

involved in this case. Of course it may take us a lot of time but we mustn't be afraid of and try to do our best to be able to serve for the benefits of Ukraine citizens.

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YAKUZA CRIME REGULATION IN JAPAN

The Japanese mafia, most commonly referred to as the Yakuza, traces its origins back to as early as the 17th Century. Throughout the years, the Yakuza has kept a strict code of honor. This has allowed them to remain quasi-legal as the authorities are aware that their code of honor keeps them from disrupting public order. There are currently close to 100,000 members and have a large presence in Japan. Traditionally, they started as loosely run gambling associations, whose members were misfits and delinquents. Using Japan's post-WWII era and subsequent economic rise of the eighties and nineties, they "progressed far beyond their traditional rackets into real estate development, stock market manipulation, and full-fledged corporate management" (Rankin). In other words, the Yakuza spread its tentacles into political and financial circles at a blistering pace.

As the years went on, the Yakuza posed a gradually increasing threat to Japanese society. Even though the police had attempted to crack-down organized crime, the Yakuza simply diversified their portfolios, allowing them to withstand the pressure of law-enforcements. At the time, the Yakuza's activities ranged from legal businesses as humanitarian groups, all the way to harassment of the general public through scams and aggressive debt-collecting. By the end of the 1980s the larger organizations had swallowed up a large majority of the smaller groups. "Another development during this period was the increase in crimes targeting ordinary citizens and

businesses” (Hill). This disregarded one of the pillars of the traditional Yakuza, their code of ethics, which had been to avoid inflicting harm on ordinary citizens. Not only had the number of criminal cases in Japan steadily increased but also the gravity of the crimes had escalated, leaving the Japanese authorities no option but to take action.

The National Police Agency passed The Anti-Boryokudan Law, enacted in 1991, as the first of Japan’s major laws against organized crime. It was explicitly made to prescribe regulations for the Yakuza. The purpose of the law is to “control the intimidation and violent acts carried out by the boryokudan (violent groups)” (NPA). For the Public Safety Commission to designate a group as boryokudan, certain conditions have to be met. The main conditions are that a certain percentage of the gang members must have criminal records, the gang must be hierarchically organized and the members must use the gang’s influence to take advantage of ordinary citizens. Once all of these conditions met, and a group is designated as boryokudan, all members of the group are subject to strict legal controls. If these controls are violated, there is an administrative order to take corrective action i.e. imposing penalties.

As the Japanese authorities found some defects in the law, and the Yakuza started exploiting the loopholes, the Anti-Boryokudan Law underwent two notable revisions, 2007 and 2012. In the 2007 revision, most notably, “signature traditions such as ritual finger-cutting and coerced tattooing were prohibited” (Reilly Jr.) and there was strengthened support to those individuals wanting to leave Yakuza groups. The 2012 revision, “sought to cure the defects of the previous version of the Act by eliminating the need for cease-and-desist orders before the police could make an arrest” (Reilly Jr.). In other words, the level of bureaucracy decreased, simplifying the process by which the police could arrest the Yakuza members. As these new laws have been enacted, the Yakuza’s power has been severely constrained. Yet do we believe this to be enough? Have the newly enacted laws proved to be successful? Has there been a rise in violent conduct towards ordinary citizens by the Yakuza due to these laws? The following paragraphs analyze the outcome of the newly enacted laws, taking into account contrasting opinions from experts in the field.

Yakuza membership is still not outright illegal. Unlike other mafia bosses, such as Mexican drug lords, Yakuza bosses are not fugitives of the law. Although the Anti-Boryokudan Law “constrains and obstructs the yakuza, it does not ban them altogether” (Rankin). Yakuza membership is still not outright illegal. Unlike other mafia bosses, such as Mexican drug lords, Yakuza bosses are not fugitives of the law. The concerning truth is that the Japanese authorities are still extremely limited in their investigation

powers. The National Police Agency still has numerous restraints, narrowing its possibilities of punishing Yakuza members for their wrongdoing. For instance, "they are not supposed to have direct contact with members of Japanese organized crime making intelligence collection nearly impossible" (Adelstein). As a result, they are unable to earn an edge over the Yakuza, restraining their ability to anticipate crimes. Furthermore, there is no protection program for a witness, prompting them to keep quiet, as not doing so could have potentially tragic consequences. Nevertheless, "For the first time, a law explicitly identifies the boryokudan as a social evil" (Hill). This is an advance towards the greater good. The Yakuza has been addressed as a criminal organization posing a serious threat to the well-being of civilians. Before this, police members had been known to "accept bribes from Yakuza members in exchange for overlooking shipments" (Reilly Jr.). Therefore, the pre-existing polemical system whereby police officers would meet with Yakuza members to discuss over coffee what was happening in the streets has come to an end. This is a huge advancement for the Japanese authorities as all the doubts about the police's legitimacy have been done away with. Furthermore, "many boryokudan groups are currently suffering considerable financial hardship" (Hill). The de-legitimization of many of their threat-based businesses has greatly affected their stability.

Even though the Yakuza has been considerably weakened, the Anti-Boryokudan law is still a comparatively mild organized crime countermeasures law. Membership in a criminal organization is not outright illegal, nor does the police have the antimob tools which are taken for granted in other countries facing similar situations against organized crime.

As well as that, in Japan exist Yakuza exclusion ordinances or Organized crime exclusion ordinances is the Japanese collective term for ordinances or local laws that aim to cut the citizen-yakuza relationship. The concept is "The yakuza versus society", shifting from "The yakuza versus the police". The ordinances prohibit citizens from making or keeping up a relationship with the yakuza. The targeted acts and treatment for the violators differ between prefectures. Some prefectures only set an obligation of "endeavor" to citizens, or a penalty in which companies in violation of the law are publicly exposed. But others impose imprisonment or a fine on their citizens.

Due to the tougher regulatory controls, the Yakuza has been prompted to break their code of honor and commit crimes on ordinary citizens, something unprecedented hitherto. Countries such as the United States or Italy that have faced similar cases of organized crime and have banned criminal organizations altogether. Japan should examine the effects of these laws and decide whether they should take similar steps and

completely ban the Yakuza. It is a delicate situation for the Japanese authorities as criminalizing the gangs themselves would most probably drive crime underground and prompt even more aggressive activities. Looking at the positives, at least they are now regulated and subject to the law. The Japanese government should be very cautious in the polishing of the law.

The future of the Yakuza remains uncertain. After weighing the alternatives, despite all the crimes the Yakuza has committed, it may be within the National Police Agency's interest to keep them alive.

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FIGHT AGAINST DRUG TRAFFICKING IN FRANCE

Definitions of organized crime, as given by the European Union and the United Nations, agree on several points. It is the work of a “structured group existing for a period of time and acting in concert with the aim of committing crimes in order to obtain a financial or other material benefit” [1]. **Organized crime is a transnational issue and covers all major areas of trafficking: drugs, human beings, arms, stolen vehicles, and wild animals and plants, etc. Combating organized crime is a major challenge for the international community.** Alongside terrorism, it now represents the largest non-military threat to internal security and international economic stability. **The overall proceeds of organized crime probably total around €1trillion per year [1].** The 2005 Prüm Convention (Austria, Belgium, France, Germany, Luxembourg, the Netherlands and Spain), which provides for the exchange of personal data including genetic profiles and fingerprints, and the organization of joint patrols and the European Arrest Warrant adopted in 2002, are major steps forward in combating organized crime.

Three strategic steps were selected for Internal Security Strategy:

- the disruption of international criminal networks;