

III. LAW ENFORCEMENT AT THE BORDER AGAINST ILLICIT DRUGS AND OTHER ILLEGAL ITEMS

1. Overall Actions of the Government of Japan

(1) Headquarters for the Promotion of Measures to Prevent Drug Abuse

In January 1997, considering the abuse of illicit drugs, including stimulants, among youth to be in the third period of stimulant drug abuse, the national government dissolved the Headquarters for the Promotion of Measures to Prevent Drug Abuse, which had been led by the Chief Cabinet Secretary and composed of the directors-general of the ministries and agencies concerned, and organized a new Headquarters having similar functions, which would be led by the Prime Minister. This renewed Headquarters has well worked for ensuring close cooperation between the organizations concerned. It has enforced the drug-related laws more strictly, while taking comprehensive and active measures, including public relations activities, for encouraging the understanding and cooperation of the public regarding the drug problems.

The renewed Headquarters defined an Outline on Promoting Measures Against Illicit Drugs as the basic plan for fighting drug abuse in April 1997. Recognizing the need for medium- and long-term strategies, the Headquarters defined a Five-year Drug Abuse Prevention Strategy in May 1998. The measures taken according to this Strategy may have worked well to some extent to dissuade juveniles from abusing drugs, as observed statistically. The total amount of stimulants seized at the border during the last five years has tripled, compared to the preceding five years.

Nevertheless, the number of persons accused of any stimulant-related offense has remained at a high level for several years. We must recognize that the stimulant smuggling routes have not been eradicated yet. That eradication would prevent large amounts of stimulants from flowing into the territory. More recently, facing the rapid increase in the amounts seized of cannabis and synthetic narcotics in tablet form such as MDMA, the Headquarters defined a New Five-year Drug Abuse Prevention Strategy for the purpose of taking further comprehensive measures in closer cooperation with the ministries and agencies concerned, recognizing that we are still in the third period of stimulant abuse.

Also, in view of the importance to eliminate the trafficking of illicit drugs by sea routes, defined a Emergency Measure at the Border to Prevent Trafficking of Illicit Drugs in order to concentrate cooperation among the ministries and agencies concerned on the measures at the border.

(Note 1) Members of Headquarters for the Promotion of Measures to Prevent Drug Abuse

Chief:	Prime Minister
Deputy chiefs:	Chief Cabinet Secretary Chairman of the National Public Safety Commission Minister of Justice Minister of Finance Minister of Education, Culture, Sports, Science and Technology Minister of Health, Labour and Welfare Minister of Land, Infrastructure and Transport
Members:	Minister for Financial Service Minister of Public Management, Home Affairs, Posts and Telecommunications Minister of Foreign Affairs Minister of Economy, Trade and Industry

(Note 2) Meetings of Members

January 17, 1997:	○ Cabinet decision for establishment of the Headquarters for the Promotion of Measures to Prevent Drug Abuse
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- January 21, 1997: ○ First meeting of headquarters members
- April 18, 1997: ○ Second meeting of headquarters members
 - Adoption of the Outline on Promoting Measures Against Illicit Drugs
 - Adoption of Emergency Measures Against the Problem of Drug Abuses Among Young People
- May 27, 1997: ○ Third meeting of headquarters meeting
 - Report on progress in fiscal 1996 and adoption of plans for fiscal 1997
- May 26, 1998: ○ Fourth meeting of headquarters members
 - Report on progress in fiscal 1997 and adoption of plans for fiscal 1998
 - Adoption of the Five-Year Strategy for Prevention of Drug Abuses
- May 18, 1999: ○ Fifth meeting of headquarters members
 - Report on progress in fiscal 1998 and adoption of plans for fiscal 1999
 - Progress report on the Five-Year Strategy for the Prevention of Drug Abuse
- May 23, 2000: ○ Sixth meeting of headquarters members
 - Report on progress in fiscal 1999 and adoption of plans for fiscal 2000
 - Progress report on the Five-Year Strategy for the Prevention of Drug Abuse
- June 1, 2001: ○ Seventh meeting of headquarters members
 - Report on progress in fiscal 2000 and adoption of plans for fiscal 2001
 - Progress report on the Five-Year Strategy for the Prevention of Drug Abuse
- May 31, 2002: ○ Eighth meeting of headquarters members
 - Report on progress in fiscal 2001 and adoption of plans for fiscal 2002
 - Progress report on the Five-Year Strategy for the Prevention of Drug Abuse
- July 29, 2003: ○ Ninth meeting of headquarters members
 - Follow-up of the Five-year Drug Abuse Prevention Strategy
 - Adoption of the New Five-year Drug Abuse Prevention Strategy
 - Adoption of the Emergency Measure at the Border to Prevent Trafficking of Illicit Drugs

(2) Firearms Control Headquarters

In the wake of the frequent occurrence of crimes using firearms against ordinary citizens, the government of Japan established the "Firearms Control Headquarters" in September 1995. The body is led by Chief Cabinet Secretary and has the Directors-General of relevant Ministries and Agencies as members, including the Director-General of the Customs and Tariff Bureau, Ministry of Finance. The purpose of its establishment is to secure close cooperation among relevant authorities and to promote comprehensive, active anti-firearms measures such as stricter law enforcement and better publicity and education activities appealing to the public for their understanding and cooperation in implementing series of measures.

(Note 1) Members of the Firearms Control Measures

Chief:	Chief Cabinet Secretary
Members:	Cabinet Secretariat Assistant Deputy Chief Cabinet Secretary Cabinet Public Relations Officer Director-General
	National Police Agency Director-General of the Community Safety Bureau Director-General of the Criminal Investigation Bureau Manager of the Organized Crime Department of the Criminal Investigation Bureau
	Ministry of Public Management, Home Affairs, Posts and Telecommunications: Director-General of the Secretariat
	Ministry of Justice Director-General of the Criminal Affairs Bureau Director-General of the Immigration Bureau
	Ministry of Foreign Affairs Director-General of the Consular and Migration Affairs Department
	Ministry of Finance Director-General of the Customs and Tariff Bureau
	Fisheries Agency Deputy Director-General
	Ministry of Economy, Trade and Industry: Director-General of the Trade and Economic Cooperation Bureau
	Ministry of Land, Infrastructure and Transport: Director-General of the Policy Bureau
	Japan Coast Guard Vice-Commandant
	Ministry of the Environment Director-General of the Natural Environment Bureau

(Note 2) Meetings of Members

- September 19, 1995: ○ Cabinet decision for establishment of the Firearms Control Headquarters
- September 28, 1995: ○ First meeting of headquarters members
- December 19, 1995: ○ Second meeting of headquarters members
- Adoption of the Outline on Promoting Measures Against Firearms
- May 7, 1997: ○ Third meeting of headquarters meeting
- Report on progress in fiscal 1996 and adoption of plans for fiscal 1997
- April 30, 1998: ○ Fourth meeting of headquarters members

- Report on progress in fiscal 1997 and adoption of plans for fiscal 1998
- April 27, 1999: ○ Fifth meeting of headquarters members
 - Report on progress in fiscal 1998 and adoption of plans for fiscal 1999
- April 28, 2000: ○ Sixth meeting of headquarters members
 - Report on progress in fiscal 1999 and adoption of plans for fiscal 2000
- April 28, 2001: ○ Seventh meeting of headquarters members
 - Report on progress in fiscal 2000 and adoption of plants for fiscal 2001
- April 26, 2002: ○ Eighth meeting of headquarters members
 - Report on progress in fiscal 2001 and adoption of plans for fiscal 2002
- April 25, 2003 ○ Ninth meeting of headquarters members
 - Report on progress in fiscal 2002 and adoption of plans for fiscal 2003

(3) Ministerial Meeting Concerning Measures Against Crime

Considering the current situation where juvenile and heinous crimes occur frequently among the people's daily lives, the Ministerial Meeting Concerning Measures Against Crime was established. The first meeting of the Ministerial Meeting was held in September 2003. The Prime Minister presides over this Meeting, composed of all the Cabinet ministers. The Meeting has the mission to take effective, comprehensive and active measures in close cooperation with the ministries and other governmental agencies concerned with activities against smuggling, in order to restore Japan as "the safest country in the world."

In December 2003, three viewpoints were recognized as essential for the restoration of public security at the second meeting of the Ministerial Meeting: (1) assistance of activities for the people to secure their own safety, (2) improvement of a social environment where crime is less likely to occur and (3) countermeasures against various crimes including the shoreline measures. At the meeting, an Action Plan for the Realization of a Society Resistant to Crime was adopted. The Action Plan contains five priority tasks adapted to the present situation and tendencies of crimes: (1) deterrence of immediate crime that threatens the peaceful lives of people, (2) efforts to deter juvenile crime taken by the whole society, (3) response to cross-border threats, (4) protection of the economy and society from criminal organizations, and (5) development of infrastructure for the restoration of public security.

(Note 1) Members of Ministerial Meeting Concerning Measures Against Crime

Chief:	Prime Minister
Members:	All the Cabinet Ministers

(Note 2) Meetings

- September 2, 2003: ○ Oral consent of the Cabinet on the establishment of the "Ministerial Meeting Concerning Measures Against Crime"
- September 5, 2003: ○ First meeting of the Ministerial Meeting Concerning Measures Against Crime
- December 18, 2003: ○ Second meeting of the Ministerial Meeting Concerning Measures Against Crime
 - Adoption of Action Plan for the Realization of a Society Resistant to Crime

2. Law Enforcement by Japan Customs at the Border

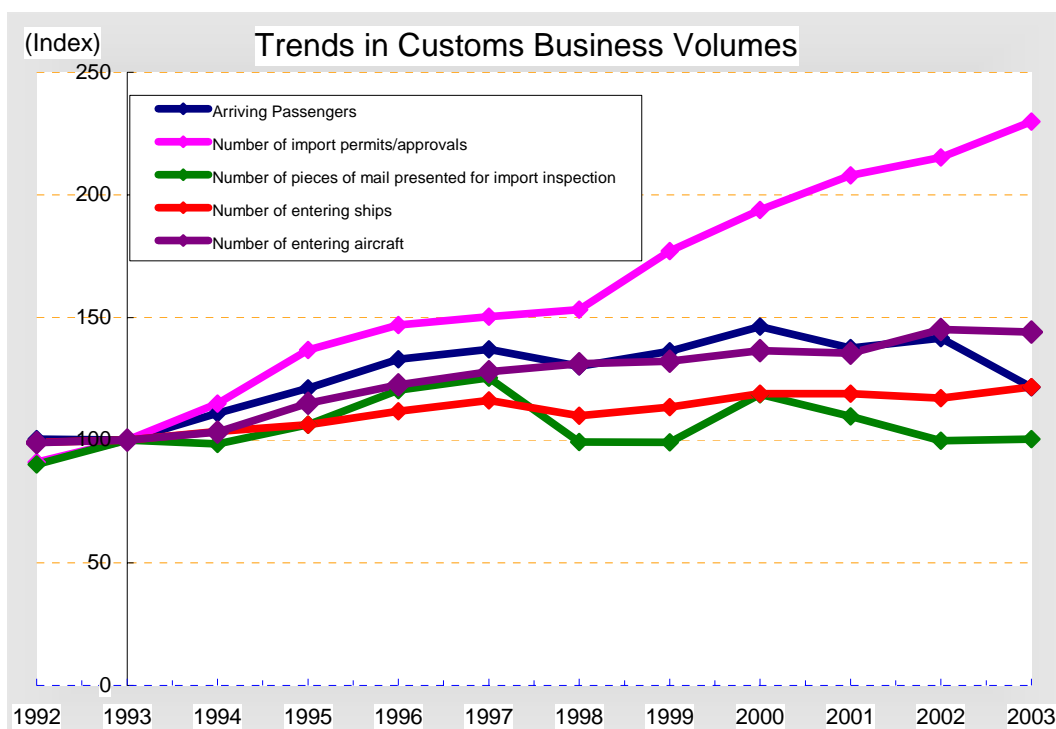
The volume of objectives for Customs control, such as passengers entering Japan and import cargo, is growing steadily. At the same time, modus operandi used by smugglers are getting increasingly vicious and crafty. Japan Customs, within limited resources, is taking various measures in order to meet these challenges and to conduct effective and efficient law enforcement at the border.

Trends in Customs Business Volumes

Object of Control	Indicator	1993 (10 years ago)	1998	1999	2000	2001	2002	2003
Passengers	Arriving passengers	1,575	2,050	2,146	2,305	2,167	2,231	1,915
	(10,000 people)	(100.0)	(130.2)	(136.3)	(146.3)	(137.6)	(141.7)	(121.6)
Commercial cargoes	Import permits/approvals	626	959	1,109	1,214	1,302	1,348	1,439
	(10,000 cases)	(100.0)	(153.2)	(177.2)	(193.9)	(208.0)	(215.3)	(229.9)
International mail	Pieces of mail presented for import inspection	12,197	12,101	12,088	14,475	13,375	12,169	12,242
	(10,000 pieces)	(100.0)	(99.2)	(99.1)	(118.7)	(109.7)	(99.8)	(100.4)
Ships	Entering ships	11.1	12.2	12.6	13.2	13.2	13.0	13.5
	(10,000 ships)	(100.0)	(109.9)	(113.5)	(118.9)	(118.9)	(117.1)	(121.6)
Aircraft	Entering aircraft	9.3	12.2	12.3	12.7	12.6	13.5	13.4
	(10,000 aircraft)	(100.0)	(131.2)	(132.3)	(136.6)	(135.5)	(145.2)	(144.1)

Notes) 1. The numbers of arriving passengers reflects the numbers of legal entrants. (Data of 2003 are preliminary.)

2. The figures in parentheses on the bottom are indexes with 1993 given as 100. (This applies hereafter.)



(1) Consolidation of Organization for Enforcement

① Establishment of special inspection units, etc.

Special inspection units exclusively responsible for the inspection of commercial cargo were established at major Customs offices throughout the nation in order to examine export and import commercial cargo more effectively and selectively, which is steadily increasing year by year.

② Assignment of Controller of Enforcement

A Controller of Enforcement was assigned in the Enforcement Division of Tokyo Customs to enhance coordinated cooperation among regional Customs and to secure effective enforcement against smuggling at the border.

③ Establishment of Mobile Units

Mobile Units were established in order to secure mobile and effective law enforcement at the border. The units are dispatched to Customs offices at local ports to supplement manpowers in conducting surveillance and control.

With respect to offices remote from regional Customs headquarters or other major branches, it is encouraged to cooperate among neighboring offices irrespective of their jurisdiction so that enforcement activities are carried out more efficiently and effectively.

(2) Reinforcement of the Collection and Analysis of Information on Smuggling

① Introduction of intelligence-related posts

New intelligence-related posts were introduced, both centrally and regionally. The post of Director for Intelligence was established in the Customs and Tariff Bureau of the Ministry of Finance, as was the post of Supervisory Investigator for Intelligence at the regional Customs offices. The post of General Supervisory Investigator for Intelligence (National Intelligence Analysis Center) was established in Tokyo Customs. At the center of the organization, these officers comprehensively manage and analyze smuggling-related information received from domestic law enforcement authorities (such as Police and Coast Guard), foreign Customs administrations and other sources, making every effort to enforce effective intelligence analysis.

② Strengthened cooperation with trade circles for better information collection

Customs has concluded Memoranda of Understanding (MOUs), aimed, inter alia, at ensuring greater cooperation in the prevention of smuggling, with organizations related to vessels, aircraft, commercial cargo and others; this is done to ensure effective enforcement against smuggling:

i) Customs and Tariff Bureau of the Ministry of Finance:

Japanese Shipowners Association,
Scheduled Airlines Association of Japan,
Japan Customs Brokers Association,
Japan Air Cargo Forwarders Association,
Japan Foreign Steamship Association and
Japan Fisheries Association (6 organizations in total)

ii) Each regional Customs:

Hozei area association established under its jurisdiction, fishery cooperatives, etc.
(31 organizations in total)

③ Reporting means available for the public

Ongoing efforts to gather information from public throughout the nation include the opening of a single toll-free telephone number accessible 24 hours a day, from everywhere across the nation, the distribution of leaflets to Customs brokers, warehouses and other companies and organizations engaged in the international distribution business, and public relations activities using Customs websites, radio broadcasting, electronic bulletin boards, etc.



SMUGGLING - DIAL: (24 hours a day: toll-free)

0120-461-961

(Do not allow white powder or black weapons to enter our society.)

CUSTOMS HOME PAGE

<http://www.customs.go.jp/>

④ Use of computerized intelligence systems

The Customs Intelligence Database System (CIS) – a computerized system capable of sorting out and managing various port-related information such as Customs clearance for exports and imports as well as ship entries and departures – has been introduced at Customs offices throughout the nation. Through the use of intelligence analysis, processing, and management systems, more efficient and focused border control has become possible against smuggling.

(3) Buildup of Enforcement Equipments

① Introduction of Port Monitoring Systems

Since March 1996, highly sensitive monitoring cameras equipped with infrared visions have been installed at major sea ports to monitor movement of goods and persons at the port areas.

② Active employment of Drug Detector Dogs

Given its keen noses, which are believed to be more sensitive as much as tens of thousand times of those of humans, dogs are very effective in ferreting out illicit drugs. Since their introduction in June 1979, the numbers of Drug Detector Dogs deployed and of Customs offices equipped with them have increased. In addition, passive dogs, i.e., Drug Detector Dogs that were trained to sit down next to passengers on which they scent illicit drugs hidden on or around them in the baggage claim areas, have been employed at major airports.



③ Active utilization of X-ray machines

X-ray machines both mobile and fixed, have been installed at major regional Customs offices and have demonstrated great performance in detecting goods harmful to society concealed skillfully in cargo and other goods.

In addition to ordinary X-ray machines, large-scale X-ray machines capable of inspecting a whole container loaded on a truck have been introduced in Yokohama, Osaka, Kobe and other sea ports since February 2001.



④ Utilization of Customs' patrol boat

In order to prevent on-the-sea trafficking of illicit drugs and firearms and unloading of these on isolated islands which might be used for smuggling, several key Customs offices have been equipped with 35-meter patrol boats to monitor a wide range of waters.



(4) Closer Cooperation with Relevant Law Enforcement Agencies

① Enforcement through cooperation with relevant law enforcement agencies

In close cooperation, Customs, the Police, the Coast Guard, etc. conduct enforcement operations, making the best use of their respective information, organizational systems, competence, experience, etc., for more effective enforcement at the border.

i) Customs has been actively conducting joint trainings (see the photo below) and joint operations (about 4,400 operations in 2003) with the Police and the Coast Guard across the nation.

ii) The "controlled delivery" (see note) method is actively used (67 times in 2003).

Note: This is an investigation technique that a law enforcement agency, such as Customs, uses: even after an illicit drug, etc. is discovered, the agency does not seize it immediately, but keeps the drugs under their strict surveillance, deliver them and waits until the presumed trade is completed to identify the real consignee of the drugs.



② Holding of Law Enforcement Meeting on Measures against Smuggling

The Customs and Tariff Bureau of the Ministry of Finance organizes Law Enforcement Meetings on Measures against Smuggling to strengthen the cooperation with the ministries and agencies concerned and promote the exchange of information needed to interdict offenses harmful to society. Thus, information exchange is promoted at the national level. Regional Customs offices also organize regional law enforcement meetings on smuggling with the law enforcement authorities concerned to promote information exchange at the regional level (held in 39 regions in 2003).

(5) Promotion of International Information Exchange

① Promotion of information exchange with foreign Customs administrations

Using international networks for the exchange of information, such as the ones managed by the World Customs Organization (WCO) and the Regional Intelligence Liaison Office (RILO) for Asia and the Pacific, Japan Customs exchanges smuggling-related information and intelligence with foreign Customs administrations and other law enforcement authorities.

Note: The RILO is the base for the WCO's regional projects, which has been established for the purpose of promoting exchange of information on illicit drugs, etc. among Customs administrations in the region and improving the intelligence analysis on the trends of smuggling in the region.

The RILO for Asia and the Pacific, in which Japan Customs administration has a membership, was established in Hong Kong as the first RILO of the world in December 1987. For the five years from January 1999, during which the RILO for Asia and the Pacific was located in Japan (in Tokyo Customs), Japan Customs actively participated in RILO projects with many contributions. In January 2004, the RILO for Asia and the Pacific was relocated to China. The RILO for Asia and the Pacific analyzes the trends of smuggling in the region based on the interdicted cases of drugs, etc. that are reported by its Members. The RILO for Asia and the Pacific distributes results of the analysis to the Members, etc. and plays the role of mediator between the Members for information exchange.

② Collecting smuggling-related information through dispatch of officers

Japan Customs sends Customs officers to the countries and regions that are likely to be sources for illicit drugs, etc. smuggled into Japan, especially within the Asia-Pacific regions, to collect information on smuggling and establish mutual cooperative relations with the foreign Customs administrations. In addition, Japan Customs dispatches officers specialized in intelligence analysis to the countries and regions which are tackling offenses related to illicit drug smuggling to exchange views on the analyses of intelligence on source points of smuggling, etc.

③ Participation in international conferences

Japan Customs actively participates in international conferences, such as the Enforcement Committee of the WCO and the Customs Enforcement Working Group Meeting of the Asia-Europe Meeting (ASEM), where it exchanges and shares views, experience and information on law enforcement measures and surveillance of trafficking of illicit drugs.

(6) Technical Cooperation in the Field of Customs Enforcement

Japan Customs has extended technical cooperation, mainly aiming at improving the capacities of Customs administrations of developing countries, especially those in the Asia-Pacific regions, in cooperation with WCO etc., by receiving foreign Customs officers as trainees, dispatching experts, and holding regional seminars (see the photo below).

In FY 2003, Customs officers primarily from Asian developing countries were invited to attend a training program held in Japan so as to assist them in enforcing effective anti-smuggling measures at the border. The training program included lectures on effective enforcement techniques at national borders, better utilization of intelligence, application of enforcement and examination equipment such as Drug Detector Dogs, as well as on-site training at a Customs office. Experts are also dispatched to developing countries in Asia to give lectures on how to control illicit drugs, etc.

