

## **2 The outline of the Congress Workshop**

### **(1) Summary**

UNAFEI was responsible for organizing a **Workshop on “Strategies and Best Practices against Overcrowding in Correctional Facilities”** at the 12th Congress. UNAFEI carried out its preparatory work, including the hosting of a series of meetings of international experts, and contributed to the success of the Congress through recommendations from the Workshop.

The workshop aimed to describe the nature and extent of prison overcrowding, to analyze the reasons for it and propose what can be done to relieve it.

Many countries have adopted measures to address the multiple problems created by overcrowding in correctional facilities and to mitigate the effects of overcrowding. The Workshop offered an opportunity for government representatives, experts and practitioners to exchange information on strategies and best practices for reducing overcrowding in correctional facilities.

Concretely, we had four Presentations and three Panel discussions in this workshop, as follows.

Presentation 1: “**Current Situation of Prison Overcrowding**”

Presentation 2: “**Causes of Prison Overcrowding**”

Presentation 3: “**Countermeasures against Prison Overcrowding**”

Presentation 4: “**Specific Situations in Middle and Low Income Countries**”

Panel I : “**Strategies for Reduction of Prison Populations through Diversion, Informal and Restorative Justice and Alternatives to Pre-trial Detention**”

Panel II : “**Strategies for Reduction of Prison Populations at the Sentencing and Post-sentencing Stages**”

Panel III: “**Strategies for Securing Support for Reduction of Prison Populations**”

In the workshop, UNAFEI pursued the subject matter through a practice-oriented, comprehensive and integrated approach, addressing possible efforts at the legislative level and all stages of the criminal justice process, including the rehabilitation of offenders, instead of simply focusing on the causes and countermeasures within the prison settings.

## **(2) The Outcomes**

The workshop ended by addressing how to build political, judicial and public support for reducing overcrowding and limiting the use of imprisonment.

In summary, such initiatives are as follows.

**Best practices** call for concerted and comprehensive efforts on the part of the entire criminal justice system, involving the cooperation and coordination of all criminal justice stakeholders. States should analyse their national criminal justice systems in the context of their own historical, legal, economic and cultural background.

Specific **strategies** are:

- (a)** to ensure a system-wide, integrated and sustained approach to the criminal justice process and related programmes;
- (b)** to improve the efficiency of the criminal justice process;
- (c)** to ensure comprehensive sentencing policies;
- (d)** to increase the use of alternatives to detention and imprisonment, on the basis of the principle of imprisonment as a last resort and the principle of proportionality;
- (e)** to strengthen access to justice and public defence mechanisms;

- (f) to develop or strengthen, as appropriate, provisions for early release;
- (g) to strengthen measures to prevent recidivism, such as rehabilitation and reintegration programmes;
- (h) to increase prison capacity if absolutely necessary; and
- (i) to communicate evidence-based information on crime and criminal justice to legislators, politicians, decision makers, criminal justice practitioners, the public and the media, through continuing research on factors contributing to prison overcrowding.

Strategies to reduce overcrowding should be gender-sensitive and should respond effectively to the needs of vulnerable groups.

The workshop served as a great opportunity to share the knowledge, expertise and wisdom of many criminal justice specialists concerned about the problems of prison overcrowding. The strategies and best practices presented and exchanged there, and the recommendations derived from the workshop, will contribute immensely to Member States' efforts to redress the harm caused thereby. Thus, the workshop has become an important milestone on the road to the resolution of this significant problem.

For countries afflicted with prison overcrowding, **UNAFEI** plans to further disseminate the outcomes of this workshop. So that the insights and knowledge derived there will have a long-lasting, practical impact, **UNAFEI** will incorporate them into its future training programmes and include them in its publications. As such, **UNAFEI**, as a co-organizer of the workshop and a member body of **PNI**s (UN Crime Prevention and Criminal Justice Programme Network Institutes), will be able to further contribute to advancing its achievements, according to paragraph (o) of the "Conclusions and Recommendations of the Workshop" which emphasizes the importance of providing assistance in capacity building to requesting Member States.

**UNAFEI** would like to express sincere gratitude and appreciation for the participation of **PNI** colleagues, as the moderators, presenters and panellists of the workshop, and for the co-operation of the **ICCLR** (International Centre for Criminal Law Reform and Criminal Justice Policy) in organizing this workshop.



**The Congress Venue**



**Podium at UNAFEI's Workshop**



**Delegates at UNAFEI's Workshop**



**Workshop Opening Remarks by Mr. Sasaki,  
Director of UNAFEI**



**Mr. Toshiaki Hiwatari (2<sup>nd</sup> left), Prosecutor General of Japan, at the UNAFEI exhibition booth**



**UNAFEI delegation at the workshop conference hall**



**UNAFEI delegation at the conference hall with Mr. Hino,  
Chairman, board of directors of the ACPF**



**Mr. Hino at UNAFEI workshop**



**Mr. Hino with Ms. Jolanta Redo, the resident representative of the ACPF for Europe and Central Asia to the United Nations Office at Vienna**