

FOREWORD

It is my great pleasure and privilege to present this report of the Sixth Regional Seminar on Good Governance for Southeast Asian Countries, which was held in Tokyo from 12 – 14 December 2012. This was our second time to hold the Good Governance Seminar in Tokyo, and it was our great pleasure to welcome participants to the Japanese capital. We hope that we have repaid the hospitality always extended to us on our previous visits to other countries that have hosted the Seminar.

The main theme of the Seminar was “International Cooperation: Mutual Legal Assistance and Extradition”, and it was attended by five speakers from public and private institutions and sixteen participants, all criminal justice practitioners, from Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Thailand and Viet Nam. The Seminar was organized by UNAFEI, with the support of the Ministry of Foreign Affairs of Japan.

Corruption destroys nations. It undermines democracy and the rule of law, distorts business activities and competition, and hinders sustainable development and prosperity. It is also a threat to the security of societies as it creates environments in which organized crime, terrorism, and other forms of unlawful activity may prosper. Such enormous negative impacts of corruption and its increasingly transnational aspects led to the adoption of the United Nations Convention against Corruption (UNCAC), the first global, legally binding anti-corruption instrument, by the UN General Assembly on 31 October 2003.

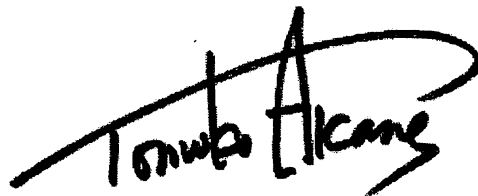
Because corruption has become increasingly transnational, countries increasingly rely on international cooperation to gather evidence and to seek the return of fugitives. The United Nations Convention against Corruption (UNCAC) devotes one full chapter to “International cooperation”, and the United Nations Convention against Transnational Organized Crime (UNTOC) has extensive provisions covering “Extradition” and “Mutual Legal Assistance (MLA)”.

While these provisions set the basic minimum standards for international cooperation, there still remain practical obstacles and challenges such as problems of jurisdiction, differences in criminal law and procedure, lack of international and internal coordination, insufficient knowledge of legal requirements and restrictions, and translation and language problems. Enhancing practical knowledge and mutual understanding and building a relationship of trust and confidence with foreign counterparts can be the key to overcoming these obstacles.

The Sixth Regional Seminar aimed not only to develop contacts between Central Authorities of the participating countries but also to deepen mutual understanding of the current situation and mechanisms for fighting corruption by using formal and informal channels for mutual legal assistance and extradition. Through discussion of the issues, participants exchanged experiences and knowledge of effective strategies, and best practices in the fields of mutual legal assistance and extradition were further improved.

It is my pleasure to publish this Report of the Seminar as part of UNAFEI's mission, entrusted to it by the United Nations, to widely disseminate meaningful information on criminal justice policy.

Finally, I would like to express my sincere appreciation, on behalf of UNAFEI, to the Department of Foreign Affairs of Japan, for its contribution in convening the Sixth Regional Seminar.

A handwritten signature in black ink, reading "Tomoko Akane". The signature is stylized with a large, sweeping initial "T" and "A".

Tomoko AKANE
Director, UNAFEI

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