

# Human Rights Volunteers Act

(Act No. 139 of May 31, 1949)

(Purpose of this Act)

Article 1 The purpose of this Act is assigning human rights volunteers nationwide and setting out various standards that are applicable to them to protect fundamental human rights guaranteed to citizens and promote the spread and enhancement of the concept of freedom and human rights, thereby ensuring that human rights protection is comprehensive and without omission.

(Mission of Volunteers)

Article 2 The role of human rights volunteers, in addition to consistently promoting the spread and enhancement of the concept of freedom and human rights, is to oversee the fundamental human rights of citizens to prevent any infringement; if such infringement occurs, they are to swiftly implement suitable measures for its rectification.

(Designated District of Volunteers)

Article 3 Human rights volunteers are to be placed in the jurisdiction of municipalities (including special wards; the same applies below).

(Number of Volunteers)

Article 4 (1) The total number of human rights volunteers across the country cannot exceed 20,000.

(2) The designated number of human rights volunteers for each municipality is determined by the Minister of Justice, considering the population, economy, culture and other factors of the respective area.

(3) The prefectural associations of human rights volunteers under Article 16, paragraph (2) can state their opinions to the Minister of Justice concerning the designated number of human rights volunteers stated 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, as referred to in the preceding

paragraph must be from among those recommended by a mayor of a municipality (including a mayor of a special ward; the same applies below), and must be conducted after considering the opinions of the bar association and the prefectural association of human rights volunteers in the area of the prefecture that includes the said municipality (in the case of Hokkaido, the area determined by the Minister of Justice under Article 16, paragraph (2) proviso; the same applies in paragraph (5) below).

- (3) A mayor of a municipality, after consulting the municipal assembly of the respective municipality, must recommend to the Minister of Justice candidates for human rights volunteer position; these candidates must be residents with voting rights for members of the municipal assembly, and include social workers, educators, or persons involved in journalism, etc.; these persons must possess high moral character and insight, have a broad understanding of social conditions, and demonstrate an understanding of human rights protection; additionally, candidates could be members of bar associations or other groups representing women, laborers, or youth, etc., that directly or indirectly aim to promote and protect human rights.
- (4) If the Minister of Justice determines that the candidate recommended by the mayor of a municipality is not suitable for a human rights volunteer position, the Minister of Justice may request the mayor of the municipality to recommend another candidate within a reasonable timeframe.
- (5) In the case referred to in the preceding paragraph, if the mayor of the municipality does not recommend another candidate within the timeframe specified in that paragraph, the Minister of Justice, disregarding the provision under paragraph (2), may appoint a human rights volunteer from among those specified in paragraph (3); this can be done after considering the opinions of the bar association and the prefectural association of human rights volunteers within the jurisdiction of the prefecture that includes the said municipality.
- (6) In the recommendation and appointment of human rights volunteers, all citizens must be treated equally and must not be discriminated against because of their race, creed, gender, social status, lineage, or political views 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 of this person known to the residents involved.
- (8) If requested by the Minister of Justice, the mayor of the municipality is required to cooperate with the measures mentioned in the preceding paragraph.

#### (Disqualification of Volunteers)

Article 7 (1) A person who falls under any of the following items is not eligible to become a human rights volunteer:

- (i) a person who has been sentenced to imprisonment without labor or a more severe penalty, and who has not completed the execution of the sentence or for 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 has formed or joined political party or other organization that advocates for the violent overthrow of the Constitution of Japan or the government established under it, following the enforcement date of the Constitution of Japan.
- (2) If a human rights volunteer falls under any of the items of the preceding paragraph, they are to automatically lose their position.

(Salary of Volunteers)

Article 8 (1) Human rights volunteers are not to receive a salary.

- (2) Human rights volunteers may receive reimbursement for the necessary expenses incurred in performing their duties, within the budget, 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; however, even after their terms expire, human rights volunteers will continue to perform their duties until a successor is appointed.

(District in Which Volunteers Perform Their Duties)

Article 10 Human rights volunteers are to carry out their duties within the boundaries of the municipality in which they are assigned; however, when it is especially necessary, human rights volunteers may also carry out their duties outside of these boundaries.

(Duties of Volunteers)

Article 11 Duties of human rights volunteers are as follows:

- (i) to raise awareness of and publicize the concept of freedom and human rights;
- (ii) to endeavor to foster the advocacy of human rights in the private sector;
- (iii) to investigate and collect information about human rights violation cases, to provide remedy for these cases, and to take appropriate measures, including reporting to the Minister of Justice and making recommendations to the relevant organizations;
- (iv) to provide litigation support and other suitable relief measures for impoverished persons for the protection of 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, constantly endeavor to enhance their personal judgment and acquire the legal knowledge and skills required for their duties, and execute their duties with a proactive approach.

(2) In executing their duties, human rights volunteers are obligated to protect the confidential details related to the personal background of those involved, and must not engage in discriminatory or preferential treatment based on the race, creed, gender, social status, lineage, or political views or affiliations of those involved.

Article 13 (1) Human rights volunteers must not exploit their position or the execution of their duties for political parties or political objectives.

(2) Human rights volunteers must not engage in any business that is inappropriate for the fair execution of their duties, or become an officer or employee of a company or other organization that aims to conduct such a business.

(Supervision of Volunteers)

Article 14 Human rights volunteers are under the direction and supervision of the Minister of Justice concerning their duties.

(Discharge of Volunteers)

Article 15 (1) When a human rights volunteer falls under any of the following items, the Minister of Justice may dismiss them, after considering the views of the relevant prefectural association of human rights volunteers:

- (i) when the human rights volunteer has violated obligations during their duties or neglected their duties;
- (ii) when the human rights volunteer has difficulty in, or is unable to manage the performance of their duties due to mental or physical impairment; or
- (iii) when the human rights volunteer has engaged in misconduct inappropriate for a human rights volunteer.

(2) A discharge under the provisions of the preceding paragraph cannot be executed unless the reason for the discharge has been explained to the human rights volunteer in question, and they have been given an opportunity to provide a defense.

(Council, Association, and National Federation)

Article 16 (1) Human rights volunteers are to organize a human rights volunteer

council in each of the regions within the prefecture designated by the Minister of Justice.

- (2) Human rights volunteer councils organize a prefectural association of human rights volunteers in each prefecture; however, in Hokkaido, a prefectural association of human rights volunteers is to be organized in each area determined by the Minister of Justice.
- (3) The prefectural associations of human rights volunteers across the country form the National Federation of Associations of Human Rights Volunteers.

#### (Duties of a Council)

Article 17 (1) Duties of the human rights volunteer councils are as follows:

- (i) to liaise and coordinate on the duties of human rights volunteers;
  - (ii) to gather necessary materials and information related to the duties of human rights volunteers;
  - (iii) to study and present opinions concerning 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 handle matters deemed necessary for the protection of human rights.
- (2) The human rights volunteer 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 on the duties of human rights volunteer councils;
  - (ii) to collect necessary materials and information concerning the duties of human rights volunteers;
  - (iii) to study and present opinions concerning 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 handle 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 on the duties of prefectural associations of human rights volunteers;
  - (ii) to collect necessary materials and information concerning the duties of human rights volunteers;
  - (iii) to study and present opinions concerning 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 handle 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 recognizes that the human rights volunteers, human rights volunteer councils, prefectural associations of human rights volunteers, or the National Federation of Associations of Human Rights Volunteers have made an exceptional contribution in their duties, the minister must commend them and make efforts to publicize their accomplishments to the public.

Article 20 Procedures necessary for implementing this Act, along with 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 Volunteer 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) Concerning the application of the revised provisions by this Act about persons of diminished competence and their curators, for whom the existing provisions are 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 existing provisions will continue to apply, excluding the following provisions stated below:

(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) will be enforced from January 6, 2001; however, the provisions stated in the following items will be enforced from the dates respectively provided in those items.

(i) the provisions under Article 995 (limited to the part concerning 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), Articles 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 will take effect as of the day of enforcement of the Act Partially Amending the Penal Code and other laws; however, provisions listed in the following items will take effect from the dates respectively provided in those

items:

(i) the provisions of Article 509: the date of promulgation.