

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

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

##### **( 1 ) 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 convened. The first meeting of the Ministerial Meeting was convened in September 2003. The Prime Minister presided over this meeting, which was 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.

After that, the Ministerial Meeting Concerning Measures against Crime met often to devise various measures adapted to address the crime situation. These were meetings that focused on support for action by the public to secure their own safety, development of a social environment where crime is less likely, and various anticrime measures beginning at the waterfront. These measures were advanced as comprehensive anticrime action to make society as a whole stronger against crime. As a result, some improvement was seen in public order in Japan, as numbers of reported crimes have fallen to less than half the level reached in the worst post-war period.

Meanwhile, given the fact that new threats, such as cybercrimes, cyberattacks, international terrorism, and organized crimes are emerging, and that social structure is changing, the strategy to create the safest country in the world was drawn up in December 2013 (approved by cabinet on the same day) with a view to creating “the safest country in the world, Japan”, by decreasing crimes and building public confidence in security within seven years before the Tokyo Olympics and Paralympic Games which will be held in 2020. The strategy has been followed-up every six months to steadily realize its aims.

Note: Members of Ministerial Meeting Concerning Measures against Crime

Chief: Prime Minister

Members: All the Cabinet Ministers

##### **( 2 ) Meeting for the Promotion of Measures to Prevent Drug Abuse**

Based on a cabinet decision in January 1997, the Headquarters for the Promotion of Measures to Prevent Drug Abuse was established in the cabinet. While the Headquarters actively promoted various measures against drug abuse, such as the securing of close cooperation between concerned administrative authorities, strict control of drugs, and publicity and public awareness for securing public understanding and cooperation, the Headquarters was reorganized and convened as the Meeting for the

Promotion of Measures to Prevent Drug Abuse under the Ministerial Meeting Concerning Measures against Crime in December, 2008.

Recognizing the need for medium and long-term strategies to fight drug abuse, the Headquarters decided on the Five-year Drug Abuse Prevention Strategy in May 1998, the New Five-year Drug Abuse Prevention Strategy in July 2003, the Third Five-year Drug Abuse Prevention Strategy in August 2008, and the Drug Abuse Prevention Strategy Acceleration Plan; thus promoting comprehensive and aggressive measures. By these strategies, certain results were achieved; for instance, the number of young people arrested for abusing methamphetamine or cannabis decreased. Drugs sold as “legal herbs”, however, spread and in some cases, users of such drugs committed secondary crimes, and the drugs damaged users’ health. Even substances similar to the designated ones have appeared and are easily available on the internet. Given these facts, the Fourth Five-year Drug Abuse Prevention Strategy was newly established in August 2013. This strategy aims at the (1) promotion of prevention of drug abuse by raising public awareness or other measures; (2) prevention of repeated drug abuse through medical treatment or support for rehabilitation for abusers; (3) eradication of smuggling organizations, strict control of abusers, and strengthening of inspections and instructions; (4) prevention of drugs from entering Japan through inspection at the border; and (5) international cooperation to prevent the smuggling of drugs.

In addition, in July 2014, there was no end to crimes and serious traffic accidents resulting in death caused by abusers of dangerous drugs and, as this became a grave social problem, based on the instructions of the Prime Minister, Emergency Measures in order to eradicate the abuse of dangerous drugs was compiled at the meeting.

Note: Members of the Meeting for the Promotion of Measures to Prevent Drug Abuse

Chief:	Minister of State for Measures against Drug Abuse,
Deputy Chiefs:	Chair of the National Public Safety Commission, Minister of Justice, Minister of Finance, Minister of Education, Culture, Sports, Science and Technology, Minister of Health, Labor and Welfare, Minister of Land, Infrastructure and Transport
Members:	Minister of Public Management, Home Affairs, Posts and Telecommunications, Minister of Foreign Affairs, Minister of Economy, Trade and Industry

### **( 3 )Meeting for the Promotion of Measures against Firearms**

In September 1995, in view of the serious firearms situation at the time, the Headquarters for the Promotion of Measures against Firearms was established in the Cabinet, and in 2008, this headquarters was re-formed as the Meeting for the Promotion of Measures against Firearms during the Ministerial Meeting Concerning Measures against Crime. In December 2012, the jurisdiction was transferred from the Cabinet Secretariat to the National Police Agency.

In December 1995, an outline for the promotion of measures against firearms, which revealed the basic government policy on measures against firearms, was drawn up. Concerned government agencies cooperate to proceed with various measures, draw up promotion plans for each year, and follow up on the progress of the plans.

Recent three-year Plans for the Promotion of Measures against Firearms are composed of the following six major categories: (1) seizure of firearms concealed within Japan, (2) strengthening of firearms seizures systems and closer partnerships with supervising organizations, (3) thorough investigation and research and strict processing of crimes involving firearms, (4) appropriate promotion of border measures, (5) promotion of international cooperation, and (6) acquirement of understanding and cooperation of Japanese nationals.

In addition, at the Meeting for the Promotion of Measures against Firearms in June 2016 (8<sup>th</sup>), the 2016 Plan for the Promotion of Measures against Firearms was formulated as the plan following the Guidelines.

Note: Members of the Meeting for the Promotion of Measures against Firearms

Chief: Chair of the National Public Safety Commission

Members: Assistant Chief Cabinet Secretary

Cabinet Public Relations Secretary

Director-General of Community Safety Bureau of National Police Agency

Director-General of the Criminal Investigation Bureau of National Police Agency

Chief of Organized Crime Department of the Criminal Investigation

Bureau of National Police Agency

Director-General of Minister's Secretariat of Ministry of Public

Management Home Affairs, Posts and Telecommunications

Director-General of the Criminal Affairs Bureau of Ministry of Justice

Director-General of Immigration Bureau of Ministry of Justice

Director-General of Consular Affairs Bureau of Ministry of Foreign Affairs

Director-General of Foreign Policy Bureau of Ministry of Foreign Affairs

Director-General of the Customs and Tariff Bureau of Ministry of Finance

Deputy Director-General of Fisheries Agency

Director-General of Trade and Economic Cooperation Bureau of Ministry of

Economy, Trade and Industry

Director-General of Policy Bureau of Ministry of Land, Infrastructure and  
Transport

Vice Commandant of Japan Coast Guard

Director-General of Nature Conservation Bureau of Ministry of the Environment

## 2. Law Enforcement by Japan Customs

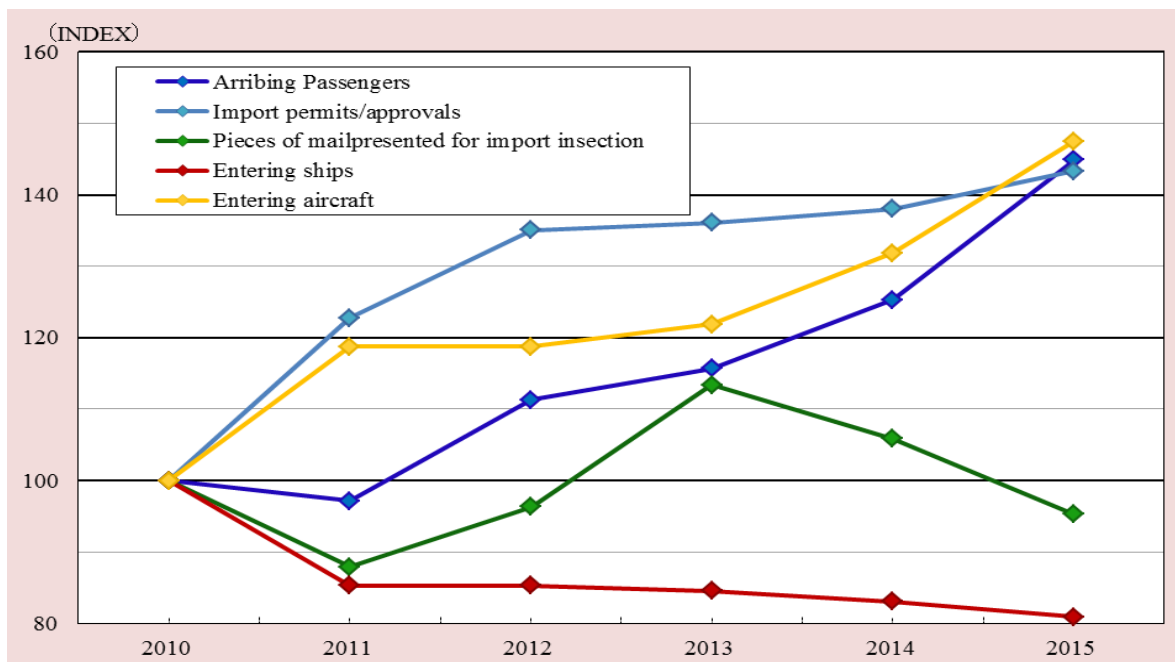
The volume of objectives for Customs control, such as passengers entering Japan and import cargo, is growing steadily. At the same time, modus operandi used by smugglers is getting increasingly devious and crafty. Japan Customs, with its limited resources, is taking various measures in order to meet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

### Transition in the number of arriving passengers, etc.

Object of Control (Indicator)		2005 (10years ago)	2011	2012	2013	2014	2015
Passengers (Arriving passengers)	10000 people	2,491 (100.0)	2,420 (97.1)	2,772 (111.3)	2,881 (115.7)	3,121 (125.3)	3,610 (144.9)
Commercial cargoes (Import permits/approvals)	10000 people	1,704 (100.0)	2,092 (122.8)	2,302 (135.1)	2,319 (136.1)	2,352 (138.0)	2,442 (143.3)
International mail (Pieces of mail presented for import inspection)	10000 pieces	10,545 (100.0)	9,266 (87.9)	10,158 (96.3)	11,956 (113.4)	11,164 (105.9)	10,046 (95.3)
Ships (Entering ships)	10000 Ships	13.6 (100.0)	11.6 (85.3)	11.6 (85.3)	11.5 (84.6)	11.3 (83.1)	11.0 (80.9)
Aircraft (Entering aircraft)	10000 aircrafts	16.0 (100.0)	19.0 (118.8)	19.0 (118.8)	19.5 (121.9)	21.1 (131.9)	23.6 (147.5)

- (Note) 1. The number of arriving passengers derive from Annual Report on Statistic on Legal Migrants published by the Ministry of Justice. (Data of 2014 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.(Data of 2014 are preliminary)  
 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 2005 given as 100. (This applies hereafter.)

### Transition in the number of arriving passengers, etc. (The figures are indexes with 2005 given as 100.)



**( 1 )Consolidation of Organization for Enforcement**

**a. Utilization of prior information**

For effective and efficient control, enforcement activities at the border, which actively uses the prior information, such as passenger name record,<sup>\*1</sup> are conducted.

\*1 Passenger Name Record: Information on passenger reservation and boarding procedures by airline companies

**b. Consolidation of an organization for wide-area enforcement**

The Customs Surveillance and Control Center was established at Yokohama Customs to cope with organized and large-scale smuggling cases. Providing support and coordination to each customs office, the Office conducts intensive wide-area enforcement activities against ships and crew members involving two or more jurisdictions.

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

**a. Introduction of intelligence-related posts**

The post of Customs Manager Intelligence (to handle smuggling intelligence) was established in each Customs office, and the post of Director for Intelligence and Information Systems and the National Intelligence & Targeting Center which conducts nationwide collection and analysis of information, were established in 2008. 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 and other sources, making every effort to conduct 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.

( a ) Customs and Tariff Bureau of the Ministry of Finance:

- The Japanese Shipowners' Association,
- The Scheduled Airlines Association of Japan,
- The Japan Customs Brokers Association,
- Japan Air Cargo Forwarders Association,
- Japan Foreign Steamship Association and
- Japan Fisheries Association

(6 organizations in total)

( b ) Each regional Customs: Associations of transportation services and travel agencies under the jurisdiction of each regional customs, fishery cooperatives, etc.

(28 organizations in total)

**c. Reporting means available from the public**

Ongoing efforts to gather information from the 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, and public relations activities, such as law enforcement countermeasures at the border by Customs through Customs websites, Customs public relation videos, etc. Starting from May 2007, the information can be sent via the Internet.

Leaflet (for general people)	CUSTOMS WEBSITE
 <p>In addition, materials for port related organizations, fishery cooperatives, logistics companies and warehouse companies have been made and distributed</p>	
<p>SMUGGLING - HOTLINE: (24 hours a day: toll-free)</p> <p><b>0120-461-961</b></p> <p>(Call Customs, Ministry of Finance for information on smuggling.)</p>	<p>CUSTOMS WEBSITE</p> <p><a href="http://www.customs.go.jp/english/index.htm">http://www.customs.go.jp/english/index.htm</a></p>

**d. Utilization of the Information System**

The Customs Intelligence Database System (CIS)—a computerized system capable of sorting out and managing various 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 improvement and reinforcement of the system for intelligence analysis, processing, and management, intensive and efficient control of smuggling is being carried out at the border.

**(3) Effective Use of Enforcement Equipment**

**a. Utilization of X-ray inspection equipment**

X-ray equipment 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 equipment for cargoes, large-scale X-ray equipment for containerized cargoes capable of inspecting containers without their being unloaded from their trailers and mobile backscatter X-ray equipment for inspecting heavy items and lengthy cargoes have been installed in principal ports across the country since February 2001 and March 2006, respectively.



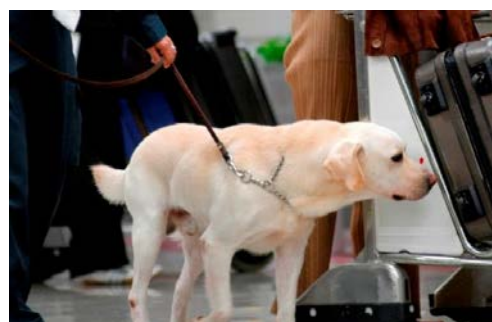
#### **b. Utilization of Customs' patrol boat**

Customs patrol boats dispatched from the customs offices surveil wide area and control smuggling at seaports or trade on the sea that uses fishing boats.



#### **c. Utilization of Drug Detector Dogs**

Drug detector dogs were introduced in 1979 to cope with increasing numbers of drug smuggling cases. After that, Japan Customs has made use of the dogs to inspect belongings carried by arriving passengers as well as international mail.



#### **d. Introduction of Port Monitoring Camera Systems**

Since March 1996, highly sensitive monitoring cameras with night vision have been installed at major seaports to tighten controls over vessels, movement of goods, and persons at the port areas.



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

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

With the aim of imposing effective controls at the border, Customs, police, 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 and joint operations together with the police and 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**

As the only contact point of Japan Customs for information exchange with foreign customs administrations, the International Intelligence Office has been established in Tokyo Customs. In order to facilitate information exchange, Japan Customs improved rules for information provision to foreign customs administrations based on the tariff reform in March 1998 and concluded with various foreign countries 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, 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 (Regional Intelligence Liaison Office) is the base for the WCO regional projects, which has been established for the purpose of promoting exchange of information on illicit drugs 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. Japan Customs hosted the RILO for Asia and the Pacific (located in Tokyo Customs) for the five years from January 1999 and has actively participated in the RILO project with many contributions. The RILO for Asia and the Pacific, whose office was relocated to China (within Beijing Customs Office) in January 2004, analyzes trends in smuggling within the region based on reports from participant countries and regions on interdicted cases of smuggling of illicit drugs and related objects, distributes the results to participating countries and other organizations, and facilitates the exchange of information between customs administrations in these countries.

#### **b. Information exchange under Customs Mutual Assistance Agreements**

Customs is actively working to conclude Customs mutual assistance agreements that require increased information exchange with the source and transit countries of illicit drugs and firearms. Customs is also committed to increasing information exchange through Customs mutual assistance agreements already concluded.

Note: Customs mutual assistance agreements provide the customs authorities of Japan and foreign countries a legal framework for mutual assistance including information exchange. This framework helps both customs authorities properly execute their respective laws and regulations, realize prompt customs clearance, and effectively police their borders for illicit drugs, firearms, and other socially harmful goods, as well as goods infringing intellectual property rights.

<Present Condition of the Customs Mutual Assistance Agreement>

- CMAA (Customs Mutual Assistance Agreement)  
U.S. (Jun. 1997), South Korea (Dec. 2004), China (Apr. 2006), EU (Feb. 2008),  
Russia (May 2009), Netherlands (Mar. 2010), Italy (Apr. 2012),  
South Africa (Jul. 2012), Germany (Dec. 2014), Spain (May 2015)
- Intergovernmental Agreements  
Australia (Jun. 2003), NZ (Apr. 2004, Jun. 2014, revised), Canada (Jun. 2005),  
Hong Kong (Jan. 2008), Macao (Sept. 2008), France (Jun. 2012), U.K. (Jun. 2013)
- EPAs (Note 1)  
Singapore (Nov. 2002), Malaysia (Jul. 2006), Thailand (Nov. 2007),  
Indonesia (Jul. 2008), Brunei (Jul. 2008), Philippines (Dec. 2008),  
Switzerland (Sept. 2009), Vietnam (Oct. 2009), India (Aug. 2011),  
Peru (Mar. 2012), Australia (Jan. 2015), TPP (Feb. 2015, entered),  
Mongolia (Jun. 2016)  
  
(Note 1) Contains provisions on customs mutual assistance.  
  
(Note 2) TPP signatories: Australia, Brunei Darussalam, Canada, Chile, Japan,  
Malaysia, Mexico, NZ, Peru, Singapore, U.S., Vietnam  
  
(Note 3) The dates within parenthesis indicate the month and year of enactment  
(as of 7 Jun. 2016)

**c. Collecting smuggling-related information through the dispatch of officers**

Customs officers are sent 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 analysis of intelligence on source countries of smuggling, etc.

**d. Participation in international conferences**

Japan Customs is actively taking part in international conferences, such as the Enforcement Committee of the WCO and WCO/RILO for Asia and the Pacific Contact Points Meetings, to exchange opinions and information on control of illicit drugs with various countries.

**(6) Technical Cooperation in the Field of Customs Enforcement**

Japan Customs has been providing developing countries with technical cooperation, including training for their customs officers in order to improve the capacity of their customs authorities to control smuggling at the border, such as the capability to collect and analyze information on illicit drug smuggling and so on.