

UNAFEI NEWSLETTER

UNAFEI

UNITED NATIONS ASIA AND FAR EAST
INSTITUTE FOR THE PREVENTION OF CRIME
AND THE TREATMENT OF OFFENDERS

No. 156
June 2018

Established
1961

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CRIMINAL JUSTICE PRACTICES AGAINST ILLICIT DRUG TRAFFICKING

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LETTER FROM THE DIRECTOR

It is my privilege to inform readers of the successful completion of the 169th International Training Course on “Criminal Justice Practices against Illicit Drug Trafficking”, which took place from 9 May to 14 June 2018. In this Course, we welcomed 7 Japanese participants and 24 overseas participants: 11 from Asia, 8 from Africa, 2 from Europe, 1 from South America, 1 from Oceania, and 1 from the Caribbean. The participants included judges, prosecutors, probation officers, police officers and other public officials involved in the field of crime prevention and criminal justice. As this newsletter demonstrates, the Course was extremely productive. It consisted of lectures by visiting experts, ad hoc lecturers, UNAFEI faculty members, individual presentations, visits to relevant criminal justice agencies, and group-workshop and plenary sessions.

One of the most serious global problems currently faced by criminal justice authorities is illicit drug trafficking, which involves the cultivation, production, manufacture, distribution, sales, delivery and possession of drugs and other illicit substances. Illicit drug trafficking not only facilitates drug abuse, which itself is a serious problem, but also generates substantial profits for organized criminal groups. These illicit profits fund such groups’ activities and stimulates their growth, and much of these profits infiltrate the legitimate business sphere and impair the integrity and stability of legitimate economic and financial systems as a whole. Even more troubling is the growing link between illicit drug trafficking and the financing of international terrorism.

UNAFEI, as one of the institutes of the United Nations Crime Prevention and Criminal Justice Programme Network, held this Course to offer participants an opportunity to clarify and analyse the current situation of illicit drug trafficking and organized crime in each participating country and to explore more effective ways to disrupt them. Additionally, the participants were able to share experiences, gain knowledge, and build a human network of counterparts.

During the Course, the participants diligently and comprehensively examined the main theme, primarily through a comparative analysis. The participants shared their own experiences and knowledge of the issues and identified problems and areas in which improvements could be made. With the academic and practical input from the visiting experts, ad hoc lecturers and UNAFEI faculty—and the in-depth discussions they had with each other—the participants are now better equipped to enhance the policies and practices related to illicit drug trafficking in their respective countries.

I would like to offer my sincere congratulations to all of the participants upon their successful completion of the Course, made possible by their strenuous efforts. My heartfelt gratitude goes out to the visiting experts and ad hoc lecturers who contributed a great deal to the Course’s success. Furthermore, I appreciate the indispensable assistance and cooperation extended to UNAFEI by various agencies and institutions that helped diversify the Course.

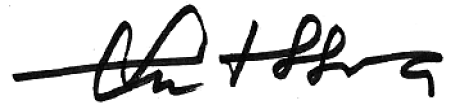
I would also like to express my great appreciation to the Japan International Cooperation Agency (JICA) for its immeasurable support throughout the Course. At the same time, a warm tribute must be paid to the Asia Crime Prevention Foundation (ACPF) and its branch organizations for their substantial contributions to our activities. Lastly, I owe my gratitude to all the individuals whose unselfish efforts behind the scenes contributed

significantly to the successful realization of this Course.

Upon returning to their home countries, I genuinely believe that, like their predecessors, the strong determination and dedication of the participants will enable them to work towards the improvement of their respective nations' criminal justice systems, and towards the benefit of international society as a whole.

Finally, I would like to reiterate my best regards to the participants of the 169th International Training Course. I hope that the experience they gained during the Course proves valuable in their daily work and that the bonds fostered among the participants, visiting experts and UNAFEI staff will continue to grow for many years to come.

June 2018

A handwritten signature in black ink, appearing to read 'Keisuke SENTA', with a long horizontal line extending to the left.

Keisuke SENTA
Director, UNAFEI

THE 169TH INTERNATIONAL TRAINING COURSE***CRIMINAL JUSTICE PRACTICES AGAINST ILLICIT DRUG TRAFFICKING***

Course Rationale

The main role of criminal justice in combating illicit drug trafficking is to identify each criminal act done by criminal organizations and criminals, and to punish individuals depending on their degree of responsibility. Further, to disrupt and dismantle criminal organizations, it is essential to identify, investigate, prosecute and punish high-value targets, that is, leaders of criminal organizations.

However, defining these targets is not easy because their identities are often carefully concealed and their roles in criminal acts remain unclear. Further, even if these targets are defined, many criminals refuse to provide information on the involvement of such high-value targets, and even if they do, many of them hesitate to testify in court for fear of retaliation. Therefore, in the course of investigation and prosecution, criminal justice agencies should endeavour to overcome these difficulties, making full use of measures adopted by national legislation, which should be in line with standards established by international conventions.

More specifically, during the investigation stage, to identify high-value targets, it is necessary for investigators to first gather background information and evidence through their daily activities in reaction to a single or limited episode of crime. When involvement of an organized criminal group is suspected, intensive collection and analysis of information and evidence should be conducted in order to uncover the entire structure of the group, its finances and relationships with other criminal groups. Then, the identities and whereabouts of the core members of the group may be revealed. Only through these persistent investigative efforts will the important elements of the crime become clear, such as who is to be arrested, which conduct should be the focus of the prosecution, and which laws are to be applied. Some investigative techniques, such as utilization of informants, controlled delivery, electronic surveillance and undercover operations, can be effective measures to identify high-value targets and collect evidence on their involvement in specific criminal conduct.

At the prosecution and trial stages, to prosecute and punish high-value targets it is necessary for prosecutors and magistrates to ensure that key witnesses, including accomplices and organized group members, give testimony. Tools such as immunity from prosecution in exchange for testimony and protection of witnesses are useful in this regard.

In dealing with illicit drug trafficking, it should be emphasized that it is essential to deprive the perpetrators of their illicit proceeds and any property derived from them. Because criminal organizations conduct illicit acts and attract members with their financial power, criminal organizations can be dismantled effectively by depriving them of their assets. Therefore, identifying illicit proceeds, and eventually depriving criminal organizations of their assets, is also important to disrupting them. To achieve this goal, it is critical to conduct thorough financial investigation and make full use of the anti-money-laundering regime. In many jurisdictions there are several measures for depriving illicit assets such as confiscation (including criminal/civil forfeiture, equivalent-value confiscation and conviction-based/non-

conviction-based confiscation), and it is important to explore which measures are most effective for enforcement.

Multi-agency cooperation and coordination are also crucial to combating illicit drug trafficking. Customs, border control and immigration authorities often detect drug offences in the course of their duties. The information and evidence obtained are very important for investigation and prosecution because they show how the illicit drug was found and how the criminals behaved at that time, thus clarifying the situation of the possession and demonstrating the illicit intention of the criminals.

Moreover, in some jurisdictions there are specialized agencies for drug control, which may have the authority for investigation, prosecution or judicial/quasi-judicial decision-making as well as for others such as policy-making, intelligence, regulatory supervision and rehabilitation. Since there may be an overlap in the investigative/prosecutorial or other powers between such specialized agencies and usual criminal justice agencies, adequate practices for coordination and cooperation, including information sharing, should be effectively in place. Also, given that such specialized agencies have extensive expertise and information on drug-related issues, as well as on specific incidents, criminal justice agencies can benefit from sharing information and cooperating in investigation, prosecution and adjudication.

Furthermore, since financial intelligence units (FIUs) obtain useful financial information, such as money flow and the whereabouts of the assets of criminals and organized criminal groups, sharing of information with FIUs is necessary to adequately punish criminals and to deprive them of their illicit proceeds. Because illicit drug trafficking and laundering of its proceeds have an inherently global nature, harmonization of countermeasures and international cooperation are indispensable. Therefore, information exchange mechanisms, mutual legal assistance and extradition are also important to disrupt it.

In addition, investigation, prosecution and adjudication must respect due process of law. Balancing the necessity to punish individuals and confiscate illicit proceeds, while protecting the rights of the suspects/defendants, must be kept in mind throughout the procedure.

Key Topics of the Programme

The following are key topics that were addressed during the program me:

- 1) Current situation of illicit drug trafficking
 - Prevalent criminal acts related to illicit drug trafficking (as well as the types of drugs/substances involved, trafficking routes, and other recent trends);
 - Available statistics, case examples, etc.
- 2) Legal framework and available measures to combat illicit drug trafficking
 - Criminalization of illicit drug trafficking
 - Controlled delivery
 - Utilization of informants
 - Electronic surveillance, communications interception, etc.
 - Undercover operations
 - Immunity in exchange for testimony
 - Protection of witnesses (both at the investigative stage and the trial stage)
 - Proving intent in trafficking and possession cases

- 3) Confiscation of the proceeds of illicit drug trafficking
 - Available measures, such as criminal/civil forfeiture, “equivalent-value” confiscation and other related procedures, including procedures for freezing or seizing criminal proceeds
 - Applicability of statutory presumptions (disproportionate/unexplained wealth) to illicit drug trafficking cases
 - Anti-money-laundering measures
- 4) Legal impediments and practical challenges in combating illicit drug trafficking
 - Impediments/challenges in the investigation, prosecution and adjudication of individuals
 - Impediments/challenges in confiscating proceeds of crime
- 5) Multi-agency cooperation and coordination
 - Immigration, border control and customs
 - Specialized agencies for drug control
 - FIUs and financial institutions
- 6) International cooperation
 - Information exchange
 - Mutual legal assistance
 - Extradition
 - Joint investigation and border control

Course Summary

Lectures

During the Course, the participants attended 48 lectures, including 6 presented by the visiting experts, 5 by ad hoc lecturers and 6 by the faculty of UNAFEI. Three distinguished criminal justice practitioners served as UNAFEI's visiting experts. They lectured on issues relating to the main theme of the Course and contributed significantly beyond their lectures by encouraging discussions after their lectures, participating in the discussions of other programmes, and conversing with the participants on informal occasions. Additionally, the ad hoc lectures were delivered by five Japanese practitioners from the National Police Agency, the Ministry of Health, Labour and Welfare, the Ministry of Finance, the Japan Coast Guard, and the Tokyo District Public Prosecutors Office. The lecturers and lecture topics are listed on pages 7 to 8.

Individual Presentations

During the second week of the Course, all participants delivered individual presentations which introduced the situation, problems and future prospects of the participants' countries. These papers were compiled onto a USB memory stick and distributed to all the participants. The titles of these individual presentation papers are listed on pages 9 to 11.

Group Workshop Sessions

Group workshop sessions provided the participants with the opportunity to further examine the sub-topics of the main theme. In order to conduct each session effectively, the UNAFEI faculty selected individuals to serve as group members for the sub-topics, based on their responses to a previously distributed questionnaire. Selected participants served as chairpersons, co-chairpersons, rapporteurs or co-rapporteurs, and faculty members served as advisers. Each group's primary responsibility was to explore and develop their designated topics in the group workshop sessions. The participants and UNAFEI faculty studied the topics and exchanged their views based on information obtained through personal experience, the individual presentations, lectures and so forth. After the group workshop sessions, reports were drafted based on the discussions in their groups. These reports were subsequently presented in the plenary report-back session, where they were endorsed as the reports of the Course. Brief summaries of the group workshop reports are provided on pages 12 to 14.

Visits and Special Events

Visits to various agencies and institutions in Japan helped the participants obtain a more practical understanding of the Japanese criminal justice system. In addition to the Course's academic agenda, many activities were arranged to provide a greater understanding of Japanese society and culture, with the assistance of various organizations and individuals, including the Asia Crime Prevention Foundation (ACPF). For more detailed descriptions, please refer to pages 15 to 17.

Lecture Topics

Visiting Experts' Lectures

- 1) Mr. Wasawat CHAWALITTHAMRONG
 - Undercover Operation and Case Study
- 2) Mr. Greg Matthew Millard
 - The Current Drug Situation in the United States of America
 - DEA Investigations
- 3) Mr. Celso Eduardo Faria Coracini
 - Global Situation of Illicit Drug Cultivation, Production and Trafficking
 - Main Requirements of the International Drug Control System: Focus on Drug Trafficking

UNAFEI Professors' Lectures

- 1) Mr. SENTA Keisuke, *Director*, UNAFEI
 - International Legal Cooperation in the Investigation of Drug Trafficking Cases
- 2) Mr. YAMADA Masahiro, *Professor*, UNAFEI
 - Criminal Justice System in Japan: Overview, Investigation and Prosecution
- 3) Mr. HIRANO Nozomu, *Professor*, UNAFEI
 - Criminal Justice System in Japan: Criminal Trials
- 4) Mr. WATANABE Hiroyuki, *Professor*, UNAFEI
 - Community Corrections in Japan
- 5) Mr. FURUHASHI Takuya, *Professor*, UNAFEI
 - Penal Institutions: Overview, Organization and General Affairs, Treatment for Inmates and UN Standards and Norms
- 6) Mr. TSUJI Takanori, *Police Superintendent, Adjunct Professor*, UNAFEI
 - Criminal Justice System in Japan: Overview, Crime Situation, Activity of Japanese Police and Drug Abuse

Ad Hoc Lectures

- 1) Mr. KANEKO Takayuki
Chief Inspector in charge of Drugs Investigation, Drugs and Firearms Division,
National Police Agency
 - Police Investigation of Drug-related Crimes in Japan
- 2) Mr. KAWASE Yasuharu
Head of the International Intelligence Division, Narcotics Control Department Kanto-
Shinetsu Regional Bureau, Ministry of Health, Labour and Welfare
 - Narcotics Control Department of Japan's Measures to Fight against Drug-related
Crimes
- 3) Mr. WATANABE Yasuhisa
Customs and Tariff Bureau, Ministry of Finance, Japan
 - Anti-Drug Measures by Japan Customs
- 4) Mr. ISOBE Koji
Deputy Director
International Investigation Division, Guard and Rescue Department, Japan Coast Guard
 - Japan Coast Guard's Measures to Fight against Drug-related Crimes
- 5) Mr. KIYONO Kenichi
Director-General
Trial Department, Tokyo District Public Prosecutors Office
 - Situation of Stimulant Smuggling to Japan ~ What we need to do to combat smuggling
organizations ~

Individual Presentation Topics

Overseas Participants

- 1) Mr. Rodrigo LEITE PRADO (Brazil)
 - Addressing Challenges in Investigating Transnational Drug Trafficking: Three Real Case Examples from Brazil
- 2) Ms. Yasmine Nagnouma KEITA (Côte d'Ivoire)
 - Illicit Drug Trafficking in Côte d'Ivoire
- 3) Mr. Maurice Kouadio N'DRI (Côte d'Ivoire)
 - Legal Framework and Available Measures to Combat Illicit Drug Trafficking in Côte d'Ivoire
- 4) Ms. NKULU Mbayo Marie Claude (Democratic Republic of the Congo)
 - Report on the Congolese Criminal Justice System Focusing on Investigations, Prosecutions, Execution and International Cooperation against Organized Crime: "The Fight Against Illicit Drug Trafficking"
- 5) Ms. TSHIBOLA Mulumba Annie (Democratic Republic of the Congo)
 - Drug Consumption and Its Impacts on the Behaviour of the Delinquent in the Democratic Republic of the Congo
- 6) Mr. Mostafa Hicham Mohamed Osman ELBASTAWISSY (Egypt)
 - Legal Framework to Combat Illicit Drug Trafficking
- 7) Mr. Mohamed Ahmed HABIB (Egypt)
 - Criminal Justice Practices against Illicit Drug Trafficking
- 8) Ms. Maxine Tuedian BERNARD (Jamaica)
 - Current Situation of Illicit Drug Trafficking in Jamaica
- 9) Ms. Aida Syeliza Binti ABDUL JALIL (Malaysia)
 - International Cooperation against Illicit Drug Trafficking
- 10) Mr. Chandra Segaran SUBRAMANIAM (Malaysia)
 - Drug Laws in Malaysia: Whether the Drug Laws Have Been Effective in Curbing the Drug Menace in Malaysia?

- 11) Mr. Modibo SACKO (Mali)
 - Specialized Agencies for Drug Control in Mali
- 12) Mr. Cheick Sala SANGARE (Mali)
 - Criminal Justice (Focus on Investigation, Prosecution, Adjudication and International Cooperation)
- 13) Mr. Asghar ALI (Pakistan)
 - Narcotic Trafficking in Pakistan and Challenges Faced by Law Enforcement Agencies
- 14) Mr. Ismail M. I. HAMMAD (Palestine)
 - Palestinian Case in Combating Drug Trafficking
- 15) Mr. Augustus Apelis Mathew BRAY (Papua New Guinea)
 - Criminal Justice Practices in Papua New Guinea against Illicit Drug Trafficking
- 16) Ms. Marie Catherine Reniva NOLASCO (Philippines)
 - Smuggling of Illicit Drugs Aided by Customs Players
- 17) Mr. Roshan Wijesinghe GAMMANPILA IMIYAGE DON (Sri Lanka)
 - Countering Narcotic Drugs
- 18) Mr. Palinda Prabhanthi Rashmi Edirisinghe Hewa SINGAPPULIGE (Sri Lanka)
 - Illicit Drug Trafficking in Sri Lanka
- 19) Mr. Abdushukur Ibrohimjon IBROHIMZODA (Tajikistan)
 - Analysis of the Situation in the Field of Offences Associated with Drug Trafficking
- 20) Mr. Khurshed Iskandar ISOZODA (Tajikistan)
 - The Legal Bases of Combating Illicit Drug Trafficking in the Republic of Tajikistan
- 21) Mr. Nitchan HADSARANG (Thailand)
 - The Effectiveness of the Recent Amendment of the Narcotics Act and the Supreme Court Decision about the Number of Offences in Narcotic Cases
- 22) Mr. Valentyn SHMITKO (Ukraine)
 - Current Situation of Illicit Drug Trafficking in Ukraine

- 23) Mr. Ihor Vitaliyovych YASELSKYI (Ukraine)
- Controlled Delivery and the Fight against Illicit Drug Trafficking in Ukraine
- 24) Mr. Murod Abduraximovich MAVLYANOV (Uzbekistan)
- The Drug Situation in Afghanistan and the Way of Combating Illicit Drug Trafficking in Uzbekistan

Japanese Participants

- 25) Mr. AKIMA Shunichi
- Using Controlled Delivery to Investigate Drug Crimes
- 26) Mr. AMAYASU Ryo
- Investigation Methods, Legal System and Illegal Transactions of Drugs in Japan
- 27) Mr. FUKUSHIMA Yoshihiko
- A Case Study of the Stimulant Drug Smuggling Incident
- 28) Mr. KONISHI Takahiro
- Proving Intent in Stimulant Smuggling Cases
- 29) Mr. NAKAJIMA Hirokazu
- Practices against Illicit Drug Trafficking in the Japan Coast Guard
- 30) Ms. SADA Yoshiko
- Using Interception to Investigate Drug Crimes in Japan
- 31) Ms. TAKEUCHI Yoshie
- Methods for Countering Drug-Related Crimes in Japan

Group Workshop Sessions

Group 1

**EFFECTIVE INVESTIGATIVE AND PROSECUTORIAL MEASURES TO DETECT,
PROSECUTE AND PUNISH LEADERS OF CRIME ORGANIZATIONS AND HIGH
VALUE TARGETS**

Rapporteur: Mr. Asghar ALI (Pakistan)

Co-Rapporteur: Mr. Rashmi SINGAPPULIEGE (Sri Lanka)

Co-Rapporteur: Mr. AMAYASU Ryo (Japan)

Chairperson	Ms. Yasmine Nagnouma KEITA	(Cote d'Ivoire)
Co-Chairperson	Mr. Khurshed Iskandar ISOZODA	(Tajikistan)
Members	Mr. Maurice Kouadio N'DRI	(Cote d'Ivoire)
	Ms. TSHIBOLA Mulumba Annie	(D.R. Congo)
	Mr. Augustus Apelis Mathew BRAY	(Papua New Guinea)
	Mr. FUKUSHIMA Yoshihiko	(Japan)
	Mr. Valentyn SHMITKO	(Ukraine)
Advisers	Prof. Masahiro YAMADA	(UNAFEI)
	Prof. Hidenori OHINATA	(UNAFEI)

Report Summary

Drug trafficking is a global crime in which organized crime groups operate in secrecy. Thus, special measures are necessary to combat drug trafficking. The group reported on the current situation of special measures in the participating countries, explained common problems, and recommended solutions. For all measures, the group stressed the importance of establishing legal frameworks (specific legislation) for the use of such measures.

Because drug trafficking is committed in secret, informants are critical for detection and investigation. However, challenges faced include the reliability of information provided, protection of informants, and corruption among law enforcement officials. Thus, the group stressed the need to scrutinize and corroborate information obtained before making decisions. Additionally, witness protection frameworks should be established, and compensation should be offered subject to strict record keeping.

While electronic surveillance and communication interception are important techniques to detect drug trafficking, safeguards (*i.e.*, warrants and time limitations) are necessary to protect the privacy rights of citizens. In addition to laws on electronic surveillance, the group recommended the adoption of standard operating procedures for the use of these technologies, increasing budgets to acquire state-of-the-art technologies, and specialized training.

Undercover operations are high-risk investigative operations to infiltrate criminal organizations and detect their criminal activities. Common problems include lack of legal frameworks, technology and training. Solutions proposed include enhanced commitments to staffing, technology, training, and the protection of agents and their families.

Controlled delivery operations permit illicit or suspect consignments to pass into or through an enforcing jurisdiction in order to identify and apprehend those involved in the criminal activity. The group recommended enhancing professionalism by conducting such operations by special law enforcement units, combining controlled delivery with other investigative techniques, and establishing procedures to ensure timely cooperation with foreign and domestic law enforcement agencies.

Finally, without testimony at trial, drug-trafficking prosecutions will fail. The group recommended witness protection measures and the granting of immunity from prosecution to ensure that witnesses can safely testify at trial.

Group 2**CONFISCATION OF DRUGS AND PROCEEDS DERIVED FROM DRUG OFFENCES: A WAY FORWARD FOR EFFECTIVE ENFORCEMENT**

Rapporteur: Ms. Maxine Tuedian Bernard (Jamaica)
Co-Rapporteur: Ms. Aida Syeliza Binti Abdul Jalil (Malaysia)
Ms. Yoshie Takeuchi (Japan)

Chairperson	Mr. Mohamed Ahmed Habib	(Egypt)
Co-Chairperson	Mr. Ihor Yaselskyi	(Ukraine)
	Mr. Chandra Segaran Subramaniam	(Malaysia)
Members	Mr. Cheick Sala Sangare	(Mali)
	Mr. Ismail M. I Hammad	(Palestine)
	Mr. Roshan Wijesinghe	(Sri Lanka)
	Mr. Shunichi Akima	(Japan)
	Mr. Takahiro Konishi	(Japan)
Adviser	Prof. Takuya Furuhashi	(UNAFEI)
	Prof. Nozomu Hirano	(UNAFEI)
	Prof. Ryo Futagoishi	(UNAFEI)

Report Summary

To promote public safety and prevent the further commission of crime, confiscation of drugs and criminal assets is a fundamental law-enforcement priority. Global conventions such as the Palermo Convention (UNTOC) and the Vienna Convention require States Parties to adopt measures to detect money laundering and confiscate illicit drugs, criminal proceeds and other instrumentalities of crime.

While the traditional approach to drug confiscation (informants and random checking) is important, the group noted that special investigative techniques (controlled delivery, undercover operations, electronic surveillance) are more effective. These special techniques require a greater emphasis on training. Likewise, investigators need training to stay up to date on drug-trafficking trends and modus operandi. For example, proving intent in trafficking cases is a constant challenge that is compounded by the dark web and cryptocurrencies. The drug confiscation process is: search warrant, seizure, investigation, forensic testing and storage in a secure facility. To prevent the loss/ theft of seized drugs, early disposal of drugs before the conclusion of the case was addressed by some members. The challenges of lack of international standards on the disposal of drugs and lack of public trust in some countries were identified.

Criminal assets can be identified by search procedures (with or without warrants), Financial Intelligence Units (FIUs), investigations and interrogations, and asset tracing. Challenges include the often-limited scope of investigation of FIUs, registration of assets in the names of third parties, cross-border transactions and the slow pace of international cooperation. To overcome these challenges, the group recommended strengthening the investigative authority of FIUs, establishing clear guidelines for international cooperation, adoption and implementation of international frameworks for asset tracing, and capacity-building for law enforcement officers. Once assets are identified, authorities must freeze, confiscate, and ultimately dispose of them. However, certain assets often decline in value and are stored by the state at high cost. Measures to address these challenges include releasing assets on bond and authorizing special agencies to manage the storage of seized property. Finally, the group also recommended that countries consider the adoption of civil or non-conviction-based forfeiture per the FATF Recommendations. The group concluded by offering recommendations to improve information sharing, border control practices, domestic coordination between agencies, statistical information and analysis, and capacity-building.

Group 3**MULTI-AGENCY AND INTERNATIONAL COOPERATION****Rapporteur: Mr. Rodrigo LEITE PRADO (Brazil)****Co-Rapporteurs: Ms. Marie Catherine NOLASCO (Philippines)****Mr. NAKAJIMA Hirokazu (Japan)**

Chairperson	Mr. Nitchan HADSARANG	(Thailand)
Co-Chairperson	Mr. Mostafa Hicham ELBASTA WISSY	(Egypt)
Members	Ms. NKULU Mbayo Marie Claude	(D.R. Congo)
	Mr. Modibo SACKO	(Mali)
	Mr. IBROHIMZODA Abdushukur Ibrohimjon	(Tajikistan)
	Mr. Murod Abdurakhimovich MAVLYANOV	(Uzbekistan)
Adviser	Ms. SADA Yoshiko	(Japan)
	Prof. Junichiro OTANI	(UNAFEI)
	Prof. Mana YAMAMOTO	(UNAFEI)
	Prof. Mika KITAGAWA	(UNAFEI)

Report Summary

All countries, whether origin, transit or destination countries, are impacted by the cross-border nature of drug trafficking. Therefore, drug trafficking is a matter of global concern, and international cooperation is necessary to combat it. Group 3, under the theme of multi-agency and international cooperation, focused on the topics of (i) border control, (ii) information exchange, (iii) mutual legal assistance, and (iv) financial institutions.

Regarding border control, many participants reported severe difficulties in interdicting the trafficking of drugs across their inland borders, coastlines and points of entry. To respond to this challenge, the group recommended strengthening border security and enhancement of visa application screening. Along similar lines, the group stressed the importance of agency-to-agency information exchanges between countries by entering into treaties or other agreements with neighbouring countries, as well as utilizing channels between liaison magistrates, police attaches, FIU liaison officers and focal points of international cooperation networks, such as INTERPOL.

Mutual Legal Assistance is also an important measure to combat drug trafficking, but there are numerous challenges to successful assistance, such as lack of domestic laws on MLA, lack of expertise, differences in legal systems and terminology, discrepancies in domestic laws, difficulty in implementing special investigation techniques through MLA, and lack of timely response. Among numerous recommendations, the group suggested: (a) establishing international cooperation units within relevant agencies; (b) promotion of an active international cooperation culture among practitioners; (c) fostering communication through informal cooperation; (d) facilitation of international cooperation based on a harmonized list of common illicit substances and precursors.

Regarding financial institutions, the group reviewed the practices implemented in the participating countries to combat money laundering connected with drug trafficking. These practices include strengthening anti-money-laundering laws, reliance on international cooperation, and sharing financial intelligence through networks such as the Egmont Group. Still, challenges remain such as overcoming refusals to provide assistance and meeting the dual criminality requirement with respect to countries deemed as tax havens. The group recommended enhancing capacity-building efforts and using open source and FIU tools to trace foreign accounts and assets.

Observation Visits

<u>Date</u>	<u>Agency/Institution</u>	<u>Main Persons Concerned</u>
18 May	Yokohama District Court	• Mr. KOSHIDA Hideyuki (Chief of General Affairs)
23 May	Ministry of Justice	• Ms. KAMIKAWA Yoko (Minister of Justice)

Group Study Tours

<u><i>Date</i></u>	<u><i>Location</i></u>	<u><i>Agency/Institution</i></u>	<u><i>Main Persons Concerned</i></u>
6 June	Hiroshima	6th Regional Coast Guard Headquarters	• Mr. SHIMONO Motoya (Commander)
7 June	Kobe	Kobe Customs Office	• Mr. TANI Takeshi (Anti-Smuggling administrator) • Mr. SHINGAI Masahiro (Supervisory Inspector)
8 June	Kyoto	Kyoto District Public Prosecutors Office	• Ms. TANAKA Motoko (Chief Prosecutor)

Special Events

9 May *Welcome Party*

14, 15, 16, 17 May *Japanese Conversation Classes*

The overseas participants attended four Japanese conversation classes and learned practical Japanese expressions. The *sensei* (teachers) were Ms. SAYAMA Sachiyo, Ms. KATAYAMA Yuko, Ms. IKEMIZU Masako and Ms. OKAMURA Mari from EP Academy.

18 May *Yokohama Dinner Cruise*

The participants enjoyed a sunset cruise and dinner aboard the *Marine Rouge*, hosted by the ACPF Yokohama branch.

23 May *Courtesy Call to the Minister of Justice
and
Reception by the Vice-Minister of Justice*

At the conclusion of their courtesy visit to the Minister of Justice, Ms. Yoko Kamikawa, a reception was held for the participants by the Vice-Minister of Justice, Mr. KUROKAWA Hiromu, at the Danwa-shitsu lounge on the 20th floor of the ministry building, overlooking Hibiya Park.

26 May *Grand Sumo Tournament Visit and ACPF Kisei-kai Branch Party*

Following a tour of Ryogoku, including a visit to Edo-Tokyo Museum, the participants attended the Grand Sumo Tournament at the Ryogoku Kokugikan, Tokyo. They later enjoyed a party hosted by the Kisei-kai Branch of the ACPF held at the Daiichi Ryogoku Hotel.

30 May *UNAFEI International Table Tennis Tournament*

The UNAFEI Table Tennis Tournament was held in the Multipurpose Hall. Mixed teams of international participants, Japanese participants, Visiting Experts and UNAFEI faculty were formed based on groups for workshop sessions, and competed against each other. Professor Yamada led Team A and won the championship.

1 Jun. *Dinner Party*

A Dinner Party was held in the Dining Room. Grilled lamb meat was served by UNAFEI staff and some participants wore *Yukata*, a traditional Japanese costume.

13 Jun. *Farewell Party*

A party was held to bid farewell to the participants.

Reference Materials

**UNAFEI's 169TH INTERNATIONAL TRAINING COURSE
LIST OF REFERENCE MATERIALS****I. The International Drug Control Conventions****II. United Nations Convention against Transnational Organized Crime**

- 1 United Nations Convention against Transnational Organized Crime and the Protocols thereto
- 2 Interpretative notes for the official records (*travaux préparatoires*) of the negotiation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (Addendum)

III. UNODC Materials

- 1 Outcome Document of the 2016 United Nations General Assembly Special Session on the World Drug Problem
- World Drug Report 2017**
- 2 Executive Summary: Conclusions and Policy Implications
 - 3 Global Overview of Drug Demand and Supply
 - 4 Market Analysis of Plant-Based Drugs
 - 5 Market Analysis of Synthetic Drugs
 - 6 The Drug Problem and Organized Crime, Illicit Financial Flows, Corruption and Terrorism

IV. Japanese Law

- 1 Penal code
- 2 Code of Criminal Procedure
- 3 Law concerning Special Provisions for the Narcotics and Psychotropics Control Law, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation

Expert and Participant List

Visiting Experts

Mr. Wasawat Chawalitthamrong	Head of Cybercrime Sector One Bureau of Technology and Cyber Crime Department of Special Investigation Ministry of Justice
Mr. Gregory Matthew Millard	Resident Agent in Charge Chiang-Mai Resident Office DEA Far East Region
Mr. Celso Eduardo Faria Coracini	Crime Prevention and Criminal Justice Officer United Nations Office on Drugs and Crime (UNODC)

Overseas Participants

Mr. Rodrigo LEITE PRADO	Federal Prosecutor Criminal Division of the Federal Prosecution Office in Minas Gerais Federal Prosecution Service of Brazil
Ms. Yasmine Nagnouma KEITA	Judge Court of First Instance of Abidjan Ministry of Justice Cote d'Ivoire
Mr. Maurice Kouadio N'DRI	Magistrate Tribunal of Abengourou Ministry of Justice Cote d'Ivoire
Ms. NKULU Mbayo Marie Claude	First Prosecutor's Assistant Prosecutor Justice Department Gombe Court Democratic Republic of the Congo
Ms. TSHIBOLA Mulumba Annie	Judge High Court of Gombe Superior Magistrate Counsel Democratic Republic of the Congo
Mr. Mostafa Hicham Mohamed Osman ELBASTAWISSY	Senior Public Prosecutor Centre of Cairo Criminal Prosecution Office Public Prosecution Egypt

Mr. Mohamed Ahmed HABIB	Judge Criminal Section, Technical Office of the Court Egyptian Court of Cassation The Egyptian Judicial Authority Egypt
Ms. Maxine Tuedian BERNARD	Detective Inspector Narcotics Division Jamaica Constabulary Force Jamaica
Ms. Aida Syeliza Binti ABDUL JALIL	Head of Data/Analysis Narcotics Crime Investigation Department Royal Malaysia Police Malaysia
Mr. Chandra Segaran SUBRAMANIAM	Head of Legal/Investigation Unit Narcotics Crime Investigation Department Royal Malaysia Police Malaysia
Mr. Modibo SACKO	Technical Adviser/Magistrate Secretary General Ministry of Justice Mali
Mr. Cheick Sala SANGARE	Prosecutor/Magistrate Court of District II Bamako Ministry of Justice Mali
Mr. Asghar ALI	Assistant Inspector General of Police Human Resource Management National Highways and Motorway Police Ministry of Communications Pakistan
Mr. Ismail M. I. HAMMAD	Public Prosecutor Palestinian Public Prosecution Palestine
Mr. Augustus Apelis Mathew BRAY	State Prosecutor Justice and Attorney General Public Prosecutors Office Papua New Guinea

Ms. Marie Catherine Reniva NOLASCO	Executive Officer for Operations Anti-Organized and Transnational Crime Division National Bureau of Investigation Philippines
Mr. Roshan Wijesinghe GAMMANPILA IMIYAGE DON	In Charge of Mount Lavinia Division Sri Lanka Police Sri Lanka
Mr. Palinda Prabhanthi Rashmi Edirisinghe Hewa SINGAPPULIGE	Additional Secretary (Judicial) Legal Division Ministry of Justice Sri Lanka
Mr. Abdushukur Ibrohimjon IBROHIMZODA	Judge Court of Gisar Region Supreme Court of the Republic of Tajikistan Tajikistan
Mr. Khurshed Iskandar ISOZODA	Judge Court of Somoni District Supreme Court of the Republic of Tajikistan Tajikistan
Mr. Nitchan HADSARANG	Judge Chiang Mai Juvenile and Family Court Court of Justice Thailand
Mr. Valentyn SHMITKO	Senior Detective Main Department of Detectives National Anti-Corruption Bureau of Ukraine Ukraine
Mr. Ihor Vitaliyovych YASELSKYI	Judge Lutsk City Court Ukraine
Mr. Murod Abduraximovich MAVLYANOV	Senior Investigator, Major Investigative Department Ministry of Internal Affairs Uzbekistan

Japanese Participants

Mr. AKIMA Shunichi	Public Prosecutor Tokyo District Public Prosecutors Office
Mr. AMAYASU Ryo	Official of Health, Labor and Welfare Narcotic Control Department Tohoku Regional Bureau of Health and Welfare
Mr. FUKUSHIMA Yoshihiko	Public Prosecutor Chiba District Public Prosecutors Office
Mr. KONISHI Takahiro	Assistant Judge Tokyo District Court
Mr. NAKAJIMA Hirokazu	Deputy Director International Organized Crime Base 3rd Regional Coast Guard Headquarters
Ms. SADA Yoshiko	Public Prosecutor Kyoto District Public Prosecutors Office
Ms. TAKEUCHI Yoshie	Chief Inspector Organized Crime Department, Criminal Affairs Bureau National Police Agency

INFORMATION ABOUT FORTHCOMING PROGRAMMES

1. The Follow-up Seminar of the Third Country Training Programme for the Development of Effective Community-Based Treatment of Offenders in the CLMV Countries

UNAFEI has provided significant resources for the Third Country Training Programme (TCTP) for the Development of Effective Community-Based Treatment of Offenders in the CLMV Countries since the first phase of the TCTP in 2017. To follow-up on the second phase of the TCTP, which was held from 8 to 19 January in Thailand, UNAFEI will host the Follow-up Seminar in June 2018. The purpose of the follow-up seminar is to review the strategic plans for the establishment of effective community-based treatment of offenders in Cambodia, Laos, Myanmar, and Viet Nam (the “CLMV” countries) which were developed during the second phase of the TCTP.

2. The 170th International Training Course

From August to September 2018, UNAFEI will host the 170th International Training Course in Tokyo, Japan. The main theme of the course is “Treatment of Illicit Drug Users”. Government officials from across Southeast Asia and other parts of the world, including Japan, and visiting experts and lecturers will attend.

3. The 21st UNAFEI UNCAC Training Programme

From 8 October to 16 November 2018, UNAFEI will host the 21st UNAFEI UNCAC Training Programme in Tokyo, Japan. The main theme of the Programme is “Combating Corruption through Effective Criminal Justice Practices, International Cooperation and Engagement of Civil Society”. Twenty-five overseas participants and several Japanese participants will attend.

ADMINISTRATIVE NEWS

Faculty Change

Mr. OHTANI Junichiro, formerly a prosecutor of the Chiba District Public Prosecutors Office, was appointed as a professor of UNAFEI on 1 April 2018.

Mr. FUTAGOISHI Ryo, formerly an attorney of the Litigation Bureau, Ministry of Justice, was appointed a professor of UNAFEI on 1 April 2018.

Mr. OHINATA Hidenori, formerly a probation officer of the Niigata Probation Office, was appointed as a professor of UNAFEI on 1 April 2018.

Ms. KITAGAWA Mika, formerly a member of the Kanto Regional Parole Board, was appointed as a professor of UNAFEI on 1 April 2018.

Mr. FURUHASHI Takuya, formerly a specialist of juvenile corrections at Takamatsu Regional Correction Headquarters, was appointed as a professor of UNAFEI on 1 April 2018.

Mr. YUKAWA Tsuyoshi, formerly a professor of UNAFEI, was transferred to the Tokyo High Prosecutors Office on 1 April 2018.

Ms. WATANABE Ayuko, formerly a professor of UNAFEI, was transferred to the Tokyo District Public Prosecutors Office on 1 April 2018.

Mr. Yoshimura Kouji, formerly a professor of UNAFEI, was transferred to the Tama Juvenile Training School on 1 April 2018.

Mr. MINOURA Satoshi, formerly a professor of UNAFEI, was transferred to the International Affairs Division of the Minister's Secretariat, Ministry of Justice on 1 April 2018.

Ms. AKASHI Fumiko, formerly a professor of UNAFEI, was transferred to the International Affairs Division of the Minister's Secretariat, Ministry of Justice on 1 April 2018.

FACULTY AND STAFF OF UNAFEI

Faculty:

Mr. SENTA Keisuke	Director
Ms. ISHIHARA Kayo	Deputy Director
Mr. YAMADA Masahiro	Professor
	169th Course Programming Officer
Mr. FURUHASHI Takuya	Professor
	169th Course Deputy Programming Officer
Mr. OTANI Junichiro	Professor
Mr. FUTAGOISHI Ryo	Professor
Mr. HIRANO Nozomu	Professor
Mr. OHINATA Hidenori	Professor
Ms. KITAGAWA Mika	Professor
Mr. WATANABE Hiroyuki	Professor
	Chief of Information and Public Relations
Dr. YAMAMOTO Mana	Professor
	Chief of Research Division
Mr. Thomas L. SCHMID	Linguistic Adviser

Secretariat:

Mr. FUJITA Takeshi	Chief of Secretariat
Mr. TOYODA Yasushi	Chief of Training and Hostel Management Affairs Section
Ms. KIKUCHI Yoshimi	Chief of General and Financial Affairs Section

General and Financial Affairs Section:

Mr. KIGUCHI Ryo	Senior Officer
Mr. OHTA Masaru	Officer
Ms. TSUJII Yayoi	Officer

Training and Hostel Management Affairs Section:

Ms. NAGAHAMA Arisa	Senior Officer 169th Course Assistant Programming Officer
Ms. KAMADA Mariko	Senior Officer 169th Course Assistant Programming Officer
Mr. HIROSE Kentaro	Senior Officer
Ms. ODA Michie	Officer
Ms. IINUMA Hazuki	Officer

International Research Affairs Section:

Mr. SAITO Masato	Senior Officer
Ms. IWAKATA Naoko	Librarian

Secretarial Staff:

Ms. YAMADA Hisayo	Officer
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Kitchen:

Ms. ODAGIRI Maki	Chef
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JICA Coordinator for the 166th International Training Course:

Ms. KITA Chizuko	JICA
Ms. MINASE Kaoru	JICA