

# Action Plan for Prevention of Terrorism

10 December, 2004

Headquarters for Promotion of Measures Against  
Transnational Organized Crime and Other Relative  
Issues and International Terrorism

## Table of Contents

Chapter 1. Introduction .....	4
Chapter 2. International Terrorism and Its Threat to Japan .....	5
1. Overview .....	5
2. Terrorist Threat to Japanese Nationals Overseas .....	6
3. Terrorist Threat to Japan .....	6
Chapter 3. Urgently Needed Terrorism Prevention Measures .....	7
1. Firmer Measures to Stop Terrorists at Border .....	7
① Tightened Immigration Control by Taking Fingerprints at Landing Examination and Visa Application	
② Entry Restriction to Terrorists	
③ Mandatory Advanced Submission of Crew and Passenger List by Airplane/Vessel Captain	
④ Denial of entry of Terrorists by using ICPO's Database on Lost and Stolen Passports	
⑤ Mandatory Check of Passengers' Passports by Air and Sea Carriers	
⑥ Assistance to Foreign Governments to Improve Travel Document Examination Capacity by Dispatching the Document Examination Advisors	
2. Firmer Measures to Prevent Activities of Terrorists .....	10
⑦ Thorough Identification of Foreign Guests by Hotels and Inns	
3. Strengthening of Strict Control of Material Potentially Used for Terrorist Attacks....	11
⑧ Establishment of System to Control Pathogenic Microorganisms Potentially Used for Bioterrorism	
⑨ Tightened Control over Explosive-related material Potentially Used for Bomb Attacks	
⑩ Tightened Import Control through Designation of Explosives as Prohibited Goods For Import	
4. Firmer Measures to Suppress Terrorist Financing.....	12
⑪ Measures to fully Implement FATF Recommendations	
5. Firmer Measures to Enhance Security of Important Facilities.....	13
⑫ Tightening of Security Measures for Important Facilities in Emergency Situations	
⑬ Firmer Counter-Terrorism Measures at Airports and Nuclear Facilities	
⑭ Stronger Protection over Nuclear Material	

⑮	Firmer Anti-highjack Measures through Introduction of Sky Marshal Program	
6.	Reinforcement of Terrorism-related Intelligence Capacity .....	15
⑯	Reinforced Terrorism-related Intelligence Gathering through Integrated Efforts of Relevant Organizations	
Chapter 4.	Terrorism Prevention Measures Requiring Continued Study .....	15
①	Legislation on Basic Policy for Terrorism Prevention Measures	
②	System to Designate Terrorists and Terrorist Organizations	
③	Further Measures to Freeze Terrorist Assets	
[Attachments]	.....	17
1.	Tightened Immigration Control	
2.	More Active Gathering and Analysis of Terrorism-related Intelligence	
3.	Firmer Highjack Prevention Measures	
4.	Firmer Measures against NBC (Nuclear, Biological and Chemical) Terrorist attacks	
5.	Reinforced Security Measures for Important Facilities in Japan, etc.	
6.	Firmer Measures against Terrorist Financing	

## Chapter 1. Introduction

The Japanese government has taken various counter-terrorism measures to secure the public safety, and maintain and promote sound political, economic and social systems.

To minimize damage and ensure prompt suppression of terrorist activities if, despite all efforts, a terrorist attack occurs, the Japanese government has adopted “Initial Measures of the Government in Case of A Serious Terrorist Attack” (Cabinet Decision on April 10, 1998) and other decisions clarifying the procedures it will follow to take initial response. Meanwhile, the Deputy Chief Cabinet Secretary for Crisis Management was newly appointed in the cabinet together with other essential staff while officials in charge of counter-terrorism and crisis management were staffed in each ministry and agency so that every division of the government can quickly respond in case of a terror attack.

There has been development in legislation to protect citizens in emergencies including “Law concerning Measures to Ensure National Independence and Security in a Situation of Armed Attack” and “Law concerning the Measures for Protection of the Civilian Population in Armed Attack Situations” which contain provisions relating to emergencies, to be prepared for an event in which many people are killed and wounded due to means similar to armed attacks.

What is most important, however, in counter-terrorism measures is to prevent occurrence of an attack. And the Japanese government has strongly promoted various measures to prevent terrorist attacks in Japan through increased international cooperation especially since September 11, 2001 when the United States was hit by simultaneous terrorist attacks. Main measures which Japan has already implemented are listed in attachment hereto. (“Japan’s Major Terrorism Prevention Measures”)

The terrorist threat to Japan should never be underestimated when the global terrorism situation remains serious as described in “Chapter 2. International Terrorism and Its Threat to Japan” Since the situation constantly changes, Japan’s terrorism-prevention measures must be subject to ceaseless review to meet the change.

Based on the recognition described above and by the Cabinet Decision dated August 24, 2004, the Japanese government reorganized Headquarters for Promotion of Measures Against Transnational Organized Crime and Other Relative Issues into Headquarters for Promotion of Measures Against Transnational Organized Crime and Other Relative Issues and International Terrorism giving the mandate of studying preventive measures for international terrorism. Thus we, the Headquarters, have

conducted necessary deliberation after a meeting on September 3 where we agreed to review Japan's counter-terrorism system and institution, to identify issues to be addressed, and to draw by the end of 2004 a improvement plan with specific timelines for each issue .

As a result, we present here in "Chapter 3. Urgently Needed Terrorism Prevention Measures" 16 points for which the Japanese government should take new measures, with specific course of action and time frame for each point. The Japanese government will make unified efforts to ensure implementation of conclusions submitted by the Headquarters to protect its people's lives from terrorism and fulfill public expectations.

With regard to three items indicated in "Chapter 4. Terrorism Prevention Measures Requiring Continued Study", we decided that it was premature to finish deliberations and necessary to continue them in order to draw any conclusions. Thus, relevant ministries and agencies will continue their study to reach an early conclusion, as indicated in Chapter 4.

Successful implementation of counter-terrorism measures requires public cooperation, which may sometimes lay additional burden on the ordinary citizens and business. Thus the government needs to make efforts to limit the burden to a reasonable and necessary minimum extent and actively provide its citizens with information and explanation on the need of each measure so that the importance of counter-terrorism measures will be fully understood.

Meanwhile, only a single country cannot successfully counter terrorism. The Japanese government will continue to constantly review counter-terrorism measures both on legislation and its implementation so that Japan provides no loophole for terrorists and it will also continue to make efforts to create an international environment which gives no room for terrorism, in cooperation with foreign countries by paying attention to global terrorism situation and counter-terrorism measures in other countries and complying with treaties and other international agreements.

## Chapter 2. International Terrorism and Its Threat to Japan

### 1. Overview

The world continues to witness many terrorist attacks of mass destruction which kill many people, such as September 11 terrorist attacks in the U.S. This year alone, there were Moscow subway bombing in Russia (in February, killing 40), Madrid train bombings in Spain (in March, killing 190), Russian plane crashes caused by explosives (in August, killing 90) and North Osetia school siege in Russia (in September, killing more than 330), to give a few.

In every case of such terrorist attacks, the victims are always innocent citizens without special means to protect themselves from such attacks, which implies that terrorism has become a threat to human being and the international community.

The international community has pushed hard to prevent terror attacks through, for instance, adoption of twelve UN Counter-Terrorism Conventions and Protocols and resolutions of the UN General Assembly and the UN Security Council. Regarding international terrorism as the greatest threat that it faces, the international community has reinforced its concerted efforts to contain terrorism, based on the UN Security Council Resolution 1373.

This international “War on terror” has been made progress, for instance, many key members of Al-Qaeda has been arrested. Terrorist organizations, however, form a loose network and continue to expand its influence in numerous countries in the world. Behind the terrorism lies deeply rooted conflict of ideologies and interests, which makes its eradication extremely difficult.

## 2. Terrorist Threat to Japanese Nationals Overseas

Activities of Japan and Japanese nationals extend to every corner of the world with a growing number of Japanese visiting foreign countries on business or for sightseeing. Fortunately, Japan has not recently experienced a large-scale terrorist attack while, given a spate of terrorist attacks in foreign countries, risk of Japanese nationals’ coming across one of them outside Japan never be small.

Indeed, twenty-four Japanese were killed or went missing in 9/11 and two were killed in 2002 Bali bombing in Indonesia carried out by Jemaah Islamiyah (killing 202 in total). In May 2004, foreigners’ residential compound in Saudi Arabia was attacked and Japanese living there were involved. And in October 2004, a Japanese national was kidnapped and killed in Iraq.

As one of the U.S. allies, Japan has been named as a target of terrorist attacks in, for instance, the message attributed to Osama bin Laden in October 2003 and May 2004, and in a statement attributed to Ayman al-Zawahiri in October 2004. With Japan’s growing presence in the international community and growing influence in the world, the risk that Japan’s interests as well as Japanese citizens are targeted by terrorists has increased, requiring overseas establishments and facilities of Japanese companies, Japanese citizens living abroad and Japanese travelers to be more cautious for terrorism.

## 3. Terrorist Threat to Japan

Numerous attacks by international terrorist organizations have taken place in

Southeast Asia, a region geographically close to Japan, with which Japan keeps close ties both politically and economically and where Japan has a lot of interests. As described above, there was a bombing in Bali, Indonesia in October 2002 and a US-based hotel in Jakarta was hit by a suicide bombing in August 2003. Both attacks were carried out by Jemaah Islamiyah which has links with Al-Qaeda. Jemaah Islamiyah is also strongly suspected as conducting the bombing outside Australian Embassy in Jakarta in September 2004. Threat of mass and indiscriminate terror has thus reached to the areas surrounding Japan.

Under such circumstances Japan has being named by Al-Qaeda and other Islamic extremist groups as a target of terrorist attacks, thus we cannot deny the possibility that Japan may be directly attacked by an international terrorist organization. Islamic extremist groups may also target various U.S. interests in Japan.

Indeed, it was revealed that international terrorists secretly entered and operated in Japan: an Al-Qaeda-related French who was on the international wanted list of ICPO (International Criminal Police Organization) repeatedly entered Japan in other person's name using a false passport; and another member of an Islamic extremist group temporarily lived in Japan staying with him. Given the extensive network of Al-Qaeda which reaches to Southeast Asia, we must not slacken our vigilance towards the activities of international terrorists.

### Chapter 3. Urgently Needed Terrorism Prevention Measures

#### 1. Firmer Measures to Stop Terrorists at Border

##### ① Tightened Immigration Control by Taking Fingerprints at Landing Examination and Visa Application

The effective way for stopping terrorists at border is to collect fingerprint to identify the passenger as well as check against blacklists at landing examination. In the U.S., for instance, US-VISIT program requires visitors to submit their fingerprints and photographs when they apply for visa and when they apply for landing so that US authorities can check them against the blacklist.

To amend Immigration Control and Refugee Recognition Act (hereinafter referred to as "Immigration Control Act") to require any foreigners except for special permanent residents and so on, to submit their fingerprints and photographs at landing examination, Ministry of Justice should complete studies in 2005 to identify issues to be addressed for implementation while taking into account the course of actions by foreign governments,

and submit an amendment bill to the ordinary session of the Diet in 2006.

Ministry of Foreign Affairs should start collection of fingerprints of those who apply for a visa at its overseas establishments after duly considering the issue, taking into account the resources of overseas establishments and the course of actions by foreign governments.

## ② Entry Restriction to Terrorists

While stopping terrorists at border and deporting them in an appropriate manner are significantly important to prevent a terrorist attack, existing Immigration Control Act does not have a provision which allows the authorities to stop visitors from entering and deport them on a sole ground that they are deemed as terrorists.

Meanwhile, in the U.K., for instance, those whom the UN Security Council or European Parliament designate as terrorists may be denied entry on appropriate procedures including their designation by the Secretary of State for the Home Department.

To amend Immigration Control Act to stop and deport those who are designated as terrorists through consultation with relevant ministries and agencies, the Ministry of Justice should submit an amendment bill to the ordinary session of the Diet in 2006

The police should provide necessary cooperation in case of deportation pursuant to Article 61-8 of Immigration Control Act.

## ③ Mandatory Advanced Submission of Crew and Passenger List by Airplane/ Vessel Captain

To successfully stop terrorists at border, it is effective to obtain information on visitors as early as possible and check their data against blacklists.

In this connection, National Police Agency, Ministry of Justice and Ministry of Finance are now jointly developing APIS (Advance Passenger Information System) under which information on passengers and crew of an airplane which departed from a foreign country is provided by the airline before the plane arrives in Japan and automatically checked against blacklists retained by relevant governmental authorities. The system is planned to be launched on January 4, 2005. However, as the current APIS will start relying upon air carriers' voluntary submission of information, not all airlines may necessarily provide cooperation, because of additional burden which APIS should entail. And there is no system like APIS with respect to vessels.

National Police Agency, Ministry of Justice, Ministry of Finance and Japan Coast Guard should study and reach conclusion by the end of 2005 regarding a legislation which will require captains of airplanes and vessels entering Japan to submit in advance to



Japanese police, immigration authorities and Customs a list of passengers and crew in a digital form or via facsimile, taking into account implementation of APIS. Based on the conclusion, necessary measures will be taken in the fiscal year of 2006.

④ Denial of entry of Terrorists by using ICPO's Database on Lost and Stolen Passports

When Lionel Dumont, an Al-Qaeda related individual repeatedly entered Japan, he used a forged or altered passport made with stolen passport of which photo was replaced by Dumont's. To prevent terrorists from using such lost and stolen passports at landing examination, it would be effective to promptly obtain information on lost/ stolen passports in other countries so that immigration officers can check with it.

In this connection, ICPO currently develops a database of lost and stolen passports based on the information provided by various countries to allow real-time information sharing. As G8 countries agreed in the Sea Island Summit 2004 to provide relevant information to the database, it is expected to become of more thorough coverage.

Ministry of Justice in cooperation with National Police Agency should develop a system which allows promptly obtaining from the database the information on lost and stolen passports in other countries so that such information can be used at landing examination. The Ministry of Justice should start development of necessary system in the fiscal year of 2005 and launch the system as soon as possible taking into account development of ICPO's database.

⑤ Mandatory Check of Passengers' Passports by Air and Sea Carriers

One of the effective ways for preventing terrorists from entering Japan is to stop those who possess a forged or altered passport from getting on an airplane/ vessel for Japan.

In the U.S. and other countries, airlines are required to see if their passengers possess valid passports while in U.K. and France airlines may be held liable if it was obvious that anyone of their passengers had a forged or altered passport, disguised him/herself as a different person or did not have a valid passport. Article 11 of the Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organized Crime which Japan has already signed, also requires to ascertain that all passengers are in possession of the travel documents required for entry into the receiving state.

Ministry of Justice should submit to the ordinary session of the Diet in 2005 an amendment bill of Immigration Control Act which requires airlines and sea carriers to check the passports of their passengers and which provides penalty in case of violation.

⑥ Assistance to Foreign Governments to Improve Travel Document Examination Capacity by Dispatching the Document Examination Advisors

Another effective way for stopping terrorists using a forged or altered passport from entering Japan is to prevent their departure from foreign countries for Japan.

In this respect, several countries including U.S., U.K. and France have taken measures to help stop passenger using a forged or altered passport from departing for those countries by dispatching document identification specialists to immigration authorities and airlines of potential departing countries in order to provide training and advice on false passports and related matters.

To enhance document identification capacity of foreign countries, Ministry of Justice and Ministry of Foreign Affairs should help Southeast Asian countries foster document identification specialists and introduce document identification equipments. They should also make efforts to dispatch document advisors to relevant countries in and after the fiscal year of 2005 to provide training and advice.

2. Firmer Measures to Prevent Activities of Terrorists

⑦ Thorough Identification of Foreign Guests by Hotels and Inns

In countries such as U.K., France and Italy, hotels and inns are required to check and report to the police the nationality and other information of a foreign guest, which is quite effective in gathering information on foreign terrorists secretly engaged in terror operations and tracing them.

Japanese police, on the other hand, faces difficulty in gathering information on and tracing foreign terrorists because, although hotels and inns are required to produce a register, nationality and passport number that are often used to identify suspects are not designated as mandatory items and because such data themselves are sometimes incorrect or incomplete as hotels are not required to verify customers' identities.

Ministry of Health, Labour and Welfare should amend Implementing Rules of Hotel Business Law by the end of the fiscal year of 2004 to add, if the guest is a foreigner, nationality and passport number to the mandatory items to be recorded in a hotel register, and issue a ministerial notice to strongly advise hotels and inns to retain a copy of foreign guest's passport. In addition, Ministry of Health, Labour and Welfare should require, through prefectural governments, de facto hotels which do not have hotel license to immediately obtain a license and follow the regulations so amended so that accommodations known as "weekly mansions" and other facilities will also be subject to the

same regulations.

The National Police Agency, Japan Coast Guard, Ministry of Justice and Public Security Intelligence Agency should continuously discuss with Ministry of Health, Labour and Welfare on legislation requiring submission to the police of relevant records, and reach a conclusion by the end of 2005.

Based on the identification procedures carried out pursuant to the amended Implementing Rules of Hotel Business Law and ministerial notice, the National Police Agency, Japan Coast Guard, Ministry of Justice and Public Security Intelligence Agency should submit to the Diet in 2006 a bill strengthening verification of a foreign guest's identity by hotels.

### 3. Strengthening of Strict Control of Material Potentially Used for Terrorist Attacks

#### ⑧ Establishment of System to Control Pathogenic Microorganisms Potentially Used for Bioterrorism

To prevent a bioterrorism, it is extremely important to establish an appropriate system to control pathogenic microorganisms and toxin which may be used in such a terrorist attack (hereinafter referred to as "Pathogenic Microorganisms") so that terrorists cannot obtain Pathogenic Microorganisms.

In this respect, U.S., U.K. and other countries have sought an appropriate control system by requiring facilities possessing Pathogenic Microorganisms to register themselves to the government while in Japan an appropriate control system has not necessarily been established in all relevant facilities because treatment of Pathogenic Microorganisms depends on each researcher and facility manager.

Ministry of Health, Labour and Welfare, Ministry of Economy, Trade and Industry, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Agriculture, Forestry and Fisheries should request, as an interim measure, facilities possessing Pathogenic Microorganisms with a potential to cause harm to the life and/or health of an individual, to regularly report to the government the type and storing methods of Pathogenic Microorganisms.

To ensure establishment of a system appropriately controlling Pathogenic Microorganisms, Ministry of Health, Labour and Welfare should also study law amendments which require those who possess pathogen of communicable disease to report to the national and prefectural authorities. Such law amendments should also include provisions on regulation of transfer of pathogen, report collection, investigation and on-site inspection by national and prefectural authorities as well as provisions on

administrative sanction or penalty in case of violation. Ministry of Health, Labour and Welfare should consequently submit to the Diet in 2006 an amendment bill of Law Concerning the Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases.

⑨ Tightened Control over Explosive-related material Potentially Used for Bomb Attacks

TATP (triacetone triperoxide) and other explosives with a potential to be used for bomb attacks are sometimes made with chemicals such as hydrogen peroxide (for example, oxydol) that anyone can easily obtain at general pharmacies.

Ministry of Health, Labour and Welfare, Ministry of Economy, Trade and Industry and Ministry of Agriculture, Forestry and Fisheries should issue a ministerial notice by the end of fiscal year 2004 to advise relevant industries to implement a tighter control over chemicals potentially to be used for explosives.

In addition, National Police Agency should study in cooperation with relevant ministries and agencies, the need for additional measures to tighten control over explosive-related material taking into account how the notice is implemented. The Agency should then take necessary measures based on the conclusion of the study which will be submitted by the end of 2006.

⑩ Tightened Import Control through Designation of Explosives as Prohibited Goods For Import

Because currently dangerous goods such as explosives is not currently designated as prohibited goods for import, Customs officials do not have direct authority to investigate whether or not there is any violation of law. This means that although illegal import or related crime is suspected they cannot actively conduct interrogation and inspection to clarify the suspicion.

Ministry of Finance should study whether law amendments are needed to designate dangerous goods including explosives as prohibited goods for import. The Ministry should then submit, as necessary, an amendment bill of Customs Tariff Law to the ordinary session of the Diet in 2005.

4. Firmer Measures to Suppress Terrorist Financing

⑪ Measures to fully Implement FATF Recommendations

To fully implement, the “Forty Recommendations (as revised in June 2003)” and the “Nine Special Recommendations” issued by FATF (Financial Action Task Force), Ministry of Economy, Trade and Industry, Ministry of Finance, Ministry of Justice, Financial

Services Agency, Ministry of Land, Infrastructure and Transport and other relevant ministries and agencies should study how to apply Customer Due Diligence, keeping of transaction records and reporting of suspicious transactions requirements to financial leasing, dealers in precious stones, dealers in precious metals, money and currency changers, lawyers, notaries, accountants, real-estate agents in addition to banks, securities companies and insurance companies. A conclusion should be reached by July 2005. As to elements concluded as requiring legislation, necessary bills should be submitted to the ordinary session of the Diet in 2006 while other necessary measures should also be taken by the end of June 2006 with respect to elements determined as not requiring.

## 5. Firmer Measures to Enhance Security of Important Facilities

### ⑫ Tightening of Security Measures for Important Facilities at Emergencies

Police officers guarding facilities where a number of people gather, such as important national facilities and large event sites, often face difficulties despite their efforts to prevent terrorist attacks by stop-and-search and checkpoints. It is because success of those efforts depends on voluntary cooperation of the subject person.

In U.K., for instance, as a measure to stop terrorist attacks, uniformed policemen can stop individuals and cars in areas designated by senior police officials to take necessary measures to ensure security, and prohibit or limit parking on designated roads.

National Police Agency and Japan Coast Guard should study legislation allowing designating alert area in case of terrorism-related emergencies where policemen can take necessary security measures and establish limited-access zone. A conclusion should be reached by the end of 2005, and based on which necessary measures should be taken within the fiscal year of 2006.

### ⑬ Firmer Counter-Terrorism Measures at Airports and Nuclear Facilities

Measures to protect airports and nuclear facilities from terrorist attacks need to take into account not only attacks from outside but also subversive activities inside those facilities.

In this respect, U.S., U.K., France and other countries have already implemented security measures including strict eligibility check on those who will be given access to restricted area in airports and nuclear facilities. As to airports, Annex to the Convention on International Civil Aviation (ICAO) requires appropriate security measures including checking whenever possible the background of those who have access to security restricted area while as to nuclear facilities, IAEA (International Atomic Energy Agency)

Guidelines require predetermination of trustworthiness of credibility of those who have access to protected area.

To promote counter-terrorism measures at airports and nuclear facilities, Ministry of Land, Infrastructure and Transport, Ministry of Economy, Trade and Industry, Ministry of Education, Culture, Sports, Science and Technology, National Police Agency and other relevant ministries and agencies should consider establishment of limited-access area in those facilities and rejection of access to such area by individuals other than those meeting prescribed requirements. A conclusion should be reached by the end of 2005, based on which necessary measures should be taken in the fiscal year of 2006.

#### ⑭ Stronger Protection over Nuclear Material

Physical protection of nuclear material needs to be significantly reinforced to appropriately respond to increasingly severe situation relating to physical protection of nuclear material, to upgrade protection of Japanese nuclear facilities to an internationally impeccable level and to ensure a solid nuclear material protection system.

To strengthen nuclear material protection policy and ensure effectiveness of nuclear material protection measures, Ministry of Economy, Trade and Industry, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Land, Infrastructure and Transport should establish the design basis threat (DBT) in cooperation with National Police Agency and Japan Coast Guard. They should submit to the ordinary session of the Diet in 2005 an amendment bill of Law for Regulating Nuclear Source Material, Nuclear Fuel Material and Reactors requiring to introduce “nuclear material protection inspection” and appoint “nuclear material protection inspector” to monitor observance of the nuclear material protection rules by the operators. The amendment bill should also provide obligation to keep secret (sanctioned with penalty), which will be applied to employees who have access to sensitive information relating to protection measures.

#### ⑮ Firmer Anti-highjack Measures through Introduction of Sky Marshal Program

9/11 underlined the importance of preventing hijacks and demonstrated there are some cases where terrorists must be immediately subdued and arrested on board if they attempt hijacking.

In this respect, U.S., U.K., Germany and other countries have already implemented Sky Marshal program under which law-enforcement officers are placed on flights to subdue any hijacker on board. In the Sea Island Summit, it was agreed to promote international cooperation on sky marshals.

To further ensure prevention of hijacks and enable subduing and arresting on

board in case of a hijack, National Police Agency and Ministry of Land, Infrastructure and Transport should launch Sky Marshal program based on the decision of Headquarters for Promotion of Response to International Organized Crimes and International Terrorism on December 10, 2004.

#### 6. Reinforcement of Terrorism-related Intelligence Capacity

##### ⑩ Reinforced Terrorism-related Intelligence Gathering through Integrated Efforts of Relevant Organizations

To prevent entry of a terrorist into Japan and take all possible measures to prevent a terrorist attack, Ministry of Foreign Affairs, National Police Agency, Ministry of Justice, Public Security Intelligence Agency, Japan Coast Guard and other relevant ministries and agencies should promote coordination with international organizations and foreign governments, reinforce gathering of terrorist and other terrorism-related intelligence and make efforts to effectively use such intelligence.

The government-wide efforts should be also made to gather terrorism-related Intelligence outside Japan through overseas establishments. To this end, Ministry of Foreign Affairs should, in cooperation with National Police Agency, Public Security Intelligence Agency, Japan Coast Guard and other relevant ministries and agencies, continue to make efforts to reinforce the system at overseas establishments for gathering and analyzing intelligence in foreign countries.

#### Chapter 4. Terrorism Prevention Measures Requiring Continued Study

##### ① Legislation on Basic Policy for Terrorism Prevention Measures

To enhance public recognition and understanding on the importance of preventing a terrorist attack and contribute to the promotion of related measures, National Police Agency, Ministry of Justice, Public Security Intelligence Agency, Ministry of Land, Infrastructure and Transport and other relevant ministries and agencies should study and swiftly conclude on legislation aimed at providing the importance of preventing terrorism, basic policy of the government and responsibilities of relevant organizations and the Japanese people.

##### ② System to Designate Terrorists and Terrorist Organizations

U.S., U.K and other countries have a system under which relevant ministers designate foreign terrorists and terrorist organizations, based on which various measures

may be taken against such terrorists and terrorist organizations including freezing of assets, prohibition of support and denial of entry.

Thus Japanese National Police Agency, Public Security Intelligence Agency, Ministry of Foreign Affairs, Japan Coast Guard, Ministry of Justice and relevant ministries and agencies should study and swiftly conclude on a system aimed at reinforcing gathering and analysis of intelligence relating to terrorists and terrorist organizations as well as designating terrorists and terrorist organizations and implementing needed measures.

③ Further Measures to Freeze Terrorist Assets

To suppress terrorism, Ministry of Finance and Ministry of Economy, Trade and Industry have virtually frozen terrorist assets based on Foreign Exchange and Foreign Trade Law by requiring permission when conducting payment to and capital transactions with designated terrorists. However, there is no similar regulation with respect to transactions among residents in Japan.

To further ensure freezing of terrorist assets, Public Security Intelligence Agency should discuss with relevant ministries and agencies, and swiftly conclude on the way to regulate terrorist-related transactions among residents in Japan.

<END>



## [Attachment]

### Japan's Major Terrorism Prevention Measures

#### 1. Tightened Immigration Control

##### ○ Tightened Immigration Examination

To stop terrorists' entry into Japan, the government has promoted information sharing and coordination of relevant authorities, and implemented a stricter immigration examination through introduction of APIS (which will be launched in January 2005) and advanced document identification tools. Information on visa issuance has also been shared among relevant ministries and agencies.

##### ○ Reinforced Sea Surveillance

Sea surveillance has been reinforced with patrol boats and airplanes. Surveillance cameras on ship lanes and ports have also helped improve intelligence gathering and analysis as well as surveillance system itself by monitoring traffic of vessels and tracing suspicious ships. Patrol has been reinforced at piers and other main port facilities calling for further attention to security.

##### ○ Tightened Customs Inspection

To prevent smuggling of firearms and explosives, stricter Customs inspection has been conducted for both personal effects (consigned articles and unaccompanied articles included) of passengers and crew. Imported commercial cargo and incoming mails have become subject to tougher examination/ inspection. Unidentified information has been thoroughly reported to relevant authorities including results of animal and plant quarantine inspection.

##### ○ Reinforced Risk Management System at International Airports and Seaports

Interagency Team on Border Security and Crisis Management which consists of directors of relevant ministries and agencies was established within Cabinet Secretariat to promote coordination of relevant authorities through Airport Security Committee and Seaport Security Committee. Principal Field Officers for Airport/ Seaport Securing and Crisis Management designated from police officers of each prefecture and directors of Japan Coast Guard have been deployed to major international airports (Narita and Kansai) and seaports (Tokyo, Yokohama, Nagoya, Osaka and Kobe) to promote coordination of relevant authorities.

- Utilization of Biometrics at Immigration Examination

Efforts have been made to introduce in the fiscal year of 2005, biometric passports (e-passports) that meet ICAO standards. Research and necessary demonstration experiments have also been carried out to establish immigration examination system using biometrics technology. Another research has been carried out to ensure compatibility and interoperability of e-passports with those issued by other countries as more countries are expected to introduce.

- Provision to ICPO of Information on Lost and Stolen Passports

In November 2004, the Japanese government started to provide Information on lost and stolen passports for ICPO database so that such information will be internationally shared and immigration control will be further reinforced.

## 2. More Active Gathering and Analysis of Terrorism-related Intelligence

- Reinforced System for Gathering Terrorism-related Intelligence

A system for gathering intelligence and coordinating with foreign organizations has been reinforced by establishing necessary organizations such as Foreign Affairs and Intelligence Department and Counter International Terrorism Division in National Police Agency, Intelligence and Analysis Service in Ministry of Foreign Affairs, Intelligence Office, Security Division, Guard Section, Guard and Rescue Department of Japan Coast Guard, and Public Security Investigation Officer in Public Security Intelligence Agency. Terrorism Response Team (TRT) of National Police Agency was also reorganized into Terrorism Response Team-Tactical Wing for Overseas (TRT-2).

- Establishment of System for Analyzing, Assessing and Sharing Terrorism-related Intelligence

A system has been established under which all of important intelligence, analysis and assessments provided by each ministry and agency are collected to Director of Cabinet Intelligence, and shared among the relevant ministries and agencies after being comprehensively analyzed and assessed by the government.

## 3. Firmer Hijack Prevention Measures

- Tightened Security Control of Airports

Airport alert level that is applicable to airlines has been raised to the highest level, which is Phase E, and shoe-scanning has been introduced without exception. Patrol has been reinforced within the airport and at check-in counters while more policemen have been deployed at safety inspection area. Riot police has been deployed in main airports at the busiest time of a day.

- Tightened Check Against Taking Dangerous Goods Aboard

Amended Aviation Law prohibits bringing in cutlery including penknives, anything that may be used as weapon if one swipes it, any object of which edge is significantly sharp and other potential weapons.

- Buildup of Aviation Security Inspection Capacity

Safety inspection area has been made at Narita, Kansai and Haneda airports. Liquid substance inspection equipment has been introduced at airports for domestic airlines since November 2004. Inline inspection system which combines scanning device automatically detecting dangerous goods and explosives detection device has been introduced at Haneda airport.

- Reinforcement of Cockpit Doors

To prevent intruding into cockpit and hijacking equipping, reinforced cockpit door that can prevent bullets from penetration has become mandatory since November 2003.

- Reinforced Measures against Forcible Entry into Airports

Reinforced measures to prevent intrusion, such as installation of surrounding fence and sensor systems, have been taken in Haneda airport. Other main airports will introduce them on a step-by-step basis.

#### 4. Firmer Measures against NBC (Nuclear, Biological and Chemical) Terrorist attacks

- Control of and Reinforcement of Protection against Nuclear Material, Radioactive Material, Biological Agent and Chemical Agent

“Government’s Basic Policy on Response to Biochemical Terror Attacks” (Cabinet Decision dated November 8, 2001) and other decisions required undertakings and research institutions dealing with material that may be used for an NBC terror attack, to tighten control and take appropriate measures to prevent theft. More efforts have been made to collect information on questionable transactions. Thorough measures have been

taken to prevent theft of small airplanes that can be used to aerial spray of chemicals. Major undertakings dealing in nuclear substance and/or radioisotope have been requested to thoroughly control nuclear fuel material and radioisotope, separate nuclear material and further cooperate with the security authorities.

- Alert to Suspicious Mails and Reinforced Protection of Water Networks

Suspicious mails were added to items requiring careful treatment. As to water networks, water companies have been required to promote surveillance on water resources and secure safety of water facilities including purification plant and distribution reservoir. They have also been requested to thoroughly control water quality through bioassay and monitor existence of toxicity using organisms.

- Legislation Following International Convention for the Suppression of Terrorist Bombings

Following ratification of International Convention for the Suppression of Terrorist Bombings, related laws have been adopted in accordance with Law on Legislation following International Convention for the Suppression of Terrorist Bombings. They include Explosives Control Act, Nuclear Reactor Regulation Law, Laws Concerning the Prevention from Radiation Hazards due to Radioisotopes and Others, Firebomb Prohibition Act, and Biological Weapon Prohibition Law, and Sarin Act.

## 5. Reinforced Security Measures for Important Facilities in Japan, etc.

- Reinforced Security Measures for Important Facilities in Japan

Reinforced security measures have been implemented with respect to Japan's important facilities and some U.S. facilities. Nuclear power stations have especially been guarded on land and from the sea on a round-the-clock basis. Subject undertakings have also implemented voluntary security measures while prescribed protection measures have been taken based on Nuclear Reactor Regulation Laws.

- Reinforced Security Measures for Railroad

With respect to railroad including Shinkansen bullet train, various measures have been taken including placing of police officials and riot policemen on board, more patrol within station yard with police dogs, thorough stop-and-search and reinforced securities along railroad lines using patrol cars. Railroad companies have been requested for voluntary patrol while passengers requested cooperation when suspicious items are found.

- Reinforced Security Measures in Passenger Ships

Coast guards have gotten on passenger ships and car ferries traveling main sea lanes in Japan. Security measures for passenger terminals have been tightened. Shipping companies have been requested to take voluntary security measures while passengers requested for cooperation when suspicious items are found.

- Reinforced Security Measures for Facilities Attracting Many People

With respect to facilities attracting many people such as large event sites and lifeline-related facilities, further security measures have been taken through directions and advice on voluntary security measures and deployment of policemen as guard as necessary.

- Promoted Security Measures for Seaports and Vessels to Meet SOLAS Convention

To ensure security of port facilities and vessels, limited-access area of international port facilities have been laid under control and interiors and surrounding areas of the facilities have been monitored. With respect to international passenger vessels, limited-access area has been made, passengers have been identified and interiors of the vessels have been subject to patrol or surveillance. International passenger vessels have also been required to report their entry in advance and accept on-site inspection pursuant to relevant regulations.

## 6. Firmer Measures against Terrorist Financing

- Legislation to Implement International Convention for the Suppression of the Financing of Terrorism and the UN Security Council Resolution 1373

As a result of enactment of Law on Identification of Customers by Financial Institutions (Identification Law), and amendment to Foreign Exchange and Foreign Trade Law (Foreign Exchange Law) identification of customers is required when they open a bank account. Law on Punishment of Financing to Offences of Public Intimidation (Criminal Financing Punishment Law) and related laws and regulations stipulate that provision and collection of terrorist financing be subject to criminal punishment and that those crimes committed out of Japan also be punishable. In addition, the 2004 special session of the Diet adopted an amendment bill of Identification Law which imposes penalty to those whom are transferred other's passbook so that unlawful use of bank accounts will be prevented.

- Implementation of FATF Special Recommendations on Financing of Terrorism

Terrorist assets have been frozen based on Foreign Exchange Law, and financial

institutions engaged in the business of foreign exchange have been required to identify the customers. Criminal Financing Punishment Law allowed confiscation of terrorist funds and punishment of money laundering while expanding the scope of suspicious transactions that need to be reported to the authority.

- Implementation of Freezing of Terrorist Assets

Terrorist assets have repeatedly been frozen in accordance with Foreign Exchange Law, and stricter inspection of foreign exchange business has been conducted to secure the effectiveness.

- Thorough Identification by Banks, Security Companies and other Financial Institutions

In addition that Identification Law and Foreign Exchange Law require identification of customers when they open an account, the government requested financial institutions for thorough implementation of identification procedures.

- Investigation of Suspicious Transactions and Revelation of Underground Bank

Investigation of suspicious transactions including crime-related transactions based on reporting by financial institutions and revelation of underground banks

<END>