

# Human Rights Volunteers Act (Tentative translation)

(Act No. 139 of May 31, 1949)

(Purpose of this Act)

Article 1 The purpose of this Act is to deploy Human Rights Volunteers throughout the country and prescribe standards which is applicable to them so as to protect the fundamental human rights guaranteed to citizens and to disseminate and elevate the concept of freedom and human rights, thereby ensuring that there is no deficiency in the protection of human rights.

(Mission of Volunteers)

Article 2 The mission of Human Rights Volunteers, along with always striving to disseminate and elevate the concept of freedom and human rights, is to monitor the fundamental human rights of citizens so as not to be violated, and to promptly take appropriate measures if they are violated.

(Designated District of Volunteers)

Article 3 Human Rights Volunteers are to be assigned to the district of municipalities (including special wards; the same applies hereinafter).

(Number of Volunteers)

Article 4 (1) The fixed number of Human Rights Volunteers does not exceed 20,000 throughout the country.

(2) The fixed number of Human Rights Volunteers in each municipality is determined by the Minister of Justice, taking into consideration the population, economy, culture and other circumstances of the district concerned.

(3) The Prefectural Associations of Human Rights Volunteers provided for in Article 16, paragraph (2) may state its opinions to the Minister of Justice concerning the fixed number of Human Rights Volunteers set forth in the preceding paragraph.

(Character of Volunteers)

Article 5 The National Public Service Act (Act No. 120 of 1947) does not apply to Human Rights Volunteers.

(Recommendation and Appointment of Volunteers)

Article 6 (1) Human Rights Volunteers are appointed by the Minister of Justice.

(2) The appointment by the Minister of Justice referred to in the preceding

paragraph must be made from among the persons recommended by a mayor of a municipality (including a mayor of a special ward; the same applies hereinafter), after hearing the opinions of the bar association and the Prefectural Association of Human Rights Volunteers within the district of a prefecture encompassing the municipality concerned (in the case of Hokkaido, the district specified by the Minister of Justice pursuant to the proviso to paragraph (2) of Article 16; hereinafter the same applies in paragraph (5)).

- (3) A mayor of a municipality must, after hearing the opinions of the municipal assembly of the municipality concerned, recommend to the Minister of Justice a candidate for Human Rights Volunteer, from among residents who have the right to vote for members of the municipal assembly of the municipality, who are social workers, educators, or persons engaged in newspaper reporting work, etc., who have high character and insight, who are broadly familiar with social conditions, and who have an understanding of protection of human rights , as well as members of bar associations or other organizations of women, workers, or youth, etc. which directly or indirectly aim to promote and protect human rights.
- (4) If the Minister of Justice deems that the candidate recommended by a mayor of a municipality is not appropriate as a Human Rights Volunteer, the Minister of Justice may request the mayor of the municipality to recommend another candidate, specifying a reasonable period of time.
- (5) In the case referred to in the preceding paragraph, if the mayor of the municipality does not recommend another candidate within the period referred to in that paragraph, the Minister of Justice may appoint a Human Rights Volunteer from among the persons provided for in paragraph (3), after hearing the opinions of the bar association and the Prefectural Association of Human Rights Volunteers within the district of the prefecture encompassing the municipality concerned, notwithstanding the provisions of paragraph (2).
- (6) In recommendation and appointment of Human Rights Volunteers, all citizens are accorded equal treatment and must not be discriminated against due to race, creed, sex, social status, family origin; or due to political opinions or affiliations other than those which fall under Article 7, paragraph (1), item (iv).
- (7) When appointing a Human Rights Volunteer, the Minister of Justice must take appropriate measures to make the name and duties thereof known to the residents concerned.
- (8) If there is a request from the Minister of Justice, the mayor of the municipality must cooperate in the measures referred to in the preceding paragraph.

(Disqualification of Volunteers)

Article 7 (1) A person who falls under any of the following items may not become a Human Rights Volunteer:

- (i) a person who has been sentenced to imprisonment without work or severe penalty and who has not completed the execution of the sentence or to whom the sentence still applies;
- (ii) in addition to a person who falls under the preceding item, a person who has committed any criminal acts that constitute a violation of human rights; or
- (iii) a person who, on or after the date of enforcement of the Constitution of Japan, has formed or belonged to a political party or other organization which advocates the overthrow by force of the Constitution of Japan or the government established thereunder.

(2) When Human Rights Volunteers come to fall under any of the items of the preceding paragraph, they are to automatically forfeit their position.

(Salary of Volunteers)

Article 8 (1) No salary is paid to Human Rights Volunteers.

(2) Human Rights Volunteers may receive, within the scope of the budget, reimbursement for the necessary expenses incurred in performing their duties, pursuant to the provisions of Cabinet Order.

(Term of Office of Volunteers)

Article 9 The term of office of Human Rights Volunteers is three years; provided, however, when the terms of the Human Rights Volunteers expires, that Human Rights Volunteers continue to perform their duties until a successor is appointed.

(District In Which Volunteers Perform Their Duties)

Article 10 Human Rights Volunteers are to perform their duties within the district of the municipality in which they are assigned; provided, however, that when it is particularly necessary, Human Rights Volunteers may also perform their duties outside the district.

(Duties of Volunteers)

Article 11 Duties of Human Rights Volunteers are as follows:

- (i) to enlighten and promote the concept of freedom and human rights;
- (ii) to endeavor to promote the human rights protection campaign in the private sector;
- (iii) to investigate and collect information on human rights violation cases, in order to provide remedy therefor, and take appropriate measures, including reporting to the Minister of Justice and making recommendations to the

- relevant organizations;
- (iv) to provide litigation assistance and other appropriate remedies to persons who are indigent in order to protect their human rights; and
  - (v) to otherwise endeavor to protect human rights.

(Service of Volunteers)

- Article 12 (1) Human Rights Volunteers must be aware of their mission, and always strive to improve their character and insight, acquire the legal knowledge and skills necessary to perform their duties, and carry out their duties with a positive attitude.
- (2) In performing their duties, Human Rights Volunteers must maintain the confidentiality of the personal information of persons concerned and must not discriminate or give preferential treatment due to race, creed, sex, social status, family origin, political opinions or affiliations.

- Article 13 (1) Human Rights Volunteers must not use their position or the performance of their duties for political parties or political purposes.
- (2) Human Rights Volunteers must not operate a business not suitable for the impartial performance of their duties, or be an officer or employee of a company or other organization whose purpose is to operate such a business.

(Supervision of Volunteers)

- Article 14 Human Rights Volunteers are subject to the direction and supervision of the Minister of Justice with regard to their duties.

(Discharge of Volunteers)

- Article 15 (1) When a Human Rights Volunteer comes to fall under any of the following items, the Minister of Justice may discharge them, after hearing the opinions of the Prefectural Association of Human Rights Volunteers:
- (i) when the Human Rights Volunteer has violated obligations in the course of their duties or neglected their duties;
  - (ii) when the Human Rights Volunteer has difficulty in, or is unable to cope with the execution of their duties due to mental or physical disorder; or
  - (iii) when the Human Rights Volunteer has committed misconduct unbecoming a Human Rights Volunteer.
- (2) A discharge under the provisions of the preceding paragraph may not be carried out unless the Human Rights Volunteer concerned has been given an explanation about the reason for the discharge and has been given an opportunity to provide an explanation.

(Council, Association, and National Federation)

Article 16 (1) Human Rights Volunteers organize a Human Rights Volunteers Council in each of the districts within the prefecture designated by the Minister of Justice.

(2) Human Rights Volunteers Councils organize a Prefectural Association of Human Rights Volunteers in each prefecture; provided, however, that in the case of Hokkaido, a Prefectural Association of Human Rights Volunteers is to be organized in each district determined by the Minister of Justice.

(3) Prefectural Associations of Human Rights Volunteers in Japan organize the National Federation of Associations of Human Rights Volunteers.

(Duties of a Council)

Article 17 (1) Duties of the Human Rights Volunteers Councils are as follows:

(i) to liaise and coordinate with regard to the duties of Human Rights Volunteers;

(ii) to collect necessary materials and information with regard to the duties of Human Rights Volunteers;

(iii) to study and present opinions with regard to the duties of Human Rights Volunteers;

(iv) to state its opinions to relevant organizations when necessary for the protection of human rights; and

(v) to otherwise conduct matters deemed necessary for the protection of human rights.

(2) The Human Rights Volunteers Councils, periodically or as needed, must report its performance to the Prefectural Association of Human Rights Volunteers.

(Duties of an Association)

Article 18 (1) Duties of the Prefectural Associations of Human Rights Volunteers are as follows:

(i) to liaise and coordinate with regard to the duties of Human Rights Volunteers Councils;

(ii) to collect necessary materials and information with regard to the duties of Human Rights Volunteers;

(iii) to study and present opinions with regard to the duties of Human Rights Volunteers;

(iv) to state its opinions to relevant organizations when necessary for the protection of human rights; and

(v) to otherwise conduct matters deemed necessary for the protection of human rights.

(2) The Prefectural Associations of Human Rights Volunteers, periodically or as needed, must report its performance to the Minister of Justice.

(Duties of the National Federation)

Article 18-2 (1) Duties of the National Federation of Associations of Human Rights Volunteers are as follows:

- (i) to liaise and coordinate with regard to the duties of Prefectural Associations of Human Rights Volunteers;
- (ii) to collect necessary materials and information with regard to the duties of Human Rights Volunteers;
- (iii) to study and present opinions with regard to the duties of Human Rights Volunteers;
- (iv) to state its opinions to relevant organizations when necessary for the protection of human rights; and
- (v) to otherwise conduct matters deemed necessary for the protection of human rights.

(2) The National Federation of Associations of Human Rights Volunteers, periodically or as needed, must report its performance to the Minister of Justice.

(Commendation of Volunteers)

Article 19 When the Minister of Justice finds that Human Rights Volunteers, Human Rights Volunteers Councils, Prefectural Associations of Human Rights Volunteers, or the National Federation of Associations of Human Rights Volunteers have made a special contribution in the course of their duties, the minister must present them with a commendation and pay due regard to make their achievements known to the public.

Article 20 Procedures for the implementation of this Act and other matters necessary for its enforcement are prescribed by Ministry of Justice Order.

#### **Supplementary Provisions [Extract]**

- (1) This Act comes into effect as of June 1, 1949.
- (2) The Human Rights Volunteers Commissioners Order (Cabinet Order No. 168 of 1948) is hereby repealed.

#### **Supplementary Provisions [Act No. 268 of July 31, 1952 Extract] [Extract]**

- (1) This Act comes into effect as of August 1, 1952.

#### **Supplementary Provisions [Act No. 71 of July 22, 1953]**

This Act comes into effect as of the date of promulgation.

**Supplementary Provisions [Act No. 54 of May 23, 1978 Extract] [Extract]**

(Effective Date)

(1) This Act comes into effect as of the date of promulgation.

**Supplementary Provisions [Act No. 151 of December 8, 1999 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000.

(Transitional Measures)

Article 3 (1) With regard to the application of the provisions revised by this Act concerning persons of diminished competence and the curators thereof for whom the provisions in force at that time shall be deemed to remain applicable pursuant to Article 3, paragraph (3) of the Supplementary Provisions of the Act for Partial Revision of the Civil Code (Act No. 149 of 1999), the provisions in force at that time shall remain applicable except for the following provisions:

(i) to (vii) omitted;

(viii) the provisions for revising Article 7, paragraph (1) of the Human Rights Volunteers Act pursuant to Article 32.

**Supplementary Provisions [Act No.160 of December 22, 1999 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act (excluding Articles 2 and 3) comes into effect as of January 6, 2001; provided, however, that the provisions of the following items come into effect as of the dates specified respectively in those item.

(i) the provisions of Article 995 (limited to the part pertaining to the provisions amending the Supplementary Provisions of the Act Partially Amending the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors), Article 1305 and 1306, Article 1324, paragraph (2), Article 1326, paragraph (2), and Article 1344: the date of promulgation.

**Supplementary Provisions [Act No. 68 of June 17, 2022 Extract] [Extract]**

(Effective Date)

- (1) This Act shall come into effect as of the day of enforcement of the Act Partially Amending the Civil Code; provided, however, that the provisions listed in the following items shall come into effect as of the dates specified respectively in those items:
- (i) the provisions of Article 509: the day of promulgation.