

**RESOURCE MATERIAL  
SERIES No. 58**

**UNAFEI**

**Fuchu, Tokyo, Japan**

**December 2001**

**Mikinao Kitada**  
**Director**

**Asia and Far East Institute  
for the Prevention of Crime and  
the Treatment of Offenders  
(UNAFEI)**

**1-26, Harumi-cho, Fuchu, Tokyo 183-0057, Japan**

---

# CONTENTS

---

***INTRODUCTORY NOTE*** ..... 1

## ***PART ONE***

### **WORK PRODUCT OF THE 116TH INTERNATIONAL TRAINING COURSE**

#### **“EFFECTIVE METHODS TO COMBAT TRANSNATIONAL ORGANIZED CRIME IN CRIMINAL JUSTICE PROCESSES”**

##### **Visiting Experts’ Papers**

- Components of an Effective Anti-Money Laundering Regime  
*by Peter Yam Tat-wing (Hong Kong)* ..... 5
- Fighting Hong Kong’s Organized Crime, the Organized & Serious Crime Ordinance  
*by Peter Yam Tat-wing (Hong Kong)* ..... 14
- Triads  
*by Peter Yam Tat-wing (Hong Kong)* ..... 27
- Effective Methods to Combat Transnational Organized Crime in Criminal Justice Processes  
*by Bruce G. Ohr (United States of America)* ..... 40
- Transnational Organized Crime and the Countermeasures in Korea  
*by Yong Kwan Park (Republic of Korea)* ..... 61
- Controlled Delivery  
*by Johan Peter Wilhelm Hilger (Germany)* ..... 79
- Measures of Investigations in Cases of Organized Crime in the Criminal Process of Germany  
*by Johan Peter Wilhelm Hilger (Germany)* ..... 82
- Organized Crime / Witness Protection in Germany  
*by Johan Peter Wilhelm Hilger (Germany)* ..... 99
- Principal Witness Regulations to Suppress Organized Crime in Germany  
*by Johan Peter Wilhelm Hilger (Germany)* ..... 106

- Effective Methods to Combat Transnational Organized Crime in Criminal Justice Processes  
*by Franco Roberti (Italy)*..... 112

### **Participants' Papers**

- Effective Methods to Combat Transnational Organized Crime in Criminal Justice Processes  
*by Ruy Gomes Silva (Brazil)* ..... 160
- Effective Methods to Combat Transnational Organized Crime in Criminal Justice Processes: The Nigerian Perspective  
*by Awunah Donald NgorNgor (Nigeria)* ..... 171
- Country Paper on Effective Methods to Combat Transnational Organized Crime in Criminal Justice Processes  
*by Ricardo Tiuseco Pamintuan (Philippines)* ..... 183
- Crime in India  
*by Sanjiv Kumar Upadhyay (India)* ..... 197

### **Reports of the Course**

- Analysis of Current Situation on Illicit Drug Trafficking  
*by Group 1 Phase 1* ..... 208
- Current Situation of Illegal Firearms Trafficking and Human (Women, Children, and Migrants) Trafficking  
*by Group 2 Phase 1* ..... 216
- Current Situation of Organized Crimes in Trafficking Stolen Vehicles, Card Fraud, Money Laundering and Major Transnational Organized Criminal Groups  
*by Group 3 Phase 1* ..... 222
- Special Investigative Tools to Combat Transnational Organized Crime (TOC)  
*by Group 1 Phase 2* ..... 228
- Methods for Obtaining the Cooperation of Witnesses to Punish Organized Criminals: the Immunity System and Witness Protection Programmes  
*by Group 2 Phase 2* ..... 240

- Components and Legal Frameworks for Combating Transnational Organized Crime. Criminalization of Participation in Organized Criminal Groups/Conspiracy; Anti-Money Laundering System; Asset Forfeiture System (for Assets Derived from Organized Crimes)  
*by Group 3 Phase 2* ..... 251

## **PART TWO**

### **WORK PRODUCT OF THE 117TH INTERNATIONAL SEMINAR “CURRENT SITUATION AND COUNTERMEASURES AGAINST MONEY LAUNDERING”**

#### **Visiting Experts’ Papers**

- Countering Money Laundering: the FATF, the European Union and the Portuguese Experience, Past and Current Developments  
*by Gil Galvão (Portuguese Republic)* ..... 263
- Canada’s Anti-Money Laundering Regime  
*by Daniel P. Murphy (Canada)* ..... 286
- The Impact of the Digital Age on Money Laundering Investigations  
*by Daniel P. Murphy (Canada)* ..... 303
- Current Situation and Countermeasures against Money Laundering - A German and European Perspective  
*by Peter H. Wilkitzki* ..... 315
- The Fight against Money Laundering: the U.S. Perspective  
*by Susan L. Smith (U. S. A.)* ..... 327
- Current Situation and Countermeasures against Money Laundering: Focusing on the Experience and Legal Policies of the Republic of Korea  
*by Chae, Jung-Sug (Republic of Korea)* ..... 352
- Current Situation and Countermeasures against Money Laundering : Hong Kong  
*by Sin Kam-wah (Hong Kong)* ..... 380

#### **Participants’ Papers**

- Current Situation and Countermeasures against Money Laundering  
*by Kevueli Tunidau (Fiji)* ..... 399

• The Suspicious Transaction Reporting System and Its Effective Use by <i>Tatsuo Ueda (Japan)</i> .....	411
• Current Situation and Countermeasures against Money Laundering in South Africa by <i>Ronel Van Wyk (South Africa)</i> .....	419
• Current Situation and Countermeasures against Money Laundering: Tanzania’s Experience by <i>Saidi Ally Mwema (Tanzania)</i> .....	428
• Current Situation and Countermeasures against Money Laundering in Thailand by <i>Pisan Mookjang (Thailand)</i> .....	437
<b>Reports of the Course</b>	
• Methods for Obtaining Intelligence for Investigation of Money Laundering by <i>Group1</i> .....	446
• Components and Legal Framework for Combating Money Laundering, Current Situation, Problems and Solutions for Asset Confiscation System by <i>Group2</i> .....	458
• Current Situation, Problems and Solutions for Special Investigative Tools in Combating Money Laundering by <i>Group3</i> .....	466
<b>APPENDIX</b> .....	477