

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

#### **1. Government Initiatives**

##### **(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 new Headquarters having similar functions, which was 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 the 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 the Five-year Drug Abuse Prevention Strategy in May 1998. The measures taken according to this Strategy have worked well to some extent to dissuade juveniles from abusing drugs, as observed statistically. The total amount of stimulants seized at the border in the last five years has tripled, compared with that in 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 and large amounts of stimulants seem to be 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 the 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, the Emergency Measures at the Border to Prevent Trafficking of Illicit Drugs was defined 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  
Minister of State for Measures for Drug Abuse  
Chair 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 of State for Financial Services  
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
- January 21, 1997: ○ First meeting of headquarters members
- April 18, 1997: ○ Second meeting of headquarters members
- Outline on Promoting Measures Against Illicit Drugs
- May 27, 1997: ○ Third meeting of headquarters meeting
- Report on Progress of the Promotion of Measures to Prevent Drug Abuse in Fiscal 1996
  - Report on Adoption of Plans for Promotion of Measures to Prevent Drug Abuse in Fiscal 1997
- May 26, 1998: ○ Fourth meeting of headquarters members
- Report on Progress of the Urgent Countermeasures Against Juvenile Drug Abuse problems
  - Report on Progress of the Promotion of Measures to Prevent Drug Abuse in Fiscal 1997
  - Report on Adoption of Plans for Promotion of Measures to Prevent Drug Abuse in Fiscal 1998
  - Progress Report on the Five-Year Strategy for the Prevention of Drug Abuse
- May 18, 1999: ○ Fifth meeting of headquarters members
- Report on Progress of the Promotion of Measures to Prevent Drug Abuse in Fiscal 1998
  - Report on Adoption of Plans for Promotion of Measures to Prevent Drug Abuse in 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 of the Promotion of Measures to Prevent Drug Abuse in Fiscal 1999
  - Report on Adoption of Plans for Promotion of Measures to Prevent Drug Abuse in 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 of the Promotion of Measures to Prevent Drug Abuse in Fiscal 2000
  - Report on Adoption of Plans for Promotion of Measures to Prevent Drug Abuse in 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 of the Promotion of Measures to Prevent Drug Abuse in Fiscal 2001
    - Report on Adoption of Plans for Promotion of Measures to Prevent Drug Abuse in 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 Strategy for the Prevention of Drug Abuse
    - Adoption of the New Five-Year Strategy for the Prevention of Drug Abuse
    - Adoption of Urgent Border Control Measures for Interdiction of Illicit Drug Smuggling
- June 14, 2004:
- Tenth meeting of headquarters members
    - Follow-up of the New Five-Year Strategy for the Prevention of Drug Abuse
    - Follow-up of the Urgent Border Control Measures for Interdiction of Illicit Drug Smuggling
- June 10, 2005:
- Eleventh meeting of headquarters members
    - Follow-up of the New Five-Year Strategy for the Prevention of Drug Abuse
    - Follow-up of the Urgent Border Control Measures for Interdiction of Illicit Drug Smuggling

## (2) Headquarters for the Promotion of Measures Against Firearms

In response to a succession of crimes with firearms involving ordinary citizens, the Firearms Control Headquarters was established in September 1995, with the Chief Cabinet Secretary as its chief and Directors-General of related agencies as its members. In December 1995, the Headquarters adopted the "Outline on Promoting Measures Against Firearms" for its basic policy. It draws up a roadmap each year to promote measures for controlling firearms along the guidelines and establish close collaboration among the related government organizations. Besides its vigorous law enforcement activities for gun control, the Headquarters is engaged in publicity activities to promote public relations with the aim of obtaining understanding and cooperation from the general public, and is implementing comprehensive and positive measures to achieve its purpose.

### (Note 1) Members of the Headquarters for the Promotion of Measures Against Firearms

Chief:	Chief Cabinet Secretary Minister of State for Measures Against Firearms
Members:	Cabinet Secretariat Assistant Deputy Chief Cabinet Secretary Cabinet Public Relations Officer Director-General for Policy Planning
	National Police Agency Director-General of the Community Safety Bureau Director-General of the Criminal Investigation Bureau Manager of the Organized Crime Department
	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
  - Adoption of Action Plan for Prevention of Promotion of Publicity Activities
- May 7, 1997: ○ Third meeting of headquarters meeting
- Report on Recent Firearms Situation
  - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 1996
  - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 1997
- April 30, 1998: ○ Fourth meeting of headquarters members
- Report on Recent Firearms Situation
  - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 1997
  - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 1998
- April 27, 1999: ○ Fifth meeting of headquarters members
- Report on Recent Firearms Situation
  - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 1998
  - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 1999
- April 28, 2000: ○ Sixth meeting of headquarters members
- Report on Recent Firearms Situation
  - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 1999
  - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 2000
- April 20, 2001: ○ Seventh meeting of headquarters members
- Report on Recent Firearms Situation
  - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 2000
  - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 2001

- April 26, 2002:
- Eighth meeting of headquarters members
    - Report on Recent Firearms Situation
    - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 2001
    - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 2002
- April 25, 2003:
- Ninth meeting of headquarters members
    - Report on Recent Firearms Situation
    - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 2002
    - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 2003
- April 27, 2004:
- Tenth meeting of headquarters members
    - Report on Recent Firearms Situation
    - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 2003
    - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 2004
- April 26, 2005:
- Eleventh meeting of headquarters members
    - Report on Recent Firearms Situation
    - Report on Progress of the Promotion of Measures Against Firearms in Fiscal 2004
    - Report on Adoption of Plans for Promotion of Measures Against Firearms in Fiscal 2005

### (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 held. 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 among the ministries and other governmental agencies concerned with activities against smuggling, in order to restore Japan as "the safest country in the world."

At the second Ministerial Meeting held in December 2003, three viewpoints were recognized as essential for the restoration of public security: (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 border measures. At the meeting, the Action Plan for the Realization of a Society Resistant to Crime was adopted. The Action Plan contains five priority tasks adapted to the characteristic tendencies in the present crime situation: (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 <ul style="list-style-type: none"><li>● Adoption of Action Plan for the Realization of a Society Resistant to Crime</li></ul>   |
| June 22, 2004:     | ○ | Third meeting of the Ministerial Meeting Concerning Measures Against Crime <ul style="list-style-type: none"><li>● Follow-up of the Action Plan for the Realization of a Society Resistant to Crime</li><li>● Adoption of Action Plan for the Measures to Be Taken at Ministries and Agencies</li></ul>   |
| December 14, 2004: | ○ | Fourth meeting of the Ministerial Meeting Concerning Measures Against Crime <ul style="list-style-type: none"><li>● Follow-up of the Action Plan for the Realization of a Society Resistant to Crime</li><li>● Adoption of Action Plan for Prevention of Terrorism</li><li>● Adoption of Action Plan for Measures against Trafficking of Human Beings</li></ul> |

- June 28, 2005: ○ Fifth meeting of the Ministerial Meeting Concerning Measures Against Crime  
(joint session with the 14th Headquarter of Urban Renewal Project)
- Safe and Secure Town Planning
  - Follow-up of the Action Plan for the Realization of a Society Resistant to Crime
  - Establishment of the Immigration Control Systems Based on Biometrics
  - Follow-up of the Action Plan for Prevention of Terrorism
- December 20, 2005: ○ Sixth meeting of the Ministerial Meeting Concerning Measures Against Crime
- Follow-up of the Action Plan for the Realization of a Society Resistant to Crime, etc.
  - Follow-up of the Nationwide Campaign for the Safe and Secure Town Planning
  - Efforts on Protection of Children from Crimes
  - Follow-up of the Action Plan for Prevention of Terrorism



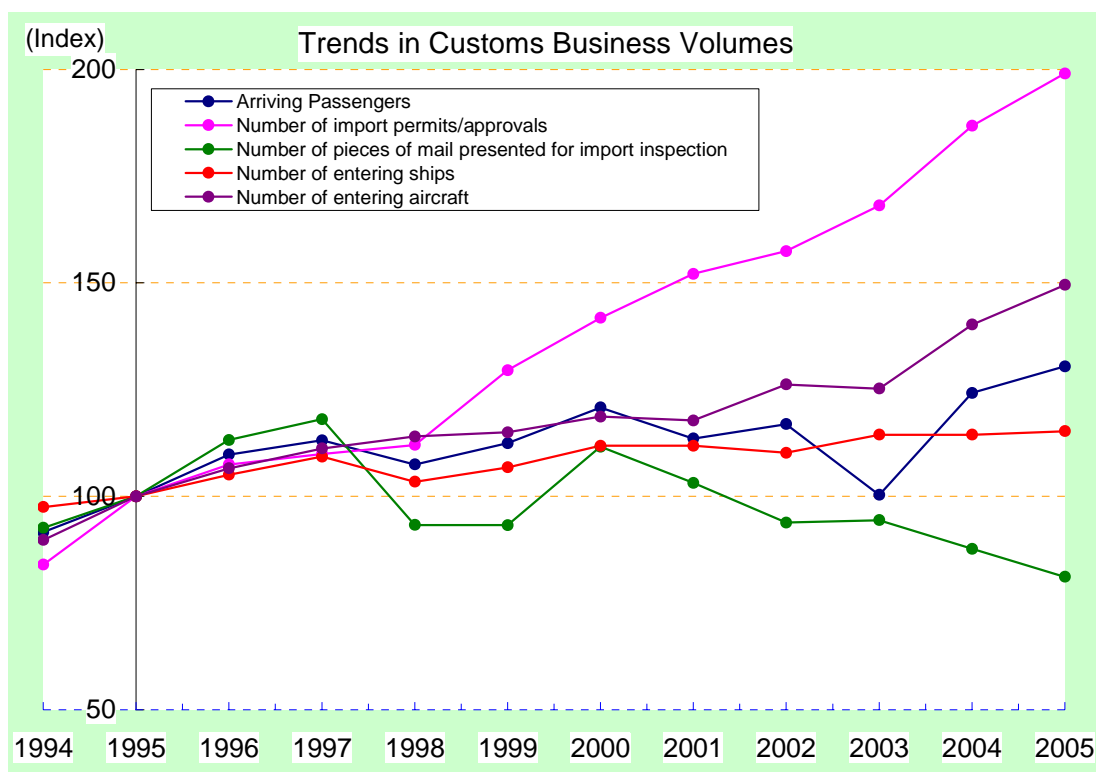
## 2. Law Enforcement by Japan Customs

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	1995 (10 years ago)	2001	2002	2003	2004	2005
Passengers	Arriving passengers	1,908	2,167	2,231	1,915	2,370	2,489
	(10,000 people)	(100.0)	(113.6)	(116.9)	(100.4)	(124.2)	(130.5)
Commercial cargoes	Import permits/approvals	856	1,302	1,348	1,439	1,599	1,704
	(10,000 cases)	(100.0)	(152.1)	(157.5)	(168.1)	(186.8)	(199.1)
International mail	Pieces of mail presented for import inspection	12,969	13,375	12,169	12,242	11,374	10,521
	(10,000 pieces)	(100.0)	(103.1)	(93.8)	(94.4)	(87.7)	(81.1)
Ships	Entering ships	11.8	13.2	13.0	13.5	13.5	13.6
	(10,000 ships)	(100.0)	(111.9)	(110.2)	(114.4)	(114.4)	(115.3)
Aircraft	Entering aircraft	10.7	12.6	13.5	13.4	15.0	16.0
	(10,000 aircraft)	(100.0)	(117.8)	(126.2)	(125.2)	(140.2)	(149.5)

- Notes) 1. The numbers of arriving passengers derive from the Annual Report on Statistics on Legal Migrants published by the Ministry of Justice. (Data of 2005 are preliminary.)  
 2. Number of import permits/approvals and pieces of mail presented for import inspection are checked by the Customs Clearance Division of the Japan Customs.  
 3. Number of entering ships and aircraft are checked by the Enforcement Division of the Japan Customs.  
 4. The figures in parentheses on the bottom are indexes with 1995 given as 100. (This applies hereafter.)



## (1) Consolidation of Organization for Enforcement

### a. 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 inspect export and import commercial cargo more effectively and selectively, which is steadily increasing year by year.

### b. 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.

### c. 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 their respective 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

### a. 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. 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.

### b. 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:

Associations of transportation services and travel agencies under the jurisdiction of each customs office, fishery cooperatives, etc.

(31 organizations in total)

c. 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, cable television, 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/>

d. 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, intensive, efficient control of smuggling is being carried out at the border.

### (3) Buildup of Enforcement Equipments

#### a. 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.

#### b. Utilization of Drug Detector Dogs

Given their keen noses, which are believed to be as much as tens of thousands of times more sensitive than those of humans, dogs are very effective in ferreting out illicit drugs. Since their introduction in June 1979, the numbers of Drug Detector Dogs (Aggressive Dogs) deployed have increased. In addition, passive dogs have been deployed and effectively used in baggage inspection stations of major airports since their introduction in 1993. While "aggressive dogs" send alert signals to their handlers by scratching baggage, "passive dogs" are trained to send alert signals to their handlers by their sitting motion when they scent illicit drugs hidden on or around them.



#### c. Utilization of X-ray machine

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

In addition to ordinary X-ray detectors for cargoes, large-scale X-ray detectors capable of inspecting containers without unloading them from trailers have been installed in principal ports across the country since February 2001.



#### d. Utilization of Customs' patrol boat

Large-size patrol boats and wide-area patrol boats, stationed at major customs offices, have been engaged in monitoring across a wide range of waters to prevent activities such as on-the-sea trafficking of illicit drugs and firearms, and smuggling at local ports or closed ports.



#### (4) Closer Cooperation with Relevant Agencies

##### a. Enforcement through cooperation with relevant agencies

With the aim of imposing effective controls at the border, Customs, the Police, the Coast Guard and other organizations are working in close cooperation, each making full use of its own information, organizational resources, jurisdiction and experience.

In more specific terms, Customs is conducting joint training (see the photo) and joint operations together with the Police and the Coast Guard across the country.



##### b. 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 smuggling cases. 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.

#### (5) Promotion of International Information Exchange

##### a. Promotion of information exchange with foreign Customs administrations

In Japan, the International Intelligence Office that has been established within Tokyo Customs is engaged in information exchange with foreign customs administrations and so on as a collective information office for Japan Customs. In order to further facilitate information exchange, improving rules for information provision to foreign customs administrations based on the tariff reform in March 1998 and conclusion of the Customs Mutual Assistance Agreement that includes provisions for information exchange concerning the smuggling of illicit drugs and so on. (see "Present Condition of the Customs Mutual Assistance Agreement")

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. The RILO for Asia and the Pacific, whose office was relocated to China (within the Beijing Customs Office) in January 2004, analyzes trends in smuggling within the region based on the reports from participant countries and regions on the interdicted cases of smuggling of illicit drugs and related objects, and distributes the results to participating countries and other organizations, thus facilitating exchange of information between customs offices in these countries.

b. 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 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.

c. Participation in international conferences

Japan Customs is taking an active part in international conferences, such as the Enforcement Committee of the WCO and WCO/RILO for Asia and the Pacific Contact Points Meetings (see the photo), exchanging opinions and information on control of illicit drugs with various organizations.

## (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.

In FY 2005, 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 Customs offices. In addition, experts were dispatched to developing countries, mainly in Asia, to give lectures on collection of information and intelligence analysis on smuggling of illicit drugs, etc.