
INTRODUCTORY NOTE

It is with pride that the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) offers to the international community the Resource Material Series No. 80.

This volume contains the work produced in the 142nd International Training Course, conducted from 11 May to 19 June 2009; the Twelfth International Training Course on the Criminal Justice Response to Corruption, conducted from 13 July to 7 August 2009; and the 143rd International Training Course, conducted from 28 September to 5 November 2009. The main theme of the 142nd Course was “Effective Countermeasures against Overcrowding of Correctional Facilities”. The main theme of the 143rd Course was “Ethics and Codes of Conduct for Judges, Prosecutors and Law Enforcement Officials”.

With regard to the 142nd Course, according to a recent World Prison Population List survey, more than 9.25 million persons are detained in penal institutions worldwide, and the number of prisoners has been increasing in many places. Overcrowding brings about obstacles in the living environments of inmates, discipline and order of correctional facilities, and appropriate provision of correctional treatment.

Although not formally binding, the United Nations’ Member States have strived to fully use and apply the UN Rules and Basic Principles pertaining to appropriate administration and management of correctional facilities, but the population growth of correctional facilities has made it increasingly difficult for some Member States to adhere to them.

Effective countermeasures against overcrowding of correctional facilities should include diversion, alternatives to incarceration, effective administration of correctional facilities, correctional programmes effective for the prevention of re-offending, and other measures, in order to successfully address the issue. These countermeasures shall harmonize with the substantive objectives of the entire criminal justice system.

With regard to the Twelfth International Training Course on the Criminal Justice Response to Corruption, it is recognized that corruption imposes a wide range of harmful effects on society. In particular, corruption by public officials seriously undermines their integrity and neutrality in performing their official duties. This can lead to public distrust of the government and its institutions and may lead to its eventual collapse. Corruption is a problem that constantly needs to be challenged and this is the reason UNAFEI holds an annual multiple country course specifically on corruption control.

In recognition of the harm corruption can cause, especially in developing countries, and the fact that it can transcend national borders, the General Assembly of the United Nations adopted the UN Convention against Corruption in 2003. The Convention came into force in December 2005 and requires States Parties to implement a number of measures to tackle corruption in a comprehensive way, including measures directed at prevention, criminalization, international co-operation, and asset recovery. It is hoped that all countries, including our participants’ countries, will become party to this Convention and fully implement it, thereby taking a closer step towards freeing the world from the grip of corruption.

With regard to the 143rd Course, corruption in the judiciary, prosecutorial authorities and law enforcement authorities deteriorates the morale of the people and their trust in the justice system. Although many forms of corruption are difficult to detect and prosecute, judicial corruption is especially so.

The United Nations and other international organizations have for a long time made efforts

to promote judicial integrity, and have adopted several relevant documents. United Nations Convention against Corruption is fundamental amongst them. In view of the ongoing need to ensure integrity of the judiciaries, prosecution services and law enforcement agencies of the Member States, and the importance of such efforts as stressed by the various UN instruments, UNAFEI, as an institute of the UN Crime Prevention and Criminal Justice Programme Network, decided to hold this Course.

In this issue, in regard to the 142nd International Training Course, the Twelfth International Training Course on the Criminal Justice Response to Corruption, and 143rd International Training Course, papers contributed by visiting experts, selected individual presentation papers from among the participants, and the Reports of the Courses are published. I regret that not all the papers submitted by the participants of each Course could be published.

I would like to pay tribute to the contributions of the Government of Japan, particularly the Ministry of Justice, the Japan International Cooperation Agency, and the Asia Crime Prevention Foundation for providing indispensable and unwavering support to UNAFEI's international training programmes.

Finally I would like to express my heartfelt gratitude to all who so unselfishly assisted in the publication of this series; in particular, the editor of Resource Material Series No. 80, Ms. Grace Lord.

March 2010

A handwritten signature in black ink, reading '佐: 昌之輝' (Sasaki Masaki).

Masaki Sasaki
Director of UNAFEI