

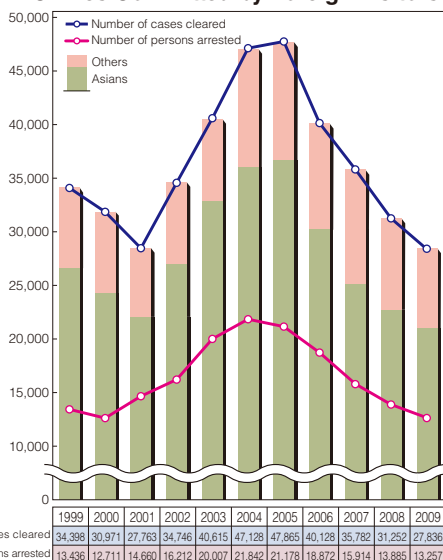
international exchange of advanced forensic science techniques. Also, the police are actively researching ways to promote crime prevention awareness and cooperation within the citizenry.

Furthermore, the SAIBAN-IN (lay judge) system commenced in 2009. This system is such that those members of the general public who have been selected participate in trials for serious criminal cases and determine the sentence, including whether the defendant is guilty or not guilty, together with professional judges. To correspond to this new system, in order to enable the lay judges, who do not have legal expertise, to make proper determination, the police have been conducting a thorough gathering of objective evidence by promoting investigation utilizing modern technologies. In addition, the police are promoting simplification of investigation documents as well as appropriate investigation.

#### D. Current Situation of Crimes Committed by Foreign Visitors

In 2009, the number of cases

Crimes Committed by Foreign Visitors



cleared totaled 27,836 (a decrease of 3,416, or down 10.9% from the previous year) and the number of arrestees totaled 13,257 (a decrease of 628 or down 4.5% from the previous year). Crime by foreign visitors has become globalized. The current globalization of crime has the following characteristics: infiltration-of transnational crime groups into Japan, multi-nationalization of group members, and growth in illicit transnational activities across the globe.

As part of its efforts to address such cross-border crimes, the police have taken various tactics such as:

- Organizational reform
- Improve capability to collect, share and analyze information
- Strengthen cooperation in investigation
- Strengthen cooperation among concerned organizations in Japan
- Construct global and international cooperation

## 2. Fight Against Organized Crime

### A. Organized Crime Groups (Boryokudan)

Active membership in the Boryokudan peaked in 1963, with approximately 184,100 members. Since then, active membership was on a steady decline until 1987 when it once again started showing signs of growth. With the implementation



of the Act on Prevention of Unjust Acts by Boryokudan (Anti-Boryokudan Act) in 1992, this growth trend was halted and the number of Boryokudan members began to decline. In recent years, the number of active membership has been approximately at the same level. As of the end of 2009, Boryokudan membership stands at about 80,900 with 38,600 regular members and 42,300 associates.

(Note: Boryokudan —anti-social groups indigenous to Japan— are commonly referred to as “Yakuza” and are defined by Act as “any organization likely to facilitate its members to collectively or habitually commit illegal acts of violence.”)

Boryokudan groups pose an enormous threat to civil affairs and corporate transactions. They are causing felonious crimes using firearms in turf wars. They are also committing a variety of crimes to raise funds by invading the legitimate business community and pretending to be engaged in legitimate business deals. They do this either through companies, etc. which they are involved in managing or in cooperation with other companies.

### B. Comprehensive Measures Against Boryokudan

To interdict and counter Boryokudan activity, the police are engaged in a strict crackdown on illegal activities; effective enforcement of the Anti-Boryokudan Act; campaigns to alienate them from society.

The police are also targeting on the largest Boryokudan group, Yamaguchi-gumi, especially Kou-dou-kai, the core group of Yamaguchi-gumi, in order to weaken the whole Boryokudan.



### (1) Strict Crackdowns on Illegal Activities

In 2009, the police arrested 26,503 Boryokudan members in 55,855 cases.

The Act on Punishment of Organized Crime, Control of Crime Proceeds and Other Matters (Anti-Organized Crime Act) was implemented in February 2000. With regards to the application of this act to Boryokudan in 2009, the police applied Article 3 (aggravated penalty) to 17 cases, Art.10 (concealment of crime proceeds) to 49 cases, Art.11 (receipt of crime proceeds) to 41cases.

The police are working to shut off fundraising activities by the Boryokudan by gathering and analyzing information regarding the fundraising activities of the Boryokudan that are diversifying and becoming more obscure, as well as by intensifying the crackdown on Boryokudan activities.

### (2) Effective Enforcement of the Anti-Boryokudan Act

Today, Boryokudan resort not only to traditional fund-raising activities such as illegal sales of stimulant drugs, extortion and gambling but are also resorting to violent interference in civil affairs. They use their organizational power to gain profits by intervening in legitimate private business transaction.

To combat these activities, the Anti-Boryokudan Act was enacted in May 1991 and went into effect in March 1992. It has been revised several times to enhance its effectiveness.

Any violent criminal group whose actions fall within the prohibited conduct in the Anti-Boryokudan Act

can be labeled as a “designated Boryokudan group.” Its members are then prohibited from conducting illegal activity specified by the Act.

As of October, 2010, there are 22 “designated” Boryokudan groups including Yamaguchi-gumi, which is the largest group. (See Table: Designated Boryokudan Groups)

The act prohibits members of designated Boryokudan groups from engaging in extortion and from coercing juveniles into becoming members, etc. In 2009, 2,119 discontinuance orders and 65 recurrence prevention orders were issued. When a turf war breaks out between designated Boryokudan groups or inside a designated Boryokudan, an order can be issued to prohibit the use of their offices and facilities.

In addition, the revision of the Act in 2008 prohibits members of designated Boryokudan groups from giving money, etc. to a member to praise him for his violence in a turf war between designated Boryokudan groups, etc. and prevents them from disturbing people’s demand for compensation for damages resulting from their illegal acts. In 2009, 30 prohibition orders were issued.

Designated Boryokudan Groups (as of December, 2009)

No.	Name of Boryokudan	Main Office	Strength
1	Rokudaime Yamaguchi-gumi	Hyogo	19,000
2	Inagawa-kai	Tokyo	4,700
3	Sumiyosi-kai	Tokyo	6,100
4	Yondaime Kudo-kai	Fukuoka	690
5	Sandaime Kyokuryu-kai	Okinawa	270
6	Okinawa Kyokuryu-kai	Okinawa	370
7	Rokudaime Aizu Kotetsu-kai	Kyoto	470
8	Godaime Kyosei-kai	Hiroshima	290
9	Rokudaime Goda-ikka	Yamaguchi	160
10	Yondaime Kozakura-ikka	Kagoshima	100
11	Sandaime Asano-gumi	Okayama	130
12	Dojin-kai	Fukuoka	840
13	Nidaime Sinwa-kai	Kagawa	70
14	Soai-kai	Chiba	230
15	Sandaime Kyodo-kai	Hiroshima	180
16	Taishu-kai	Fukuoka	170
17	Nanadaime Sakaume-gumi	Osaka	110
18	Kyokuto-kai	Tokyo	1,200
19	Azuma-gumi	Osaka	170
20	Matsuba-kai	Tokyo	1,200
21	Sandaime Fukuhaku-kai	Fukuoka	300
22	Kyushu Seido-kai	Fukuoka	380

Note:membership is the number as of the date of last designation.

### (3) Anti-Boryokudan Campaign



#### (a) Expulsion of Boryokudan from Public Works Projects, etc.

The police, in cooperation with the national government, local public entities, and trade associations are working to cut off Boryokudan sources of income, and in order to restore the health of the industry, are promoting expulsion of Boryokudan from various businesses such as the construction business, securities trading and trading with financial institutions. In addition, with the cooperation of the national government and local public entities, the police are actively working to keep Boryokudan out of public works projects, for example, by excluding Boryokudan and businesses affiliated with Boryokudan from contracts for public works projects.

Nationally, the growing number of local public entities has been establishing ordinances to declare the expulsion of Boryokudan from social activities, and to control supporters of Boryokudan. Most of the ordinances prohibit people from profiting Boryokudan and the members from establishing Boryokudan offices around schools, libraries, etc.

## (b) Activities of Prefectural Center

Each Prefectural Center, as the nucleus for the Boryokudan expulsion movement, actively holds seminars for corporate personnel at businesses susceptible to extortion by Boryokudan groups and gives support and advice to people in trouble with Boryokudan groups. The Center protects juveniles from Boryokudan and helps juvenile members quit Boryokudan. In addition, the Center provides monetary support to victims and assistance in filing suits against Boryokudan members. This is done in close cooperation with the local police and other concerned agencies and organizations.

### (c) Support of Civil Lawsuit Plaintiffs against Boryokudan Members

Lawsuits have been filed against Boryokudan throughout the country, seeking court orders to evacuate Boryokudan offices, injunctions against the use of such offices, and compensation for damages resulting from illegal acts of Boryokudan members. The police, in cooperation with Prefectural Centers and bar associations, are providing information on Boryokudan and thorough protection for plaintiffs against possible retaliation by Boryokudan members.

## 3. Firearms Control

### A. The Current Situation of Firearms-related Crime

#### (1) Crimes Involving Firearms

The possession of firearms is strictly prohibited under the Firearms and Swords Control Act. It is believed that strict regulations con-

Firearms-related Crimes

	2005	2006	2007	2008	2009
Number of Incidents	389	325	324	275	253
Handgun-related incidents	200	182	183	139	162
Homicide	24	23	34	19	14
Handgun-related incidents	21	21	27	19	12
Robbery	111	111	94	75	100
Handgun-related incidents	91	96	79	67	95
Others	254	191	196	181	139
Handgun-related incidents	88	65	77	53	55

tribute to the low rate of firearms-related crimes in Japan.

There were 253 firearms-related crimes in 2009, of which 162 cases involved handguns. Handguns were used in 12 murders (including attempted murders) and 95 robberies.

#### (2) Seizure of Handguns

In 2009, the police seized 407 handguns, a decrease of 85 as compared with that of the previous year, and of which 36.4% were seized from Boryokudan.

#### (3) Handgun Smuggling

During 2009, 4 smuggling cases were detected, with 4 suspects arrested and 1 handgun seized.

## B. Measures against Firearms

### (1) Interdiction of Firearms Smuggling

In order to identify trafficking routes and to identify smuggling cases, Japanese police has intensified efforts to promote close cooperation, information exchange and joint training with relevant authorities.

### (2) International Cooperation

As international cooperation is essential tool for the promotion of firearms control, the National Police Agency (NPA) is strengthening cooperation with relevant foreign law enforcement authorities both by dispatching and inviting law enforce-

Number of Seized Handguns

