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### GENERAL PICTURE OF ORGANIZED CRIME IN JAPAN: THE ACTIVITIES OF ORGANIZED CRIMINAL GROUPS BASED IN OR OUTSIDE JAPAN

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#### I. INTRODUCTION

In Japan, the recent process of internationalization has brought about an increase of Japanese going abroad, as well as an expansion in the number of visiting foreigners who are permitted to stay for a limited period of time, or are staying illegally in Japan (hereinafter the "visiting foreigners"). It is quite natural that in line with such a change of Japanese society, transnational or international crimes and criminals have been attracting more and more serious concern, not only from those professionals in the criminal justice field, but also by the mass media, politicians and citizens in general.

In Japan, it seems that the traditional organized criminal groups, "*Bouryokudan*", are mostly involved in internationalized crimes. So, this paper will first explain the historical background and changing features of the activities of *Bouryokudan*, referring when appropriate to the special laws and ordinances like the Anti-Bouryokudan Law, enacted to prevent and counteract the organized criminal activities and to protect the victims and the people in general. The recent phenomena of the internationalization of *Bouryokudan*, in particular, dealing with crimes committed in and outside of Japan among the *Bouryokudan* and the organized criminal groups of other nations and regions, will also be considered.

The general trends in crimes committed by visiting foreigners in Japan, with the

intention of providing overall information on the changing features of their criminal conduct in Japan, will be discussed in the second half of this paper.

Information on individual cases in which visiting foreigners staying in Japan committed crimes as part of a criminal group, mostly in connection with the Japanese and their native-land criminal syndicates will be provided. Crimes such as the mass smuggling of illegal migrants, robbery and burglary of jewelry etc., pick-pocketing, ticket swindling, defrauding *pachinko* ( a kind of slot-machine ) parlors, theft and transnational trafficking of stolen motor vehicles etc., will be considered in this paper (excluding crimes involving drugs).

#### II. TRENDS IN CRIMES BY GANG ORGANIZATIONS ( *BOURYOKUDAN* ) IN JAPAN

##### A. Realities of *Bouryokudan*

*Bouryokudan*, or gang organization, may be defined in general terms as "an organization or group which collectively and habitually engages, or is prepared to engage, in criminal activities accompanied by violence." A typical gang or gangster includes the categories of professional gamblers, street peddlers, delinquent youth groups, stevedore gangs and unscrupulous constructors. Their scale and sphere of activity vary from one organization to another, but there are some common characteristics peculiar to them. For example, externally they intervene in the civic life or business transactions of citizens, using the power of their

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organization to obtain funds unlawfully or improperly, and internally they try to strengthen the control and solidarity of their organization, based on the pseudo-kinship of all members.

Besides *Bouryokudan*, there exists another type of organized criminal group close to them. They are *Sokaiya*, who after obtaining rights as stockholders, demand undue gains from enterprises by throwing the general meeting of stockholders into confusion etc. They also pose as public campaigners or political adventurers who pretend or profess to be engaged in some social movements or political activities for the purpose of disrupting commercial enterprise. They meddle in civic life or business activities and gain undue profits to desist.

Such groups emerged through cracks in the social structure and under the influence of the socio-economic conditions of the time. They repeatedly split and merged among themselves and have survived persistently over the ages as a true antisocial and malignant element of society. Table 1 shows the trend in the number of *Bouryokudan* members cleared by the police for Penal Code offences, and referred for Special Law violations (1956-1996).

#### **B. Comprehensive View of the Past Activities of *Bouryokudan***

During the period of post war chaos (late 1940s), a number of new lawless groups, small and large, mushroomed on top of the long-established gangs of gamblers and street peddlers. They advanced into various rackets such as street hawking, black markets, gambling, group robberies and strong-arm protection. The new groups repeatedly battled with the older groups over the command of territories and over the various interests involved.

The number of gang members arraigned on Penal Code offences cleared by the police was more than 30,000 in 1946 and 1947. This period was marked by frequent

clashes between gangs fighting over their territorial rights and interests such as the running of black markets and other rackets. The fights were frequently large-scale and bloody, since the gangs were armed with military weapons and fired on each other indiscriminately, thus causing much public uneasiness. The gangsters became the most important target of the police at that time. After 1948, the number of gangster Penal Code offenders decreased, due primarily to: gradual recovery from postwar chaos; frequent crackdowns on gangs; and strong police efforts to force the gangs to disband, including the mandatory dissolution of specific gangs under Cabinet Order. These strict measures against gangster criminal activities seem to have worked effectively to reduce the incidence of crime, for a while.

The early 1950s to the early 1960s is called the "Period of Gang Wars". This was the time when new entertainment quarters arose in major cities, and newly industrialized areas developed along with the nation's rapid social and economic recovery, thanks to an economic boom fueled by the Korean War procurement. New *Gurentai* (street gangsters) came into power, preying on such quarters, and targeting the interests involved in *pachinko* (a kind of slot-machine) parlors, public gambling set-ups (bicycle races, etc.), sex-related business (massage parlors, etc.), prostitution, Philopon (a stimulant drug) and other rackets. The new and old gangs battled incessantly to stake out their territorial claims, and there were repeated breakups and mergers to establish the gangs' 'division of power' over the nation during this period.

From 1955 to 1965 Japan achieved remarkable economic success. During the decade, the boom stimulated international trade and multiplied the amount of work at ports. The resulting spending spree proved highly profitable for the entertainment business. This in turn

produced huge income for the gangs who controlled construction and harbor workers, and maintained strong-arm men to 'protect' the entertainment quarters. During this period, the so-called seven gang syndicates (later named as such by the National Police Agency (NPA)) achieved great power. The seven syndicates are *Yamaguchi-gumi*, *Honda-kai* (later renamed *Dainihon Heiwa-kai*), *Sumiyoshi-kai* (currently *Sumiyoshi Rengo-kai*), *Kinsei-kai* (currently *Inagawa-kai*), and *Matsuba-kai*.

The number of gang-associated Penal Code offenders was approximately 2,500 in 1952, but increased to approximately 11,000 in 1953. It rose to more than 80,000 in 1956. The number then decreased, but hovered at the 40,000 to 50,000 level until 1965. The total number of gangsters involved in crimes of violence, bodily injury and murder in 1968 constitutes 48.4 percent of the total number of gang-associated Penal Code offenders, reflecting the intense inter-gang confrontation and conflicts during that year. A significant number of cases of inter-gang conflict was shown in the decade beginning in 1955. With this situation as the background, the number of gang syndicates and their members drastically increased during the period. There were approximately 4,200 organizations with approximately 93,000 members in 1958. However, in 1963, the organizations increased to approximately 5,200, with a record-breaking membership of approximately 184,000.

In 1958, in order to properly cope with the situation, the government proposed in the Diet, a bill to introduce in the Penal Code a new article on the crime of intimidation of a witness, and the proposal became law. Also amended was the Code of Criminal Procedure whereby gang-associated inmates were placed under a status in which bail may only be granted at the discretion of the court, if the court deems it likely that they will retaliate

against witnesses who testify against gangsters in detention. In addition, the Law Concerning Compensation for Damage Inflicted on the Witness, was promulgated to provide protection to witnesses. With a view to forestalling inter-gang conflicts, the crime of unlawful assembly with dangerous weapons was also introduced in the Penal Code. In the same year, the Firearms and Swords Control Ordinance was revised whereby heavier penalties were provided for the use and possession of dangerous weapons, including firearms and swords. In 1964, the Law for Punishment of Acts of Violence was amended to introduce an aggravated crime of bodily injury committed with firearms and swords, as well as to provide for heavier penalties for habitual offenders involved in crimes of violence. From around 1952, Local prefectural legislatures promulgated the Public Nuisance Prevention Ordinance to protect residents from the distasteful, annoying conduct of the gang members. This legislation paved the way for devising nationwide systems to restrain underworld criminal syndicates.

With the nationwide campaign for sweeping crackdowns on gang organizations as the background, intensive and comprehensive attempts to control gang members were conducted from 1964 to 1965. The main focus of the policy was the strict control of the illegal activities of leaders of gang organizations, crimes related to revenue sources of the syndicates and their weapons. These were called 'summit operations', by which police aimed at keeping the activities of gang syndicates in check. The operations were continuously performed, later joined by local governments who banned events sponsored by gangs at public facilities, throughout the nation.

Looking at the total number of gangsters cleared by the police for Penal Code offences and Special Law violations, approximately 59,000 gangsters were

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cleared in 1964 and 57,000 in 1965, which accounted for one-third of the members of the criminal syndicates. The figure dropped to approximately 43,000 in 1966, and further declined to the 38,000 level between 1967 and 1969, which reflected the concerted 'summit operation' and the subsequent reduction in the overall activities of criminal organizations. Broken down in terms of offences, heinous crimes and violent offences markedly decreased in 1968 compared with those in the decade from 1955. The effects of the summit operation were also seen in the decrease of gang syndicates and their membership. The number was approximately 5,200 with approximately 184,000 membership in 1963. However, it decreased to 3,500 organizations in 1969, and membership decreased to approximately 139,000.

In the early 1970s, gangs managed to revive themselves through reorganization. Major gangs with extensive areas of the nation under their influence absorbed small and medium-sized gangs. A new map of territories governed by such syndicates was made as a result. The number of gang syndicates was approximately 3,000 and the membership was approximately 123,000 in 1972. The number decreased gradually to approximately 2,500 organizations and approximately 107,000 membership in 1979. However, during 1972 to 1979, the total number of organizations under the NPA-designated seven syndicates increased from approximately 870 to 1,000, and the membership from approximately 33,000 to 34,000.

The power of the gang syndicates, whose influence covered a wide range of areas, did not necessarily decline but was rather reinforced during 1970s. The 'summit operation' worked effectively on small and medium-sized gang syndicates as a result of a decline in the overall number of organizations and their membership.

However, major gang syndicates placed such damaged small and medium-sized organizations under their umbrellas and thus their power was increased in general. Because of the economic slump in the period of low economic growth after the oil crisis in 1974, it became difficult for gangs to maintain their organizations while depending only on their traditional money sources. Some gangs disguised themselves into rightist political organizations, while others advanced into the field of *Sokaiya* stock racketeers ( racketeers to blackmail a company at a general meeting of stockholders ). They even intervened in economic transactions and sponsored overseas gambling tours. In this way they promoted multiple business operations, modernization and every possible illegal activity to survive, while trying to hide themselves from police crackdowns.

Small and medium sized gangs had only traditional illegal money sources, while major syndicates had abundant, diversified money sources, regardless of whether they were illegal or legal, and established the management system by collecting money from organizations under their umbrellas. Because the smaller organizations were vulnerable to invasions of larger organizations and police checks, it was a natural result that smaller organizations were dissolved or merged under major syndicates. Especially notable were the expansion of the three NPA-designated major syndicates, i.e the *Yamaguchi-gumi*, *Inagawa-kai* and *Sumiyoshi Rengo-kai*, and the progress of 'oligopoly of the gang world' by major syndicates. If the number of gangs under the umbrella of the three syndicates and their membership in 1968 is set as 100, the indicator increased to 153.9 for the number of organizations and 140.4 for membership in 1979.

The total number of gangster-related offenders cleared by police on Penal Code and Special Law violation charges gradually increased after 1970 and the

number topped 50,000 from 1973 until around 1975. Although the number of gangsters was decreasing during the period, the number of those cleared by police remained at a high level. From the statistics, we can conclude that the criminal activities by gangsters did not calm down, but were rather activated in the new drastic moves, including reorganization, of the gang world. Looking in more detail, homicide, bodily injuries and gambling, and Special Law violations of the Firearms and Swords Control Law, Stimulant Drug Control Law, Child Welfare Law and Horse Racing Law showed marked increases. This trend suggests the progress of gang armamentation and diversification of their money sources. Among them, increases in violations of the Stimulant Drug Control Law suggest that the sale of stimulant drugs is the most convenient and, also the most profitable, crime in terms of money sources for major syndicates ( which were then rapidly growing during the period, taking advantage of the fact that their influence covered wide areas).

The 1980s was called the 'Period of Generation Exchange and Transition'. In the world of gangsters, major generation changes went on and the gangland experienced a major transition over a new hegemony. For instance, the third-generation boss of *Yamaguchi-gumi* died in 1981 and fights over the next boss started. In 1984, those against appointment of the fourth-generation boss spun out from the syndicate and established another syndicate named *Ichiwa-kai*. In 1985, the fourth-generation boss of *Yamaguchi-gumi* was shot and killed by members of *Ichiwa-kai*, triggering a series of fierce battles between the two major syndicates. *Ichiwa-kai* dissolved in 1989 and the confrontation was finally settled. The fifth-generation boss was appointed to head *Yamaguchi-gumi*. However, those against the appointment of the fifth boss left the

syndicate and declared their independence from *Yamaguchi-gumi*. The similar problem of succeeding aged bosses was seen in other syndicates which covered major areas.

Also, since the 1980s, criminal syndicates are expected to face difficulties in trying to enlist new young members, a situation which they have probably never experienced before. In the gangland, gangsters are steadily aging since young people try to stay away from gangs. In the past it was said that the supply of gangland members would never be cut. However, each organization is now suffering from the shortage of new young members.

On March 1, 1992, the so-called Anti-Bouryokudan Law ( the Law Concerning Prevention of Unjust Acts by *Bouryokudan* Members ) came into force as a law to regulate the various activities of gangsters' organizations administratively. The purpose of the Law is to secure the safe and peaceful life of citizens and to protect the freedom and rights of the people. It authorizes the Government to exercise administrative control over dubious activities which, though suspected to be criminal, are difficult to control with only the investigative techniques available in the past. Under this Law, a gangsters' organization which comes under specific conditions prescribed by the Law is a "Designated *Bouryokudan*", and the members of such *Bouryokudan* are subject to control. As of the end of 1996, the number of designated *Bouryokudan* is 24. The acts to be controlled are those which unduly demand money or other things, through demonstrating the strength of their organizations. Administrative orders are issued against these acts. The number of cases where such orders were issued was about 4,700, as of the end of 1996. This Law also provides for: assistance to operators of businesses to prevent *Bouryokudan* from inflicting damage; restriction of the use of *Bouryokudan's*

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offices at the time of fighting among *Bouryokudans*; prohibition of interference in the succession of a member from the organization and so on; which is proving effective for promoting the measures against *Bouryokudan*. Since 1992, when the Anti-*Bouryokudan* Law was enacted, the number of struggling incidents between rival *Bouryokudan* organizations has rapidly decreased.

Looking at the changes in the number of gangs and their members since the 1980s, the number of gangs was approximately 2,500 (organizations) with approximately 104,000 members in 1980. However, the number of organizations decreased to approximately 2,200, with approximately 94,000 members, in 1985. These figures are about half or more of the corresponding figures in the beginning of 1960s. The number of sub-organizations under the three major syndicates decreased from approximately 770 in 1980, to approximately 720 in 1985. However, their members slightly increased from approximately 22,800 in 1980, to approximately 23,200 in 1985. As at the end of 1996, all the members of *Bouryokudan* were approximately 46,000, and the members under the three major syndicates were approximately 30,900. As a whole, the number of gangsters has been decreasing as a recent tendency.

The number of gang members cleared by police on Penal Code and Special Law violations decreased drastically after 1985. Especially, the number of Penal Code offenders has decreased remarkably. The number of Special Law violators has also decreased but the number of Stimulant Drug Control Law violations is still high, even after 1985. These crimes frequently take place because the trafficking of stimulant drugs are major monetary sources for gang organizations. These criminal offences of gangsters in general have, however, become less typical in gang organizations. One possible reason for this

is that criminal activities of the gang syndicates have gone further underground. Also, diversification of their revenue sources, such as running companies, have further progressed, along with the economic expansion during 1980s as a background.

Although gangs meddling in civil disputes - civil disputes being those arising from the loaning of money, tenancy of real estate and amicable settlements in compensation for traffic accidents - are not new, gangsters are now living closely with the general public and have been utilizing civil troubles positively as major money source since the 1980s. This may be regarded as one of the diversified revenue sources of gangs. Also activities such as *Sokaiya* professional shareholders' meeting racketeers, and involvement in real estate racketeering, and stock speculation operations, are also regarded as activities creating a the diversified money source. Considering this situation, it is safe to conclude that the diversification and modernization of gangster syndicates management has been drastically progressing.

The main sources of income for *Bouryokudan* was gambling and transactions in contraband, such as drugs. In recent years however, *Bouryokudan* have apparently been engaged in large-scale fund-raising activities such as large-scale fraud and intimidation, to gain huge amount of funds, in addition to the activities they have been engaged in up to present. This trend is clearly demonstrated by the growing number of cases involving violent acts against enterprises; aimed at squeezing undue gains from enterprises which produce enormous profits. Also, as mentioned below, it appears that the activities of *Bouryokudan* have tended to become international.

Also in recent years, there has been remarkable changes taking place among *Bouryokudan*. As mentioned above, one

such change is the large syndicates' oligopolistic trend. Pursuant to the expansion of the scope of activities of the criminal syndicates, large syndicates absorb smaller ones in various parts of the country. At present, three large syndicates in Japan enroll two-thirds of all the members of the syndicates. Also, criminal syndicates in Japan tended to show off in the past, flaunting their existence and power at opportunities such as the succession of crime bosses or at the funerals of seniors, but after the enforcement of the Anti-Bouryokudan Law, there is also the tendency to try to hide their organization in order to avoid being "designated" under the Law.

In regard to cases of violence directed toward enterprises, *Bouryokudan*, *Sokaiya* and political activity interference groups can expect substantial gains because the victims are large companies. In recent years, there has been a tendency among these groups to work in closer cooperation. The tendency of Japanese criminal syndicates to become oligopolistic or borderless in their activities can be said to be a special feature of organized crime in Japan.

Another point of note is the progressive armament of gang organizations with guns and other weapons. Looking at the statistics concerned, the fluctuation in the number of weapons seized from gang syndicates and members show a marked change in weapons the gangsters use, from swords and daggers to guns, in step with the changing times. In terms of guns, the number seized and its percentage against the total weapons seized increased since 1970. Especially, the numbers increased in the early 1980s. In recent years, the number of guns occupied about one-third of the all weapons seized. The progressive armament of each syndicate is top secret and thus we project a large increase in crimes related to weapons. The armament number must be further progressing, thus,

there is concern that the proliferation of high-powered weapons will increase as gang syndicates have to supplement declining strength due to difficulties in recruiting successors and the aging of the current members.

### **C. Internationalization of *Bouryokudan***

Internationalization is one of the important trends of gang syndicates in recent years. Data on internationalization is not necessarily sufficient, but the following points can be judged from the recent trend in crimes.

Crimes involving drugs and weapons, such as violations of the Stimulant Drug Control Law and the Firearms and Swords Control Law, are committed on the international stage in many cases. Drugs and guns have been smuggled into Japan for a long time and in recent years such smuggling has come to be committed, on a large scale, by organized groups. Large-scale smuggling cases, unprecedented in the past, are sometimes detected and cleared. As the smuggling and illicit sale of drugs, among others, bring huge profits, the *Bouryokudan* actively take part in unlawful drug transactions, and in recent years, smuggle and illicitly sell drugs in Japan. Considering the frequency that these crimes have been taking place, I have to assume that cooperation between Japanese gangs and foreign criminal syndicates has been considerably progressing. *Bouryokudan* may be linking with some overseas criminal groups which deal in drugs, in order to smuggle drugs into Japan. Gambling tours to other countries, and tours to obtain drivers' licenses, are assumedly done in cooperation between Japanese and foreign local gangs.

In recent years, the violation of regulations on businesses affecting public morals and illegal employment of foreign workers is becoming a social problem. Since the violators are illegal aliens,

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domestic and foreign criminal organizations are usually involved in obtaining their entry into the country, and providing residence and employment. It is worrisome that Japanese gangs will strengthen ties with foreign syndicates through these activities.

The overseas activities of Japanese gangs, in addition to the above-mentioned activities, so far includes: operating nightclubs, bars and souvenir shops; introduction of gambling spots and prostitutes to Japanese tourists; and the sale of pornographic films. Because of limitations in their language ability, areas of activity are limited to countries where many Japanese travel. However, as the ties with foreign syndicates increases and strengthens at home and abroad, the internationalization of gang syndicates is expected to further progress the Japanese gangs.

### **III. TRENDS IN CRIMES BY VISITING FOREIGNERS IN JAPAN**

#### **A. Entering Aliens and Residents Who Illegally Overstay**

The number of entering aliens started to show a prominent increase around the mid-1980s. It was approximately 1,787,000 in 1987, and exceeded 3,000,000 in 1991. It was approximately 3,410,000 in 1996. As for the breakdown by nationality (including regions; hereinafter the same) in 1996, those from Asian countries accounted for about 60% of the total and Koreans (26%) were the largest in number, followed by Taiwanese (20%), Americans (16%) and Chinese (4%), in that order. Regarding the status of residence, "temporary visitor" occupied the majority, accounting for about 93% of the total.

The estimated number of illegal residents who overstayed in Japan was 283,000 as of 1 November 1996. As for the breakdown by nationality, Koreans (18%) were the largest in number, followed by

Philippinos (15%), Thais (14%), Chinese (13%) and Peruvians (5%), in that order.

#### **B. General Trends in Crimes Committed by Foreigners**

The number of Penal Code offences (excluding traffic professional negligence) committed by visiting foreigners, which were cleared by the police, has greatly increased since 1980. It was 867 in 1980. It continued to increase drastically, exceeding 10,000 in 1993. The number in 1996 reached approximately 19,500, which was 23 times as high as that of 1980 (refer to Figure 2 in Appendix A).

As for the Special Law violations by foreigners, the numbers of offences (excluding road traffic violations) cleared by the police have shown a similar trend as those of Penal Code offences committed by visiting foreigners, which started to increase in 1990. The number of Special Law offenders, who were visiting foreigners and who were referred to the public prosecutors offices (excluding road traffic violators), has increased from approximately 2,300 in 1980 to approximately 5,900 in 1996.

As for the violations of the Immigration-Control and Refugee-Recognition Act, the number of received violators (the number of offenders referred by the police or other investigating organizations and newly received by the public prosecutors offices) has been on the decrease since the early 1960s. It was on the 600 mark mostly during the period of 1966 to 1985. Since 1989, however, it has shown a drastic increase. It was more than 1,000 in 1990, when the total number of foreigners entering Japan exceeded 3,500,000. The number totaled some 8,000 in 1996.

The number of received violators of the Alien Registration Law had peaks exceeding the 20,000 mark every other year during 1952 to 1957 (namely in 1953, 1955, and 1957) and smaller peaks exceeding the 15,000 mark every three years since 1957,

the last of which was of some 18,300 in 1972. The number started to decrease in 1973. It has decreased remarkably since 1989, and has remained on the 300 mark since 1991.

The number of heinous offences (homicide and robbery) committed by visiting foreigners has still kept a high level despite a declining trend after a peak in 1993. As for homicide, the number of offences and offenders cleared by the police were 58 cases and 72 offenders in 1993, and 36 cases and 41 offenders in 1995. As for robbery, these numbers were 124 cases and 142 offenders in 1993, and 104 cases and 135 offenders in 1995. As to the victims of such offences, in 1995 persons of the same nationality were victims in 40% of the homicides committed by visiting foreigners, but Japanese were the victims in more than 80% of the robberies committed by visiting foreigners.

The number of visiting foreigners among the Stimulant Drugs Control Law violators cleared by the police increased greatly since 1989, when the number was approximately 70. The number in 1996 was approximately 560.

#### **IV. ACTIVITIES OF SOME ORGANIZED TRANSNATIONAL CRIME GROUPS IN JAPAN**

##### **A. Activities Related to the Mass Smuggling of Illegal Migrants**

More than 1,000 illegal immigrants had been arrested in Japan in 1997 (by the end of September). According to the National Police Agency (NPA), 1,070 people, 90% of whom were Chinese, were arrested in 51 separate incidents in the same period. In 1996, there were a total of 670 illegal immigrants apprehended, compared with 350 in 1995. In 1996, 670 arrests were made in 28 separate cases, almost double the 15 cases in 1995. Police sources attributed the jump in these figures to increased activity by the "Shetou," or

"Snakeheads" organized crime group, based largely in Hong Kong and Taiwan, who organized the smuggling of illegal immigrants from China.

The extent of organized smuggling involving Chinese nationals was revealed in 1997 by the January arrest of 86 Chinese in Okinawa Prefecture. Again in January, 31 Chinese were arrested at the Kobe Port. In February, the Maritime Safety Agency arrested a further 96 Chinese on board a vessel off Kochi Prefecture (Shikoku Province). Again in February, 67 foreigners were discovered after some of them landed on Hachijo Island, about 250 kilometers south of Tokyo. In another case in February, 29 Chinese, whose boat ran aground on a local beach, were arrested in Shizuoka Prefecture.

Most of the Chinese arrested in 1997 came from the Fujian Province. They were recruited by the Snakehead group and shipped to Japan where there is a sophisticated reception network for them. The illegal immigrants are lured by the prospect of high wages. Although several members of the Snakehead group have been arrested, police are still unsure as to the extent of its activities. The crime syndicates in Japan also cooperate in the smuggling racket. The following cases showed that the activities of the Japanese crime syndicates, in collusion with a syndicate Snakehead, were playing an increasingly major role in smuggling illegal Chinese immigrants into Japan.

In late March 1997, *W.Y.* (33, Chinese) was arrested on suspicion of illegally obtaining a Japanese passport. He was also suspected of helping 99 Chinese nationals attempt to enter Japan illegally in December 1996. Police believe *W.Y.* played a key role in bringing illegal immigrants from China, under instruction from the Snakehead smuggling ring, while residing in Japan.

In the early hours of a December 1996 day, a Maritime Safety Agency patrol boat

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seized a Japanese fishing boat after the would-be illegal immigrants were transferred to it from a Chinese fishing boat off the tip of a peninsula in Aichi Prefecture. After arresting the Chinese passengers and a member of a gang affiliated with the *Yamaguchi-gumi* crime syndicate, police discovered the Chinese syndicate's involvement in the smuggling attempt. A Japanese gangster told police that he had been asked by *W.Y.* to arrange a ship for the Chinese.

*W.Y.*, who once studied at a Japanese language school in Kobe on a student visa, frequently traveled to Kyushu and the Sanin region, where many Chinese have been arrested since the summer of 1996 for trying to enter Japan illegally. He also traveled between Japan and China, via Hong Kong in late 1996 allegedly using a passport he had obtained illegally, to meet with Snakehead members in China.

A failed Snakehead operation to smuggle about 40 illegal immigrants into Japan in 1996 involved 2 Chinese criminal groups and 2 Japanese crime syndicates. The illegal immigrants, smuggled in by the Sino-Japanese group, were arrested in Tokyo in December 1996. The illegal immigrants, mostly Chinese, were discovered crammed into a condominium in Tokyo. The smuggling ring was made up of criminal groups from the Shanghai and Fujian Provinces in China and from crime syndicates in Tokyo and Kyushu. However, the ring had no fixed membership or formal structure and was joined by some of the illegal immigrants being smuggled. Six Chinese Snakehead members who are residents in Japan and 12 Japanese, including gang members, have been arrested in connection with the incident.

According to police investigations, the unsuccessful smuggling operation was launched when *L.G.* ( 27, Chinese, from Fujian Province ) received instructions from Snakeheads in China. *L.G.* sought the cooperation of *Z.L.* ( 40, Chinese ),

leader of the Shanghai group, and the Fujian and Shanghai groups agreed to jointly conduct the operation. *Z.L.* asked *T.H.* ( 28, Japanese ), a member of a gang affiliated with the Tokyo-based *Sumiyoshi-kai* crime syndicate, to transport the Chinese to Tokyo. *T.H.* then asked *E.T.* ( 37, Japanese ), members of the *Dojin-kai* crime syndicate in Kyushu, to arrange a fishing boat for the stowaways.

Two Japanese gang leaders, *T.H.* and *E.T.*, admitted making four attempts, with the Hong Kong crime syndicate Snakehead, to smuggle Chinese into Japan. Police quoted the men as saying that two of the attempts were successful, netting Snakeheads an estimated 300 million yen. The Tokyo and Kyushu based gangs each received a cut of 70 million yen.

*T.H.* told police Snakeheads enlisted his support in smuggling operations on four occasions in early November and December. The first and third attempts were unsuccessful as the smuggling boats failed to appear at a designated place. However, two of the attempts were successful with a total of about 100 Chinese smuggled into Japan. *T.H.*, accompanied by 2 Snakehead members, chartered a fishing boat and took the illegal immigrants to a fishing port in Nagasaki Prefecture ( Kyushu Province ). They were transported by a large truck to a local expressway and then transferred to two small buses, arriving at the condominium in Tokyo. When the Chinese secured work they would call their families and ask them to pay Snakeheads 3 million yen. Police believe *T.H.* received a total of 70 million yen from Snakeheads, and that after paying 10 million yen in truck and fishing boat rental fees, he divided the money between the two gangs.

Previously, Snakeheads had divided the profits equally between itself and local gangs. Police said the fact that *T.H.* was paid only about 20 percent of the profits indicated that many Japanese gangs were

vying for Snakehead's business.

The cost of arranging a smuggling operation of this type varies depending on the case and the degree of risk involved. In a case cleared in 1997, brokers ( Snakehead members ) who help an illegal immigrant enter Japan could expect to receive around 80,000 yuan ( 1.18 million yen ). The sum increases to approximately 250,000 yuan ( 3.7 million yen ) if they help them to find a job and somewhere to live.

With regard to the techniques of the mass smuggling, Kobe maritime police have established how 31 Chinese, found in a container aboard a freighter, were able to smuggle themselves into Kobe Port in January 1997. The Chinese stowaways were arrested and charged with violating the Immigration Control and Refugee Recognition Law after they emerged from the container.

According to police, the smuggling attempt was arranged by a Chinese broker based in Fujian Province. The 31 Chinese, all from Fujian and Guangdong provinces, in groups crossed the Chinese border into Hong Kong in late 1996 in cars provided by brokers. After staying at an apartment for one month, they were collected one day by a big refrigerator truck, which took them to the port. After spending five days in the truck, they finally transferred to a container that was connected to the refrigerator truck. Food and plastic bottles of water had been left in the 12-meter-long container to sustain the group during the week long voyage to Japan. They arrived in Kobe on a January morning, and waited at the port to be collected by a person sent by the broker. As the person responsible for collecting them never arrived, the stowaways emerged from beneath the canvas cover of the container and were spotted by police and arrested.

## **B. Activities of Robbery and Burglary Groups**

The National Police Agency (NPA)

announced that the number of well-planned robberies committed by organized crime groups, some of them foreign, increased in 1996. Gang members were arrested in more than 24,000 theft-related cases in 1996, an increase of 1.3 times over 1995. More than 25 percent of gang-related robberies were carried out by two or more people, a rate that is significantly greater than the 15.2 percent for all arrests for theft.

The growing role played by foreign gangs, like those from Russia, should be noted. Russian Mafias are believed to be the intended recipients of many of the luxury cars stolen by thieves in this country and then shipped overseas. Japanese gangsters were arrested in Hokkaido and Tottori in car-theft rings that sold their booty to Russian gangsters. Fukuoka Prefectural Police are also investigating allegations that a gang member played a leading role in a ring that stole luxury cars for sale in Russia.

Chinese gangs have also made their presence felt in recent years. As mentioned above, one Chinese triad, the Snakeheads, has been implicated in the smuggling of illegal immigrants into Japan. Members of the Snakeheads are also suspected of having used some of those smuggled migrants to rob clothing and jewelry outlets.

Of the 38 cases in which arrests were made in connection with organized heists at clothing and jewelry outlets 1996, 31 involved Chinese nationals. The robberies netted about 50 billion yen. Miyagi Prefectural Police arrested 11 Chinese - all of whom were smuggled into the country by the Snakeheads - in similar thefts involving about 380 million yen.

About 20,000 jewelry items and brand-name products, worth a total of about 1.2 billion yen, were stolen from 21 stores in Tokyo and seven neighboring prefectures over a one-year period since November 1996, by thieves who visited the stores

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during the day and disabled crime-prevention sensors. Posing as customers, the thieves masked the sensors when clerks were not watching and broke into the stores after they had closed. The sensors, which were switched off during the day, were wired to security company offices. If the sensors are covered they cannot detect movement and trigger alarms.

In November 1996, about 200 brand-name products worth about 150 million yen, including Rolex watches and Chanel bags, were stolen from a display case in an imported-goods store in Tokyo. The robbers broke into the store by breaking a window on the second floor. In February 1997, about 1,700 rings and other pieces of jewelry worth about 200 million yen were stolen from a jewelry shop in Tokyo. In May 1997, 1,500 watches and items of jewelry worth about 65 million yen were stolen from a watch shop in Yamanashi.

According to police, many of the stores were visited by a group of two or three customers, apparently Chinese nationals, who reportedly had acted suspiciously at the stores several days prior to the robberies. While one of them kept the clerk busy by asking questions or asking to be shown various products, the other members apparently worked on the sensors, they said.

Police suspect a foreign theft ring capable of selling large amounts of stolen jewelry and brand-name products may be behind the robberies. Police also believe the thieves are knowledgeable about store security systems.

In some respects, Chinese and Japanese gangs operate along similar lines. Generally, they delegate particular tasks, such as making fake license plates or carrying out robberies, to individual members. However, the Chinese gangs differ in that their leaders instruct gang members via cellular phones and take a more behind-the-scenes approach to robbery.

### **C. Activities of the Pickpocket Rings**

An increasing number of gangs of pickpockets, with Chinese leaders and Japanese subordinates, have been allegedly stealing wallets from salaried workers' jackets at drinking spots and shops in Tokyo. In the majority of cases, Chinese pickpockets, assisted by Japanese helpers, lift wallets out of jackets hung on the back of chairs or on hooks on the wall at drinking establishments and other places. The pickpockets call this sort of crime 'swing'.

Such thefts have been on the rise across the country since 1994. In Tokyo, police received about 200 reports of swing-type thefts in 1994, about 400 reports in 1995 and the same number in 1996. But the figure in 1997 (by the end of September) had already reached about 600. In addition, police suspect at least 10 times the reported number of crimes had actually occurred in 1997, because most of the victims probably assumed they had lost their wallets. Most of the thefts took place in bars, barber shops and mah-jong clubs in amusement districts frequented by salaried workers, such as Shinjuku in Tokyo.

A group of 5 pickpockets were arrested in July 1997 for allegedly trying to lift a wallet out of a company employee's jacket that was placed on the back of a chair at a Japanese restaurant in Shinjuku. Of the five, 2 were Japanese. Both were recruited by the group leader (37, Chinese).

The two Japanese helpers told police that the Chinese leader recruited them into the group with promises of lucrative work. The leader promised to pay them 20,000 yen a day if they successfully stole wallets and 10,000 yen daily even if they failed to do so. The leader ordered the pair to handle the risky elements of the crimes, such as actually picking pockets and using the credit cards they stole. He provided the men with jackets and ties so they could

pass for salaried workers.

The five visited the Japanese restaurant one night, pretending to be salaried workers out for a drink. While the group's Chinese members tried to create a diversion by making noise and speaking loudly to restaurant employees, the Japanese pair casually approached a man. The pair allegedly stood on either side of the man's chair, on the back of which his jacket was hanging. When one of them reached into the pocket of the jacket, plainclothes policemen, who had been staking out the restaurant, arrested them.

Police said the five members each played different roles in carrying out the crime. Some kept a lookout, while others diverted attention by creating a disturbance. The Japanese helpers were assigned the risky job of actually stealing the wallets.

Before their arrest, the Sino-Japanese pickpocket gang had committed similar thefts several times, police said. The Japanese pair told police that their leader made them use credit cards found in the wallets they stole to buy luxury goods within an hour after stealing the wallets. In most cases, staff and customers at the establishments targeted by the group thought the five were just being rowdy and rarely noticed the crimes, according to police.

In June 1997, *C.F.* (37, believed to be a Chinese national) was arrested on suspicion of theft after allegedly ordering ring members to steal a wallet from a jacket hung over the back of a chair at a bar in Osaka. The police suspect that *C.F.* is the leader of a pickpocket ring, with about 60 members, responsible for a string of thefts in Tokyo and Osaka. The group targets unsuspecting male office workers who leave their jackets unattended while drinking in bars. *C.F.* usually did not perform any of the thefts. He is suspected of using stolen cash cards to withdraw money from the owners' accounts, and of using stolen credit cards to purchase

jewelry, which is easily pawned in exchange for cash. Police also speculate *C.F.* entered Japan illegally with the help of a Chinese Snakehead smuggling ring.

*C.F.* told police that he had formed the pickpocket gang, along with Chinese nationals who had entered the country illegally. He said he became acquainted with those individuals at coffee shops and pachinko parlors in Shinjuku, Tokyo. *C.F.* also lured Japanese who were in need of cash to the group with the promise of high financial rewards. He told police that he did much of his recruiting of Japanese members in the Kabukicho entertainment district of Shinjuku Ward, Tokyo. Ring members were allegedly informed of meeting times and places via mobile phones loaned to them by *C.F.*

The number of similar pickpocket groups led by Chinese have been increasing. Some of the Chinese leaders enter Japan on a tourist visa, recruit Japanese assistants, direct them to steal as many wallets as possible during their short stay in Japan, then return to China. Police said the hit-and-run nature of the crime makes it very difficult for them to arrest the Chinese suspects.

#### **D. Activities of the Ticket Fraudsters**

A total of 15 people (6 Japanese, 8 Hong Kong residents and 1 Australian) were arrested in June 1997 on suspicion of a series of thefts of beer tickets and highway tickets nationwide. The 15 formed a group that stole and sold cash-convertible beer tickets and highway tickets in six prefectures, according to police. The gang is believed to have committed more than 30 crimes, netting more than 200 million yen.

The arrested Hong Kong residents include 3 members of a Hong Kong criminal group. These three played a central role in the thefts; allegedly stealing about 250,000 yen cash and 8,700 highway

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tickets ( worth 13 million yen ) from a ticket shop in Tokyo, late December 1996. Two unemployed Japanese, *T.S.* ( 43 ) and *K.U.* ( 51 ) were arrested on suspicion of buying the tickets in the knowledge that they had been stolen. *T.S.* and *K.U.* exchanged the tickets for cash in ticket shops in Tokyo and Osaka.

The Metropolitan Police Department ( MPD ) began investigations in October 1996, when about 23 million yen worth of highway tickets were stolen from a company office in Tokyo. Police later arrested a woman ( 53, Chinese ) on suspicion as she exchanged the stolen tickets for cash in Tokyo. The woman gave police information about the 3 Hong Kong suspects. The woman's home was used to store stolen items. Police searched the house and confiscated beer and highway tickets worth 100 million yen, 2 pistols and 16 bullets from the premises.

The arrested Hong Kong residents employed a hit-and-run technique; repeatedly entering, departing and reentering Japan to commit crimes. They entered the country with short-term visas, committed crimes within short periods and left the country to avoid police investigation.

**E. Activities of the Groups to Defraud Pachinko Parlors**

Some years ago, counterfeit prepaid *pachinko* cards were rampant in Japan. Recently, criminals are using high-tech knowledge to defraud *pachinko* ( a kind of slot-machine ) parlors out of large sums of money. Radio transmitters, for instance, are being used to interfere with the read-only memory system that functions as the machine's nerve center.

In one case, a construction worker ( 22, Japanese ) was arrested in Osaka in December 1996, while trying to steal *pachinko* balls by using a wireless device. A parlor employee became suspicious of the construction worker when he saw the

machine in front of the man in operation, even though the man was not manipulating the machine's handle. The parlor employee's suspicions were also aroused by the fact that the man was wearing a coat, despite the relatively high temperature inside the parlor. The man was equipped with a radio transmitter, a controller, an antenna, a switch and batteries. He had hidden the switch inside one of his shoes, the controller inside a money belt, and was holding the mini-antenna in his left hand. The whole system was designed to make the machine spit out extra balls. The construction worker told police that he had purchased the device for 200,000 yen from a Chinese man. Similar devices made their debuts in Tokyo and Osaka earlier in the same year.

Other cases have involved people sneaking into parlors late at night and installing bogus ROM systems. A partner visits the parlor the following day, targets the machine and cashes in the balls later.

In some cases, customers have even been kidnapped from pachinko parlors while playing on machines that had been secretly readjusted to release a large number of balls. In Yokohama, a man ( 22, Chinese ) was abducted from a pachinko parlor in early May 1997 by a Chinese group. He had been operating a machine whose original ROM had been switched for a doctored one that radically increased the number of balls released. The kidnappers then demanded a 7 million yen ransom from the man's family. In Sendai, a former restaurant employee was also kidnapped in February 1997 by a group of men who appeared to be Chinese. The gang demanded a 5 million yen ransom, but then freed the man after he promised not to use the same machine.

The machine had been loaded with a doctored ROM system to pay out extra balls. The NPA reported that there were only two such incidents in 1992, 64 in 1993, 103 in 1995, and 53 in 1996. The agency

said that while the number of cases had decreased, the crimes had become more vicious. It added that the development of new prepaid cards had made crime hard for counterfeiters.

**F. Activities of Groups Engaged in the Theft and Illicit Trafficking of Motor Vehicles**

Cars and motorbikes stolen in Japan are being sent for resale on the black market in China, Hong Kong, Russia, Southeast Asia and the Middle East. Police in a number of prefectures have confirmed that non-Japanese and members of more than one large criminal organization have been involved in at least some of the thefts. There have been many instances nationwide of vehicles - from luxury Mercedes Benz automobiles to Super Cub motorbikes - being stolen and sent abroad. Japan has become a supply source for an international black market in motor vehicles.

In a case in March 1997, the Metropolitan Police Department (MPD) arrested 2 Japanese and 2 Chinese students on suspicion of stealing expensive scooters. One of the suspects told police they had stolen more than 300 scooters. More than 100 million yen, identified as a payment for stolen vehicles, was transferred from Hong Kong to a trading company bank account. The stolen scooters were transported to Hong Kong by a bogus company, with the 2 Chinese registered as board directors. As the scooters were sold at slightly more than 100,000 yen each, the number of stolen vehicles was estimated at more than 1,000. In this case, only 250cc scooter-type motorbikes made by Honda Motor Co. were targeted. It was found that the vehicles had been sent via Hong Kong to China, where demand for motorbikes has mushroomed.

In another case investigated by MPD, a man ( 30, Vietnamese ) man was arrested on suspicion of stealing motorbikes over a

long period. The bikes he stole were sent to Hong Kong and then on to other countries according to type. For example, Super Cub models, which are cheap and durable, ended up in Vietnam, while Harley-Davidson luxury models were sent to Thailand, where the make is very popular.

Chiba prefectural police investigating the theft of Super Cub motorbikes found that a group of Vietnamese refugees had set up a trading company and were able to export about 1,000 stolen motorbikes to Vietnam without arousing the suspicions of customs officials. Investigations revealed that the stolen bikes were sent to storage sites in inland prefectures around Tokyo where transportation and customs-clearance procedures were entrusted to a major transportation company. The bikes were loaded into containers at Yokohama Port and sent to Vietnam, via Hong Kong.

Kanagawa prefectural police arrested a group of non-Japanese, including a Pakistani and a Sri Lankan, for their alleged involvement in the theft of four-wheel-drive cars, such as the Toyota Land Cruiser, for the United Arab Emirates and Myanmar markets.

Fukuoka prefectural police were investigating the theft of luxury cars and have arrested a total of 23 people, including gang members. About 500 Toyota Crown, Nissan Cedric and Mitsubishi Pajero models stolen in Tokyo and surrounding areas were transported to some ports along the Sea of Japan, from which they were to be sent to Russia. Different gang organizations performed various roles in the operation, including the theft of the vehicles, transportation and negotiations on sales. Police suspect the involvement of Russian brokers. One of the suspects in this case told police that security at customs houses was laxer at ports along the Sea of Japan.

## V. CONCLUSION

Organized crimes in Japan, as mentioned above, are characterized by the long existence of *Bouryokudan* and their organized criminal activities. Under traditional family-like set-ups these groups gain illegal profits through the most suitable ways and means to meet the changing social environment of the time. In recent years, the social environment in Japan may be characterized by the progressing internationalization of its society, as well as by the more severe watching of both the police and the citizens over the daily activities and movement of *Bouryokudan* ( since the enactment of the Anti-Bouryokudan Law ). Of particular mention are the citizens group movements to eradicate *Bouryokudan*, in close cooperation with the police, raising public awareness under the "Three Never Slogan" campaign; namely "Never Fear!", "Never Give Money!", "Never Try to Utilize!".

It seems that the future activities of *Bouryokudan* will become more internationalized as the *Bouryokudan* try to conceal their presence in Japan by supporting and secretly using visiting foreigners to organize themselves ( with Japanese members ) into criminal gangs in Japan, committing most profitable crimes; including the transnational trafficking of goods and people. These types of crime, are potentially assisted by the secret cooperation of criminal organizations of the native lands of the visiting foreigners. Also, the criminal activities of *Bouryokudan* and other newly developing criminal organizations may be strengthened by the ( rapid development of the international communications ) furthering the secret cooperation with other criminal syndicates.

To cope with the changing features of crime and criminal activities, the eradication or controlling of such criminal

organizations, old and newly developing, in every country seems to be the most urgent task for all the states of the world. To win the battle against such criminal organizations, sufficient information of their movements, particularly of a transnational nature and of secret international group meetings, must be in the hands of the officers in charge of every country concerned.

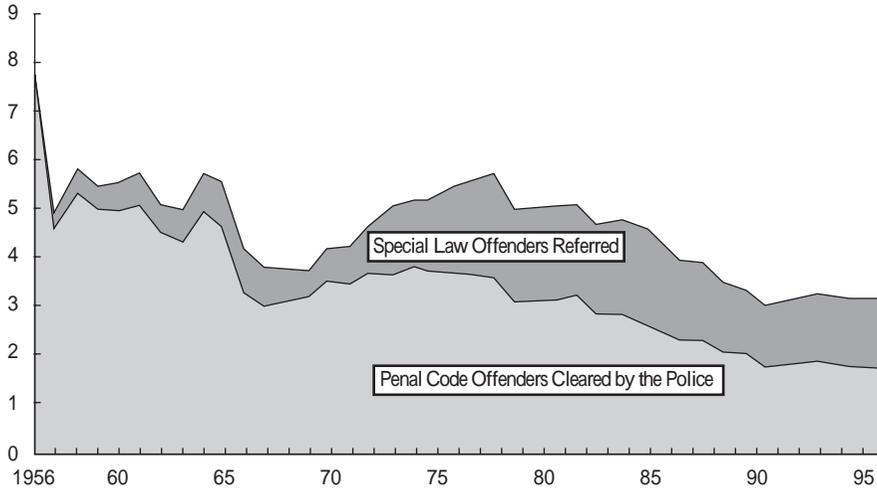
Needless to say, the law enforcement agencies shall make continuous efforts, availing current information, to acquire key evidence and to make thorough investigations of such cases under close cooperation with the law enforcement agencies of the other countries concerned. Similar international co-operation is needed in the process of prosecution, trial and treatment of these criminals. Various treaties and agreements codifying such co-operation may well be developed, based on the model treaties adopted by the United Nations Congress.

Lastly, I must highlight that the references made in this paper to the criminal activities of the specific nationals does not intend to disgrace or negate the integrity of all other visiting foreigners staying in Japan, and or people of the same nationality.

**TABLE 1**

**TRENDS IN THE NUMBER OF BORYOKUDAN MEMBERS CLEARED BY THE POLICE FOR PENAL CODE OFFENCES, AND REFERRED FOR SPECIAL LAW VIOLATIONS(1956-1996)**

(ten thousand persons)

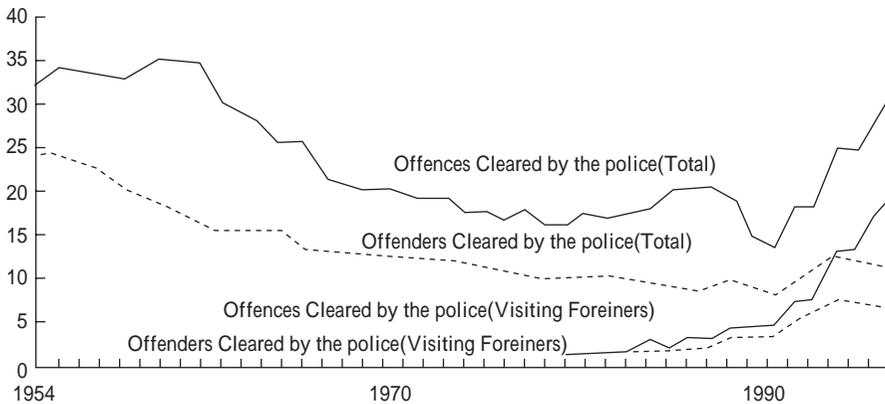


**TABLE 2**

**TRENDS IN THE NUMBER OF PENAL CODE OFFENCES BY FOREIGNERS AND FOREIGN PENAL CODE OFFENDERS CLEARED BY THE POLICE(1949-1996)**

(thousands offences)

(thousands offenders)



Sources:Criminal Statistics by National Police Agency