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## REPORTS OF THE COURSE

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### Group 1

#### EFFECTIVE CRIMINAL INVESTIGATION

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### I. INTRODUCTION

In the last several decades, the abuse and trafficking of drugs has created problems for society in general and for law enforcement authorities in particular. Drug traffickers have always been responsible for serious types of crime but especially those of the modern day are much wealthier, powerful and even influential, to the extent that they can pose a threat to national and international security. In some countries the drug trafficking organizations even have their own-armed personnel. Satellite systems and revolutions in computer technology support the drug mafia in such a way that sometimes law enforcers wander in the dark to look for their footprints and traces. Drug trafficking involves an entire economic activity commencing with cultivation, harvesting, transportation, distribution and sales. Enforcement efforts can be targeted against every aspect of this illicit economic system. A systematic attack at all levels of illicit activity within the network is most likely to produce successful results.

It is an internationally accepted fact that the drug business is the finest form of organized crime committed by the drug mafia- the most powerful and lethal segment of the underworld. The premier law enforcement agencies against narcotics trafficking are entrusted with the sensitive task of combating the drug menace so as to make this world “drug free”.

However, a new phenomenon has gained strength over the past few years, i.e. the existence of medium and small size drug organizations, which have taken over both domestic as well as international trade. They confront no problems in the procurement of drugs originating from different countries. To tackle this mammoth problem composite and highly mobile forces should be given intensive training with a change in basic tactics from static check posts to mobile operations and from national limits to international boundaries. Drug traffickers change their modus operandi and drug routes as well. It has become easier for narcotic traffickers to operate their drug syndicates in different countries and territories. In this context, the exchange of drug related information and trends among the various countries can become a useful weapon against drug traffickers. Conferences and seminars are considered to be a better forum for the exchange of experience.

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On the other hand, drug money has all the chances to be diverted towards the ills of society, which includes terrorism/corruption and posing a threat to the stability of any government, which works against the motives and interests of the drug barons. Money laundering crime is a corollary of other crimes. This crime is committed in a most organized manner and is very difficult to detect and prosecute successfully as compared to other offences. It is committed to conceal the origin of the proceeds of its predicate offences. No matter how large the profit of the drug trade, drug money is almost worthless until it can be moved into legitimate financial and commercial channels. This obsession makes drug money an evil and it causes a profound subversive effect on democratic society, legitimate economies and government institutions.

Our group would hereby like to focus on the conventional investigative techniques to combat drug trafficking and discuss how to improve them. Before going into details, we look into the current criminal situation of drug related crimes in each country.

## **II. THE CURRENT SITUATION OF DRUG RELATED CRIME IN THE PARTICIPATING COUNTRIES AND REGIONS**

The members of the group have surveyed and gathered information from the participants of the 125th international training course regarding the situation of drug related crime in their respective countries and regions. The abridged result is described in the following sections.

### **A. Cannabis and Derivatives**

Cannabis continues to be the most abused drug in participant countries with almost all of them reporting varying degrees of wild growth and illicit cultivation except Pakistan, Japan, Laos, Malaysia and the Maldives. Amongst producing countries India, Egypt, Estonia, Bhutan, Tanzania, Indonesia and the Philippines have reported cannabis resin trafficking to destinations like USA, Europe, Sri Lanka, Bangladesh, Kenya, Australia, Japan, Malaysia and Taiwan. Countries in South East Asia and Tanzania also face the problem of resin trafficking through their territories. Recent trends do not show a substantial change in production and trafficking.

### **B. Opium and Derivatives**

India is the largest licit producer of opium by gumming. Some of this opium gets diverted and is locally consumed and converted into heroin for local consumption and trafficked to neighbouring countries like Sri Lanka, Maldives, and Middle East, etc.

Laos, amongst the participating countries is the largest producer of illicit opium and third in the world (estimated at 112.4 tons during CY 2002). The Laos Government has reportedly showed political will by launching a number of projects to eliminate Poppy cultivation by 2005. Poppy cultivation is also reported in Egypt (South Sinai), and Estonia (generally individual enterprise).

Opium abuse is generally limited to producing countries and neighbouring ones. Heroin is abused in participating countries mainly in India, Pakistan, the Maldives, Laos and to a varying degree in other countries. India and Pakistan have raised concern with the increasing number of intravenous drug abusers. Indonesia and Tanzania have also reported an increase in heroin abuse while Estonia has reported fentanyl abuse too.

Estonia, India, Laos, Pakistan, Tanzania and Thailand are also the conduit countries for trafficking. Pakistan, in specific, has reported substantial trafficking of heroin produced in Afghanistan through its territories.

### **C. Amphetamine Type Stimulants (ATS)**

Indonesia, the Philippines and Thailand and to a certain extent Estonia have reported production of Amphetamine Type Stimulant (ATS) including MDMA. Most of these clandestine laboratories in the Philippines are being run by Chinese nationals.

ATS abuse has generally seen a rise in all participating countries. Producing countries however, have all classes of society consuming ATS, locally known as “Yaba” or “Shabu”. ATS production and consumption is the main concern among South East Asian countries. Japan has reported ATS as the primary drug of choice among abusers and involvement of foreign nationals in trafficking and retailing.

ATS trafficking has been observed from producing countries like Burma, China, North Korea via South East Asia to Australia, Belgium, Guam, Indonesia and Japan, and Estonia have reported ATS trafficking produced in Europe. Japan has reported MDMA trafficking originating from Europe as well. Similarly, India has reported smuggling of Ephedrine to Myanmar for production of ATS.

### **D. Cocaine**

India, Indonesia, and Egypt have reported that cocaine is being abused in their country. It is reportedly imported in large amounts from South America through the parcel system, airports and seaports. Tanzania also reported that cocaine comes from South America transiting to South Africa and Europe. Considering its high price, only the affluent members of society are the usual victims.

### **E. Other Drugs**

Methaqualone produced in India is trafficked to mid-west Asian countries and East and South Africa. Tanzania has reported incipient methaqualone production and trafficking towards South Africa.

Tanzania has reported trafficking and abuse of “Khat” (a kind of stimulant). Japan and Bhutan additionally has the problem of solvents sniffing. Estonia has reported Gamma Hydroxybutyrate (GHB, a sedative-hypnotic, and was originally developed as a sleep-aid) abuse.

Some detailed data of India and Japan are shown at the end of this paper. Also, one can get other countries’ statistics provided by the United Nations Office of Drug and Crime (UNODC) on the website ([http://www.unodc.org/unodc/en/global\\_illicit\\_drug\\_trends](http://www.unodc.org/unodc/en/global_illicit_drug_trends)).

## **III. COLLECTION OF INFORMATION**

The collection of information is an indispensable activity to investigations. Here, our group would like to focus on the ways of gathering information leading to the initiation of further individual investigations. The group identified the following eleven items as important sources of information: namely, informants, undercover operations, electronic/telephonic/postal sources, electronic surveillance, wiretaps, custodial investigations, news media (publication and broadcast), other investigations, database, domestic and international information exchange and preliminary profiling.

### **A. Informants**

Informant denotes any person who divulges information on the regular commission or conspiracy of drug related offences and/or persons involved in them. This is an important part of human intelligence

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and has certain advantages over technical intelligence. Informant handling requires a personal touch and is equally fraught with drawbacks associated with such “double agents”. In ideal circumstances, a combination of this human intelligence with technical intelligence should give optimum results.

1. Problems Encountered

The handling of informants may present certain practical difficulties. A general member of public has a cynical attitude towards providing information to law - enforcers. Reasons vary from general apathy to fear of reprisal from the person being reported. They are also not willing to act as witnesses later. Certain societies may also have a stigmatized attitude towards informants as reported by Bhutan and India. In the absence of immunity, co-accused are less willing to cooperate as informants. Above all, it is possible that an informant may just be trying to frame-up somebody. Unreliable and suspicious informants continue to trouble investigators. Inexperience of handling informants and mixing professional and personal relationships need to be avoided.

2. Countermeasures

Winning cooperation of the public to act as informants can be achieved through education and confidence building measures. Providing incentives [pre- seizure] and rewards [post seizure depending on purity and quantity of the contraband] can rope in good informants. Background checks on informants and online checks such as monitoring their communications to guard against a red herring or sell-out are proven methods in India and Pakistan. Japan also maintains a database for such background checks. Non-disclosure of the identity of informants can counter their fear of exposure and reprisal. An added advantage will be a Witness Protection Programme [as in the Philippines]. India and Philippines also provide for immunity thus paving way for cooperation from co-accused. Criminalization of providing false information is a suitable deterrent provided by statute in India, Pakistan and Bhutan. In the Philippines, informants are informally favoured by remaining within the purview of the legal jurisdictions. It makes the informant friendlier and builds up confidence on both sides.

**B. Direct Information (Undercover Operations)**

Investigators can go out in the field and gather information by themselves without disclosing their status. This method can be called “direct information gathering” or more directly “undercover operations”. Undercover operations can be a powerful method of information collection. In some jurisdictions, it is even considered indispensable. On the other hand, however, there are some ambivalent attitudes toward such activities.

1. Problems Encountered

When an officer is directly dealing with the bad guys the chances are high of exposure to high risk and compromising the identity of the officer. On the other hand, sometimes, the same officer has to appear before the court as a State Witness, which gives ample chances to accused persons to identify him and resultantly some harmful act can be done.

2. Countermeasures

It is suggested that when an officer is at a high risk of exposure, there must be the provision of back-up teams. Firstly the undercover officer may avoid appearing before the court and if inevitable, video teleconferencing or screens in the courtroom should be used to avoid the disclosure of the identity of the officer to the defendant or public. If disclosure of the identity of the officer is not avoided then he should be allowed to disguise his/her identity and be posted or transferred out of that particular jurisdiction of work.

**C. Electronic/ Telephonic/ Postal Sources**

Enforcement agencies often receive information through institutionalized channels such as through letters etc. This modus has over time extended to sophisticated websites wherein informants can interact. Similarly, 24 hours control rooms facilitate information through telephones. Complainants thus have the benefit of being anonymous.

1. Problems Encountered

Though useful, such source of information is anonymous and requires to be verified. Anonymity, at times, encourages criminals to mislead the law enforcement agency and exaggerate activities of rival gangs. The utility of such information as weighed against its volume may be minimal, and its processing is time consuming. Mischievous messages and attempts to tamper with websites are to be guarded against. Different languages may be a handicap. Maintaining 24 hour control rooms may be a drain on manpower resources. Though receipt of information is centralized it may require action over distant places. An absence of adequate response in such cases may lead to apathy on the part of the general public.

2. Countermeasures

The general public can be encouraged to be more interactive by providing them with feedback on the information provided by them as far as it does not affect any inquiry/ investigation being undertaken. Experienced control room managers can elicit useful information over the phone without compromising the identity of their informant. Outsourcing the processing of information/managing control rooms can be considered at the primary level. Built-in language translation software and OCRs can be put to use to partly overcome the language barrier. Websites should have strong firewalls and regularly updated to avoid tampering. Building up the credibility of an agency, a timely response and a good reputation go a long way in encouraging the right type of people to come forth.

**D. Electronic Surveillance**

Electronic surveillance here refers to pro-active efforts of enforcement agencies in utilizing audio, video, the Global Positioning System (GPS), satellite imaging and internet traffic management, etc. to collect information and profile drug abuse and trafficking patterns. Such surveillance generally refers to public domain. Wiretapping being more intrusive has been dealt with in the subsequent section. The point to be borne in mind is the difference in legislation and issue of privacy, which differs from country to country.

1. Problems Encountered

The issue of privacy is quite important as it infringes upon the private life of citizens, the liberty generally guaranteed as a basic right in all modern societies. Thus such enforcement surveillance should only be in public domain. Even in the public domain too, it is debatable whether such surveillance be covert or public. Such equipment may be costly and require training for handling the same. Modern criminals, being well aware of such techniques, may deliberately mislead investigators and use high-tech technology to detect this type of surveillance. If located, such equipment may be easy to tamper with. Criminals can put sophisticated equipment to equal use for counter-surveillance. Electronic surveillance also suffers from handicaps such as the requirement of a power supply, availability of suitable range and frequency in case of wireless transmission etc. Loss of equipment, at times, is possible as in the case of GPS trackers. It is also easy to avoid detection of illicit cultivation by remote sensing if a canopy is used or on mountainous slopes mixed with other plantations.

2. Countermeasures

Public opinion should be built to support surveillance in the public domain as an effective

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countermeasure against criminals. Sufficient checks and balances can be built into such systems, such as compulsory disclosure after a certain period of time. This disclosure can be in one way allowed by giving the public free access to information on such surveillance conducted. Legislation, wherever permissible, to admit such information as evidence shall also lead to transparency. Officers should be sufficiently and selectively trained to handle such equipment and to act effectively against counter-surveillance. In-house research, over a period of time, can be undertaken to overcome technical difficulties such as range, frequency and camouflage etc. It is important to interweave the human intelligence with this type of surveillance to affect maximum gain.

### **E. Wire Tapping**

Wiretaps, in terms of this discussion, basically covers telephonic voice and data interception. It may be an efficient method to discover precursor information of criminal organizations and/or criminals. On the other hand, it implies the risk to a higher invasion of privacy of individuals as it may contain information relating to personal and business aspects of an individual. The advent of mobile telephony with international roaming and Internet require monitoring the same by enforcement agencies but with sufficient checks and balances provided for by the laws and rules. Provisions for wiretapping at the pre-investigation stage may vary from country to country. In Japan wiretapping is a limited investigative weapon to a specific case: whereas in India, Pakistan and Bhutan it is frequently used as an important method of collecting information by law enforcement agencies.

#### **1. Problems Encountered**

Invasion of privacy is a matter of rising concern throughout the world. In the absence of supportive legislation and public understanding, wiretapping may not be possible. Even in the case of provisions, wiretapping is highly technical and service provider specific. Mobile telephony interception may require adequate coverage of data such as short messaging system [SMS] and mobile messaging system [MMS] to be effective. The absence of satellite phone providers in a territory may pose a problem of effective liaison. Individual encryption/ scrambling may delay decoding of interceptions. A strict framework of laws and rules, though necessary, sometimes take a lot of time [e.g. exact transcription] and this is used by criminals to their advantage [e.g. limited timeframe]. Too much reliance on wiretapping without adequate field back up may lead to warped priorities.

#### **2. Countermeasures**

Wiretapping should be resorted to as the last measure of collecting information. Checks and balances within and without the hierarchy of the agency should be in place, such as in India. Custom-made software may be used to obviate difficulties faced due to different hardware and interconnectivity of service providers. Coordination and liaison with service providers is a must before the introduction of new technologies. Sufficient supervision should be in place to avoid indiscriminate wiretapping and an adequate mix with field intelligence.

### **F. Custodial Investigation**

Sometimes a suspect conspicuously avoids vital information during custodial investigation and police questioning thus it is hard to get such appropriate information. It depends a lot on the officer who interrogates the suspect to squeeze and grasp the information from the suspect's version.

#### **1. Problems Encountered**

The problem that stands out is the limited time period before producing the suspect before the court. Limited information about the suspect's background and past history causes stumbling blocks in a smooth investigation. Similarly lack of coordination between different investigation agencies is also observed.

## 2. Countermeasures

Each law enforcement agency should be equipped with highly talented and seasoned investigation officers. During custodial investigation such police officers should be deputed to carry out the investigation keeping in mind the limited timeframe or lack of information. The other way to tackle this impediment is to recommend a change in the legal framework on the part of policy makers to increase the custodial investigation period with sufficient safeguards. Presence of an apex coordination agency can be the solution to get rid of a lack of cooperation/coordination between the law enforcement agencies. These agencies may develop a database, which should be shared on a need-to-know basis.

## **G. Media**

At the present time, the media covers almost all aspects of social life; therefore, it may discover the crime through its own sources ahead of the law enforcement agencies. On the other hand, the law enforcement agencies can distil information related to the crime that is not written in the article. The situation of the dark society and/or the crime trend may be estimated through articles on economic conditions, social events or the general social situation. Furthermore, if there is a campaign by the media against a high-profile case, it can support the activities of the law enforcement agency to carry out an investigation smoothly against political pressure. Therefore, the media, such as newspapers, television, and magazines etc. can be important information resources for law enforcement agencies.

### 1. Problems Encountered

The media sometimes exaggerates facts in order to arouse the curiosity of the general public. The tendency is strong in the “yellow journalism”. In such a case, investigators should select articles which contain correct information. The media protecting the secrecy of their information source can be a stumbling block for an investigative agency. When the media coverage is published, it is sometimes too late to start an investigation. Some criminal organizations and drug barons have influence on the media. They might even publish their own newspaper and criticize a law enforcement agency. Moreover, human and budgetary resources are necessary to follow large amounts of information that the various media produce.

### 2. Countermeasures

Law enforcement agencies must evaluate information carefully. In order to verify information, continuous collection and analysis of information is necessary. The efforts of an agency to cope with the media is also necessary. It is also important to maintain a good relationship with the media through press conferences about the criminal investigations and through periodical information exchange. It may also be useful to clip articles for future analysis. Use of an internet clipping service makes analysis more efficient.

## **H. Other Investigations**

Investigators can obtain information about criminal groups which engage in illicit drug trafficking, about the route of drug trafficking and price of drugs through other kinds of investigation. For example, a foreigner who was arrested for smuggling might have information concerning other illicit drug smuggling routes. A suspect or a convict arrested for a completely different crime such as extortion may have important information relating to drug trafficking or criminal organizations that are involved in drugs.

### 1. Problems Encountered

It is very difficult to obtain statements about illicit drug smuggling routes or criminal groups from the suspects of other criminal cases. He/she might be scared of the retaliation from the criminal group. In case of the suspect arrested for drug trafficking, he would not disclose his/her involvement in an

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organized criminal group because it could lead him/her to an even heavier penalty. In such cases, it is also very difficult to get information. Even when they make statements they may not tell the truth; it is very difficult and time consuming to verify the statements. Strict time limitation for investigators to produce the suspect before the court prevents him/her from probing additional information that seems irrelevant from the current case in question.

## 2. Countermeasures

For the suspect or the convict who is scared of retaliation from criminal groups, investigators usually need to persuade them to overcome the fear and tell the truth. Provision of protection may lead to disclosing of information more easily. When the suspect is afraid that his/her penalty will be heavier, provision of an immunity system can be one of the solutions. With regard to this point, a participant from India stated that the Indian Narcotic Drugs and Psychotropic Substances (NDPS) Act provides for strong immunity. If a suspect of any crime discloses information concerning drug crime, he/she would be exempted from both the drug crime and the original crime, even if the original crime is a very serious one, such as murder.<sup>1</sup> In the Philippines, the suspect will be exempted from responsibility for only the drug crime in a similar case. Investigators should utilize additional information in verifying the statements of such suspects.

## **I. Database**

A database is a vital information bank for law enforcement agencies from which they can get information about a criminal, his bio-data, associate details, vehicle registration, criminal records, bank accounts and so on. This information can be used for an on-going investigation or for follow up actions or as reference. The importance of a database as a source of information is unanimously accepted, but it has its drawbacks/problems.

### 1. Problems Encountered

One of the foremost problems of a database is the huge quantity or volume of data it contains. Maintenance of such a huge database requires additional resources. Outdated information because of the absence of necessary personnel to update them is useless. Sometimes different agencies create individual databases that contain similar information without any link to an existing one. In such a case, to sort out which database has what information becomes extremely time consuming. Secondly, when an adequate search procedure or subroutine is not established, it is difficult to get the right information in a given time frame. On the other hand, if there is no database at the law enforcement agency, it takes a long time to create a useful database.

### 2. Countermeasures

The solution to counter the first problem would be differentiation between the intelligence database and criminal investigation database. It was suggested that the creation of a huge database only by the law enforcement agency might not necessary because investigators can always consult other agencies for necessary information. However, there are other opinions that a comprehensive database should be maintained by the law enforcement agency in order to be effective. In either case, necessary resources should be allocated in order to maintain an updated database. This would enable the police to access the right information in an appropriate time. To cope with the second problem, there should be a user-friendly search procedure for any database. It is recommended that an adequate manual should be maintained.

## **J. Domestic and International Information Exchange**

Today, in a very complicated society, information exchange is indispensable and becomes more

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<sup>1</sup> Section 64, NDPS Act. Although the legal provision states this, it is not applied since the promulgation of the act in 1985.

important in order to expose the crime especially committed by organized criminal groups such as Mafia. Because such organized criminal groups try to commit drug trafficking using the latest communication equipment like the Internet backed by their abundant funds, and the modus operandi of such crimes is getting more and more sophisticated.

#### 1. Problems Encountered

First, as far as domestic information exchange is concerned, investigative agencies tend to withhold information and are reluctant to exchange information with other agencies because of sectionalism, distrust and jealousy among different law enforcement agencies. On the other hand, there are some agencies, such as hospitals, that should not disclose the information easily from the view point of the protection of privacy.

Second, as far as international information exchange is concerned, routes can be mainly divided into three ways, namely, the diplomatic channel, Interpol and inter-agency. Quick gathering of information is vital to the practical investigation. However, the diplomatic channel is not frequently utilized because it is time-consuming. Interpol is quite useful, but a requested country for information exchange is not obliged to respond to such request. Informal information exchange among the respective countries law enforcement agencies can be seen, but does not seem to be smoothly taking place.

Third, differences of legal system and languages among countries make information exchange further troublesome.

#### 2. Countermeasures

By establishing regular meetings (every six months or on a quarterly basis) among law enforcement agencies, we can build up mutual trust and share information.

So as to have a faster and smooth exchange of information among international law enforcement agencies, it is recommended that each competent agency have a memorandum of understanding (MOU) as much as possible.

The group is of the opinion that each investigative agency should establish a common framework so that they can exchange information smoothly. Establishing a common database can be envisaged. In order to overcome the differences of legal system and languages, continuous efforts in exchanging information is necessary. Very sensitive information might be exchanged among high ranking officials of respective agencies.

### **K. Preliminary Profiling**

Preliminary profiling is necessary to serve as a reference in cases for future operations. However this method of collecting information is considered a tedious task since it covers a wide variety of fields and needs to be constantly updated. Like for example, in socio-economic profiling, there is a need to consider the economic activity of a certain area to analyze the changing economic status of a certain individual subject in question. Other areas to be considered, but not limited to these areas, are mail and parcel profiling, air passenger profiling and baggage profiling. If we are able to organize centralized preliminary profiling data where all the required necessary information is stored and analyzed regularly, then it will be a good source of information that can help law enforcement agencies in their day-to-day operations.

#### 1. Problems Encountered

Preliminary profiling takes an enormous amount of time and resources considering that it needs a considerable period of time in storing all the data necessary before an analysis can be made. Failure in

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storing the right data may result in a wrong analysis that may mislead the investigative agency in the conduct of their operation, or even if you have stored the right data but you were not able to make the interpretation and analysis properly, then it will still affect the planning for such future operations. The Majority of the participant countries admitted lacking expert personnel to do the job and also the technical equipment needed to keep-up with the advancement of technology the criminals are capable of employing.

2. Countermeasures

Considering the wide variety of information necessary, there is a need to strengthen cooperation among the different organizations, private or public, to share all the data available. It is considered that the establishment of a special organization/task force be maintained to collect and analyze all the information. Trained and expert personnel should man these organizations to ensure that all the collected information will be properly used for the maximum advantage of all investigating agencies.

### **III. MAJOR DIFFICULTIES IN THE COURSE OF INVESTIGATION**

In the course of the actual investigation of drug crime, there will be a number of problems. The members of the group agreed to discuss their major problem areas in the investigation. Identified issues are interrogation, bottom up investigation, search and seizures and financial investigation.

#### **A. Interrogation**

The interrogation/ questioning of the accused/suspect is to establish their extent of involvement in crime, modus operandi, associates, financial transactions, communication channels, safe houses, habitudes, previous transactions and recovery of contraband. Custodial interrogation is within a framework of limited time and provisions of laws safeguarding self-incrimination. Investigators in Bhutan, Pakistan and India get 24 hours before mandatory production to court or release. In the Philippines, this limit varies from 12 to 36 hours depending on the type of offence. Japan allows 48 hours for the investigator's and a subsequent 24 hours prosecutor's questioning limitation followed by a further 20 days [10 +10] possible custody on discretion of the court, Indian enforcement agencies also have the provision of police custody at the court's discretion for a maximum period of 14 days.

1. Problems Encountered

Limitation of time becomes a serious handicap in case of difficulties in getting online/quick response from other agencies for cross- checking/ verification of a suspect's statement. Capital seizures involving large numbers of accused, locations and quantity of contraband coupled with manpower constraints may affect interrogation. Handling a suspect bent on misleading or non- cooperation requires certain experience and expertise. Such lack of expertise may also lead to missing certain important information due to oversight. Odd timings and locations may not offer ideal infrastructure for interrogation e.g. a one-way glass panel. Important and multilateral cases may require involvement of multiple agencies. Lack of willingness to allow joint interrogation for want of sharing credit or reward is quite possible. Difficulty in interpretation of a foreign language or interference by facilitators may slow down interrogation. Overlooking their psychological status/ profile misleads the investigator. Similarly, social status or security concerns for a suspect may warp priorities of interrogation. Such situations are sometimes faced during the interrogation of kingpins. Failure to properly consolidate and reduce their observations/statements in writing is sometimes noticeable, even amongst experienced investigators.

Above all, these psychological profile techniques of interrogation are very important. Similarly, inappropriate handling by supervisors due to a communication gap with investigators or attention to/ from

media may affect the process of interrogation.

## 2. Countermeasures

Training of investigators in techniques of interrogation [hot and cold, rapid fire, confrontation, etc.] shall obviate the problems of wastage of time in getting down to business. Prosecutors and the court should be liaised with in case of an additional time requirement. Apart from training, choosing appropriate personnel for the job is necessary. This may require personality profiling of personnel as well. Checklists and questionnaires should aid the investigator. The questionnaires should be able to bring out the personal and financial profile of suspect. Use of techniques like polygraph tests can be taken where permissible. Depending on the seriousness of the case, the level of interrogation [rank of officers] can be adjusted and team interrogation facilitated with video recording etc. Team interrogation basically refers to the same agency/case and can be conducted on a one-to-one basis with later sharing or simultaneously by more than one officer. Video recording [e.g. in India] is used for internal evaluation and analysis of interrogation. Certain countries may have provisions of access by the defence in case of such video recordings. Stand by teams for simultaneous raids, arrests, search, coordination and security should be a primary concern of supervisors. Background checks and use of available databases should be made to reduce time wasted on cross verifications. For joint interrogation/ coordination, proper guidelines should be laid out. The regular review of cases and follow ups to check the same by higher-level officers can remedy this. Agencies should strive to improve infrastructure facilities at select locations/ use facilities of other agencies. The task of liaising with the press should rest with a public relations officer [PRO] and investigators should not be troubled with it.

## **B. Bottom-Up Investigation**

Most illicit drug trafficking is conducted by organized criminal groups. The ringleaders of such drug trafficking usually occupy high status within the organized criminal groups. Following their instructions, illicit acts such as production, transportation, trafficking and laundering of proceeds of drug trafficking are systematically committed. Moreover, in recent years, worldwide criminal organizations collaborate with one another and share the illegal tasks and proceeds of crime amongst themselves.

These criminal organizations always try to impede investigations. The Modus operandi of their crime is becoming more and more sophisticated year after year. For example, the ringleader who occupies a high status in the organization manoeuvres behind the crime scenes but never comes to light.

However, illicit drugs trafficking causes a problem of global expansion of drug abuse. Profit from illicit drug trafficking is used as a source of funds of these criminal organizations, and there is concern that some of the funds are being diverted to finance terrorist activities. Moreover, money laundering is said to cause serious damage to the world economy. On this account, it is necessary to eradicate it with thorough regulations and an uncompromising attitude. For that purpose, apprehension of end drug abusers is not enough: exposure of the whole criminal organizations including arrest of the original ringleader is indispensable.

From the above reason, this group hereby decided to examine an effective bottom-up investigative method which initiates investigation from the level of an end drug user or an end dealer of the criminal organization and leads to the level of a ringleader of the drug trafficking.

### 1. Problems Encountered

It is very difficult to convince the arrest end member to divulge information about the criminal organization. They keep silent in fear of retaliation by their criminal organization against him/her and their family members.

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If the information is cut off at the level of an end member of the criminal organization, this poses a problem to the investigators. The criminal organization usually gives the least information to the end member in order not to be traced by the investigative agencies. The end member sometimes does not know even the real name of the superior who gave instructions and sometimes does not have any information about routes used for the drug trafficking, etc.

It is very difficult to arrest the top person of an organized criminal group if the investigator fails to get a whole picture about the group from the end member by way of a bottom-up approach. Senior members of the criminal organization never touch the drug directly. Consequently, there are only two ways to convict them: (1) to prove conspiracy between the top and the end member and (2) to prove the existence of proceeds from the drug trafficking. Testimony of end members is necessary to prove those facts.

In case of ethnic hierarchical organized criminal groups, it is more difficult to get information, because the relationship between members is extremely strong and they use a different language.

On the other hand, for example, in a small town, organized criminal groups can easily identify each investigator so that they sometimes put investigators under their surveillance. The investigation can be interfered in various ways such as destruction of evidence. In most cases, such interference by the organized criminal group sometimes starts as soon as the arrest of an end member.

Monetary support by senior members to end members may become a hindrance to acquire full information of the criminal organization. Sometimes the end members become non-cooperative and refuse to testify to upset the investigation. In some countries, the politicians who have close connections with the organized criminal groups can put pressure on an investigation. Shortage of budget, human resources and lack of proper training also become a hindrance to investigative agencies. Investigative agencies now face a problem of their jurisdiction in the course of their criminal investigation compared with the current borderless trafficking committed by organized criminal groups. For example, extradition of the suspect requires a complicated procedure.

Another problem of the bottom-up approach is that it takes too much time to arrest drug barons. In other words, criminal organizations will have enough time to destroy evidence while law enforcement agencies make efforts to trace the root of the drug trafficking.

### 2. Countermeasures

After due consideration of the above-mentioned problems, this group pointed out the necessity of knowing the background of organized criminal groups as a prerequisite to the bottom-up approach. In such case, utilizing informants and undercover operations are effective. In order to get honest statements from the end members who are afraid of retaliation from their criminal groups, the interview technique of the law enforcers plays an important role. It is important to create a friendly atmosphere for the end member to give his/her honest statement willingly. Moreover, the introduction of a witness protection programme (WPP) including supply of a new house as a refuge or financial support is suggested. A WPP can be more effective if it encompasses alteration of the witness' identity.

Conducting various investigative techniques concurrently in order to conquer the difficulties of proving the conspiracy of the top person of the drug trafficking groups is likely to prove effective. For example, analysis of telephone records, communication interception, electric surveillance, financial investigation and so on, should be incorporated. Above all, covert investigation is important in order for an investigative agency to prevent the criminal organization from destroying evidence just after the end member has been arrested. A comprehensive database that contains such information is useful for

investigation.

Sufficient budget and human resources should be appropriately allocated; especially, the establishment of a task force comprised of trained investigators may be effective to counter organized drug crimes. In case of borderless trafficking, law enforcement agencies should actively cooperate.

In India, there is a preventive detention system that entitles law enforcement officers to detain a person for a maximum period of two years when there is probable cause that the detainee will commit some illegal acts. This system contributes toward the tracing of the roots of the drug trafficking syndicates.

Even though the bottom-up approach may be a basic and steady investigative method to reach the top persons of the organized criminal groups, it may be considered tedious in some countries facing serious problem such as large-scale cultivation or export of large amounts of drugs. Such countries need to simultaneously focus on the root of the drug trafficking, that is, cultivation of drugs, utilizing such means as satellite photography.

### **C. Search and Seizure**

Investigations into drug crimes invariably involve conducting searches and seizures affected to gain material evidence. This material evidence is important to prove actus reas like wilful possession etc. Such searches are conducted subsequent to obtaining a warrant from a jurisdictional court and standard operating procedures define the method of execution and follow up e.g. making a list of seized articles and handing over a copy of the same to the owner of the premises/suspect. The extent to which enforcement agencies are permitted to carry out a search without a warrant in emergent circumstances vary from country to country.

#### 1. Problems Encountered

The aim of a search shall be defeated if it does not yield maximum advantage to the investigators. This basically means that not choosing the appropriate timing for a search may not result in maximizing the culpability of the accused. A typical example is striking before the accused has opened a package of drugs delivered to him and then leaving the defence with the plea of ignorance. Avoiding searches at night and at places where customs inhibit the same may also have to be taken into consideration. Searches bring investigators into direct contact and conflict with traffickers and physical harm. In Pakistan there is frequent resistance by traffickers as the quantity of drugs transacted is substantial. This resistance can be armed and dangerous. Lack of experience and time constraints can at times lead to improper/ insufficient collection of evidence. Allegations by affected parties are not uncommon in countries like Bhutan accusing the search parties of misconduct or misappropriation. This can be very demoralizing if further exacerbated by the press. Searches, at times, may require an operation extended over a large area and bring more than one agency into play. With the source of information being handled by one agency, coordination may be a problem. Lack of coordination may lead to leakage of information, compromising the source of information and failed operations.

One of the interesting aspects that came up was the provision of laws relating to the execution of warrants in case of emergent circumstances like the incidental presence of drugs not mentioned in the warrant. The Japanese participants elaborated that there is an issue relating to the strict interpretation of the contents of a search warrant as stipulated in Article 35 of the Constitution of Japan and Article 107 of the Code of Criminal Procedure. For example, when an investigator obtains a search warrant for stimulants and finds cannabis during the search, it is not possible to seize this cannabis with the warrant in hand. If there is a suspect who actually possesses the cannabis, of course, that person can be arrested on

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the spot and the cannabis can be seized. Also, the investigator can retain the cannabis through voluntary submission by the witness and the owner of the premises during the search even though the suspect is not present. However, it is not possible when the suspect is not present and when the witness/ owner of premises does not cooperate. In such a case, investigators in Japan have to ask for another warrant from the court. Practices in other countries vary to the extent that under such emergent circumstances, seizure can be affected in the presence of independent witnesses and the court informed appropriately.

## 2. Countermeasures

Selecting the appropriate time for the search should be part of the plan. This, however, has to be backed with sufficient information and in/controlled deliveries can be backed with technical gadgets like light sensors indicating the time the packages are opened etc. Advance planning, such as including women officers in search parties when raiding, should obviate problems of customs in India and Pakistan. Special task forces may be constituted in case of armed resistance and the services of specialists such as commandos can be requisitioned. Investigators should be trained to carry checklists with them to avoid committing procedural lapses. A mix of experience will avoid stress on young investigators during a search. Leakage of information leading to failed search operations is another sensitive issue and can be overcome by working on a 'need to know' basis and pacing effective internal intelligence within the agency to identify black sheep. Coordination is a difficult issue but can be tackled by suitable advance planning. Sharing the proceeds and credit can be an incentive for coordination and cooperation amongst agencies. Debriefing at higher levels is also recommended. Suitable policy guidelines may also be laid for such compulsory cooperation among agencies.

With relation to the problem of strict regulation on search and seizure in Japan, one argument is that in the case of drug offences, the seizure of drugs not listed on a search warrant should be permitted with necessary restrictions imposed on the law enforcement agency by employing the rule of "plain view" as in the United States. However, there also exist concerns that the above argument may negate the role of a search warrant and result in the violation of human rights because it may give the law enforcement agency too much discretionary power to determine the items to be seized. It may be interesting to note here relevant provisions in India. Search even without warrant is allowed in emergent circumstances in the presence of independent witnesses after making a record of reasons for such an emergency in writing. This extends to search with warrant where the searching party may come across other incriminating evidence.

## **D. Financial Investigation**

Drug trafficking has long been a source of revenue for crime groups, because the gap between the manufacture/source price and the street price is enormously wide generating huge profit. It is important to deprive traffickers of their illegal profit, in order to make a forceful impact against organized drug crimes. At the same time, since drug crimes are global in nature, international cooperation is indispensable.

### 1. Problems Encountered

Financial investigations involve document examination, analyzing banks/financial institutions/land records and tracking the money flow etc., making it time consuming. Absence of clear provisions in laws may make financial institutions reluctant to maintain and provide such information. This is important in view of certain countries yet to experiment with anti- money laundering provisions. This also calls for certain relevant expertise and experience like analyzing suspicious transaction reports and similar proactive measures etc, to which investigators may not be exposed. ARS [alternative remittance systems] pose challenges in tracing money flow because of a lack of institutional records and their ethnic and transnational nature. Drug proceeds over a period of time are transacted multiple times and thus come under the jurisdiction of other agencies like the internal revenue etc., a lack of understanding among these

agencies may lead to their working at cross purposes. Simultaneously bottle-neck/institutional weakness of one of these may hamper or delay investigation e.g. lack of computerization of land records or “benami” [non-existent parties] transactions in real estate. Even when proceeds are well tracked, the difficulty in distinguishing clean from dirty money and their extent may pose problems e.g. in joint ownership of companies/real estate/investments. Liquid assets require quick reactions as high mobility makes them liable to be tempered within a very short time. Lack of international cooperation has encouraged traffickers to go global and park their proceeds, away from the scene of the crime, and in safe havens.

## 2. Countermeasures

Enactment of provisions compelling financial institutions to maintain records, report suspicious transactions and provide information on request is a prerequisite. Investigators should be trained in analyzing and chasing useful information. This can also be achieved by hiring experts, an appropriate deputation mix and the creation of financial intelligence units [FIUs]. The core of ARS should be struck at by long-term surveillance and sustained investigation-enabling the tracking of the transfer of the corpus of the money. ARS can be further weakened by promoting institutional banking and encouraging non-tainted money [e.g. repatriation of earnings] transfer through it. Plugging loopholes in procedures like land registration and strengthening these institutions [e.g. computerization of records, stricter provisions regarding power of attorney] shall go a long way in making it difficult to disguise dirty money. Cooperation amongst domestic agencies should be improved by regular minuted meetings [e.g. regional economic intelligence committees in India] and by appropriate bilateral/multilateral international agreements. The burden of proof in the case of financial investigation assumes considerable significance due to the history of difficulty in tracking and chafing ill-gotten wealth from clean money. Once the money is tracked, it is desirable that the burden of proof explaining its source rest with the accused. Participants from Japan expressed support for such a provision as provided by the laws in India and other participating countries.

## IV. FOLLOW-UP

### (Can continue even if the case is already filed in court)

The job of the investigator does not end when the case is already filled in court. It is always the responsibility of the investigator until justice has been served; therefore, he/she must maintain close coordination with the prosecutor to ensure that all the necessary evidence is provided, including that of the witnesses. These are very important things to consider in order for the prosecution to successfully convict the accused.

Follow-up also means that, information and evidence gathered as a result of the investigation conducted on the accused, needs to be properly stored and analyzed. For example, the purity and impurity of the drug seized should be analyzed over a period of time to contribute to profiling.

There are also cases where the offender after having served his sentence, can still be a good source of information. He might divulge information about his criminal association and organization. Therefore, it is advisable that the police investigator maintains contact with such persons.

Drug routes, the flow of money, telephone records, drug prices, modus operandi, link chart analysis, association matrix and ethnic profiling should be properly analyzed and such analysis should be used for internal circulation, feedback and database update for future operations.

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All gathered and analyzed information should be disseminated with other investigating agencies and, if necessary, should be discussed periodically at a workshop because the information and analysis of one agency might be different from that of another agency. During the workshop, such differences should be settled after the exchanging of notes and thorough comparison/analysis of all the available information.

In combating an organized crime group, there is difficulty in neutralizing/arresting all the members of the group, including their leader, all at once. Most often it is always the ordinary member that is caught and arrested or even if the leader is arrested, some of the members manage to elude arrest. These criminals can always recruit new members and will continue with their criminal activities. However, their modus operandi in many cases will still be the same. In such case, the police investigator will not have difficulty in going after this organized group if follow up is maintained properly. All the available information stored and analyzed as a result of the follow-up will point to this group. The police investigator can identify drug routes and the flow of money, etc. and can prepare a good plan for future police action against this criminal group.

Information gathered will also show recent developments in the trend of activity of the criminal group and it is therefore necessary for the investigating agency to consider if there is a need for changes in legal provisions/bilateral agreements. It is a known fact that criminals, particularly organized transnational groups, are taking advantage of the fast changing technology and the investigators are sometimes left behind because of restrictions in the provisions of the law. In the case of bilateral agreements that were entered into some years ago they may no longer be applicable because of new developments in technology.

For these reasons, but not limited to these reasons, follow-up must always be maintained in order to keep track of the criminals; it is a continuous and unending process.

### **V. METHODS TO IMPROVE INVESTIGATION**

Criminals nowadays are becoming more sophisticated and can easily get away scot-free from the law enforcement officer. In this regard, the group discussed the need to improve conventional investigation methods that can be adopted in order to ensure the criminals will be arrested and be brought to the bar of justice.

Several measures were mentioned in our discussions and thus can be categorized into the following three areas; intra-agency measures, inter-agency measures (domestic), and international forum.

#### **A. Intra-Agency**

Expert investigators with vast of experiences in the field of investigation should conduct on-the-job training for those who are rookie investigators. For example, in the case of custodial investigation, investigators must be trained in behaviour analysis and be able to decipher the body language of the suspect under question to determine whether he/she is telling the truth or otherwise. It is also necessary that the police investigators should maintain a checklist/booklet wherein he/she can easily refer to the standard operating procedures that must be followed.

Analysis of failed operations in the respective agency is also necessary in order to determine the cause and reason why such operations were not successful. Debriefing after every operation is therefore a must so that those failures and weaknesses will form the basis for corrections and improvement in the planning and actual conduct of future operations.

Similarly, a combination of human and technical intelligence is also necessary to improve the methods of conventional investigation since the criminals are highly technical. The use of such technical intelligence is to assist the investigator in the conduct of their investigation where only the use of such technical equipment can address the solution of a particular case.

**B. Inter-Agency (Domestic)**

If the individual investigation agencies try to keep the information to themselves because they do not want to share the credit, that is not effective. By sharing the information with others, the information held by the individual agency will also become updated. In order to share the information, conducting a liaison committee meeting among investigation agencies involved in drug offences will be effective. By conducting such a meeting regularly not only can we share the information but also we can become acquainted with other investigation agency personnel and thus create a closer working relationship. Sharing of information can also be done through the deputation of personnel among agencies.

On the other hand, an interactive feedback loop between prosecutors and investigators should be maintained in order to maintain a constant and regular follow-up on the status of a certain case before it is filed in court for trial and during the duration of the trial to ensure that all the necessary witnesses and evidence are properly presented for the conviction of the accused.

**C. International Forums**

There are three forms of international investigations: through mutual legal assistance [MLA], memorandum of understandings [MOUs], and Interpol. In either case in order to conduct a smooth investigation, several additional features are necessary. Firstly, it is desirable to have a working level meeting among involved nations. At this meeting, an information exchange regarding specific cases and agreement/confirmation regarding detailed procedures for international investigation should be discussed. This may make it possible to decrease the response time when actual cooperation is requested. Moreover, by repeatedly having such meetings, it might result in simplified procedures.

Secondly, placing personnel at embassies etc., as a liaison officer from the investigation agency, is very effective because the liaison officer can help iron out the administrative process of an actual mutual assistance case. Additionally, such liaison officers can share informal information and perform some informal coordination with the investigative agencies in that country.

Thirdly, it is important to actively participate in various international training courses and forums that are held by the UN and other international organizations. Through this participation, the global trend regarding drug trafficking and money laundering and the latest information regarding international measures can be acquired. It will widen the investigators' perspectives in combating the menace of drug trafficking.

Moreover, to overcome the barriers of entering mutual assistance with other countries, participation in the above meetings will allow each country to settle the conflict of each local judicial and legal framework because the latest precise information will be acquired.

Lastly, database sharing or creating mutual link measures will be effective among countries maintaining close cooperation/and or bilateral cooperation, etc.

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**VI. CONCLUSION**

Our discussion has been focused on the conventional investigative techniques to combat drug trafficking. However, besides the improvement of conventional investigative methods, we need to be equipped with the latest techniques and weapons, as the criminals always tend to be one step ahead of law enforcement agencies. We would like hereby to conclude our paper hoping for a peaceful world without any place for criminals.

**APPENDIX A**

**National Drug Law Enforcement Statistics  
As Reported up to June 30, 2003 (India)**

Year		1999	2000	2001	2002	2003
<b>1. Seizures of Various Drugs in Kg. with No. of Cases</b>						
Opium	Seizures	1635	2684	2533	1867	643
	Cases	927	1257	1205	1167	301
Morphine	Seizures	36	39	26	66	18
	Cases	125	142	146	148	85
Heroin	Seizures	861	1240	889	884	300
	Cases	2937	2841	3891	4328	1546
Ganja	Seizures	40113	100056	86929	88137	23418
	Cases	6518	6073	7613	3687	1900
Hashish	Seizures	3391	5041	5664	3300	911
	Cases	2500	2078	2117	2121	661
Cocaine	Seizures	1	0.350	2	2	1
	Cases	4	5	10	5	4
Methaqualone	Seizures	474	1095	2024	11130	
	Cases	8	31	8	7	
Ephedrine	Seizures	-	426	930	126	2234
	Cases	-	8	5	4	5
L.S.D. (Sq. paper)	Seizures	240	0	0	0	
	Cases	3	8	0	0	
Acetic Anhydride (in ltrs)	Seizures	2963	1337	8589	3288	4
	Cases	7	14	8	4	1
Amphetamine	Seizures		3	0	0	
	Cases		11	0	0	

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Year	1999	2000	2001	2002	2003
<b>2. Persons Arrested</b>					
a) No. of person arrested including foreigners	13490	15065	16315	12318	4974
b) No. of foreigners arrested	92	92	133	172	40
<b>3. Action Taken against Persons Involved in Drug Trafficking</b>					
a) No. of persons prosecuted	10841	19162	12358	12496	2237
b) No. of persons convicted	2891	4447	3419	5310	797
c) No. of persons acquitted	4632	5416	4712	5089	818
<b>4. Action Taken Under PITNDPS* (Ndps) Act, 1988</b>					
No. of detention orders issued under PITNDPS Act	56	73	61	65	8
Nos. detained	44	73	46	63	8
<b>5. Destruction Of Narcotics Drug Yielding Plants (with reported Potential Yield)</b>					
a) Poppy Plants					
Area (in acres)	729	379	44	539	
Potential Yield (in kg.)	13125	6817	512	6468	
b) Cannabis Plants					
Area (in acres)	66	50	124		
Potential Yield (in kg.)	73144	65324	174818		
<b>6. Destruction of Manufacturing Facilities</b>					
a) Facilities detected and quantity of finished drugs seized in kg.					
Heroin	36	1	5	28	1
Facilities detected	3	5	6	7	1
Hashish	-	-	-	-	
Facilities detected	-	-	-	-	0
Methaqualone	197	0	0	442	
Facilities detected	2	0	0	1	0
Morphine	0	2	0	5	1
Facilities detected	0	4	1	1	1
b) Nos. of persons arrested	10	9	11	13	1

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Year	1999	2000	2001	2002	2003
<b>c) Incriminating material seized in kg.</b>					
Acetic Anhydride	73	2	1	1466	4
Acetyl Anthranillic Acid (ltrs.)	-	-	-	-	
Acetyl Anthranillic Powder	-	-	-	-	
Acetyl Chloride	0	1	0	4	20
Ammonium Chloride	0	8	1	5	1
Diethyl Ether	0	0	0	0	
Methenol	-	-	-	-	
Opium	0	2	2	7	
Opium Solution (ltrs)	0	23	36	34	
Sodium Carbonate	402	5	1	99	7
<b>7. Disposal of Seized Narcotic Drugs and Psychotropic Substances</b>					
Opium	25	11	20	1	66
Morphine	-	-	-	-	
Heroin	39	1	2	5	2
Ganja	4558	2081	88	8718	588
Hashish	48	55	22	77	38
Cocaine	-	-	-	-	
Methaqualone	8	0	0	0	
Ephedrine	-	-	-	48	
L.S.D (Sq. paper)	-	-	-	-	
Acetic Anhydride (ltrs)	-	-	-	-	
Amphetamine					
<b>8. Forfeiture Of Property</b>					
a) Value of property forfeited (Rs.)	6155051	13246464	1626630	23636425	
No. of cases	1	3	1	10	
b) Value of property frozen (Rs.)	7456247	5370283	2092803	523300	
No. of cases	7	4			

\* PITNDPS- Prevention of Illegal Trafficking in Narcotic Drugs & Psychotropic Substances

**APPENDIX B**

**National Drug Law Enforcement Situation  
as of October 2002 (Japan)**

**Number Arrested for Violation of the Opium Law in Japan, by Year**

	1993	1994	1995	1996	1997	1998	1999	2000	2001
<b>Total</b>	132	222	172	141	161	134	128	67	49
<b>Illegal Cultivation</b>	62	128	111	102	95	95	85	48	20
<b>Ratio</b>	47.0 %	57.7 %	64.5 %	72 %	59 %	71 %	66.4 %	72 %	40.80 %

Data obtained from the Ministry of Health, Labour and Welfare, the National Police Agency, and the Japan Coast Guard.

**Progression of Arrested Cannabis Related Criminals and Volume of Seizure in Japan**

		1993	1994	1995	1996	1997	1998	1999	2000	2001
<b>Number of arrested cases</b>		2,871	2,675	2,314	2,098	1,874	2,111	1,764	1,815	2,321
Number of arrested criminals		2,055	2,103	1,555	1,306	1,175	1,316	1,224	1,224	1,525
Volume of seizure	Dried cannabis (including cannabis tobacco)	612.0kg	290.1kg	208.1kg	172.7kg	155.1kg	120.9kg	565.9kg	310.3kg	844.0kg
	Cannabis resin	29.7kg	97kg	130.7kg	145.1kg	107.4kg	214.6kg	200.3kg	185.4kg	73.5kg

Data obtained from the Ministry of Health, Labour and Welfare, the National Police Agency, the Ministry of Finance, and the Japan Coast Guard.

**Number of Stimulant Drug Offences and Amount of Drugs Seized in Japan, by year**

	1993	1994	1995	1996	1997	1998	1999	2000	2001
Cases	21,671	20,056	23,731	26,959	27,152	22,753	24,419	26,227	25,060
<b>Number Arrested</b>	15,495	14,896	17,364	19,666	19,937	17,084	18,491	19,156	18,110
Amount of Drug Seized	96.8kg	313.8kg	88.4kg	652.2kg	172.9kg	549.7kg	1,994.5kg	1,030.5kg	419.2kg

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**Number Arrested among Violators of the Narcotics and Psychotropics Control Law in Japan,  
by Year and by Drug**

	1993		1994		1995		1996		1997		1998		1999		2000		2001	
	N.A.	%																
<b>Heroin</b>	111	31.4	79	23.0	82	24.6	38	13.8	49	20.6	65	23.5	52	18.2	48	19	36	13.3
<b>Cocaine</b>	126	35.7	136	31.7	129	38.6	94	34.2	64	26.9	98	35.4	87	30.4	63	25	58	21.4
<b>Psychotropics</b>	84	23.8	91	26.5	64	1.2	78	28.4	63	26.5	44	15.9	57	19.9	35	14	42	15.5
<b>Others</b>	32	9.1	37	10.8	59	17.7	65	23.6	62	26.1	70	25.3	90	31.5	108	42.5	135	41.8
<b>Total</b>	353	100.0	343	100.0	344	100.0	275	100.0	238	100.0	277	100.0	286	100.0	254	100.0	271	100.0

**Drug Seizures Relating to Narcotics Offences Classified by the Type of Drug in Japan**

Item	Total Number		Compared with Previous Year
	2000	2001	
<b>Heroin</b>	7.0kg	4.5kg	− 2.5kg
<b>Cocaine</b>	15.6kg	23.7kg	+ 8.1kg
<b>LSD</b>	Equivalent to 53,087 tablets	Equivalent to 644 tablets	Equivalent to − 52,443 tablets
<b>MDMA</b>	78,006 tablets	112,742 tablets	+ 34,736 tablets
Raw Opium	9.0kg	11.4kg	+ 2.4kg
Cannabis Fiber	185.4kg	73.5kg	− 111.9kg
Dried Cannabis (including cannabis tobacco)	310.3kg	844.0kg	+ 533.7kg

**Changes in the Number of Violations of the Law on Special Provisions for Narcotics in Japan**

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Violation of Article 5 (Illegal import, etc. as business)	1	3	2	4	24	26	24	19	32	11
Violation of Article 6 (Concealment of illegal profit, etc.)		1		2	2		2	1		3
Violation (Reception of illegal profit, etc.)			1							

Source: “The General Situation of Administrative Measures against Narcotic Drugs and Stimulants Abuse” Compliance And Narcotic Division, Pharmaceutical and Food Safety Bureau, Ministry of Health, Labour and Welfare, Tokyo, Japan. October 2002.