Tokyo District Public Prosecutor's Office Attorney General Hiroyuki Yagi

May 10, 2016

6-18-9 Takahama, Mihama-ku, Chiba-shi 261-0003

Yasuhiro Nagano

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written statement

Since you are reported as being appointed to the Tokyo District Public Prosecutor's Office on December 11 last year and it is reported that it will be "strongly promoting the prosecution reform", it will be nearly six months, so please fill it with a complaint and a letter of accusation It is to submit.

We have submitted complaints and charges to the Special Investigation Division Special Investigative Division of the National Police Agency many times, but the final return was the following text.

Eastern region special investigation No. 2679

August 19, Heisei 20

Yasuhiro Nagano

Tokyo District Public Prosecutor's Office

Special Investigative Division Special Regular Notice Group

I have seen 16 written letters (12 letters dated June 19, 2014, 4 dated on the same day 22) entitled "accusation letter" and "accusation letter" sent from you and the Sentinels and materials.
Described in previous editorial documents, why each act such as a policeman, a public prosecutor, a judge, etc. involved in the investigation, crackdown and trial is based on what grounds, why it is supposed to be abuse of official abuse, false complaint It is not allowed to concretely specify criminal facts subject to complaints and accusations only by describing the specific content such as the basis to assert claims as evidence and not based on specific evidence. Therefore, the document etc. is returned to the side.
In addition, although it was stated in the previous neighborhood return document, if documents similar to the past have been circulated to the agency or if it has been sent to the Agency from the Supreme Public Prosecutor's Office etc, the criminal records We do not handle it as a complaint / accusation letter prescribed in the Lawsuit Law, and we may not take back borrowing procedures for the documents we sent, so please be aware.

We have been getting back many times from the Special Direct Investigation Division Special Investigative Division of your office.
If it is not acceptable to concretely identify criminal facts subject to complaints and accusations, it should be non-prosecuted.

Therefore, again, on the basis of what basis each act of a police officer, a prosecutor, a judge etc involved in the investigation, crackdown and trial, based on the grounds, why it is supposed to be abuse of official abuse, concrete contents such as the grounds to

assert as false complaint etc We have corrected part of it based on a lot of advice, so we will re-submit it as a citizen's rights for many times.

Regarding the prosecution administration of your office, it is an international infringement of international human rights, including the prosecution administration concerning past immigration laws (illegal employment) as well as specific cases described in complaints and accusations We are offering relief to the UN Human Rights Council etc.

In addition,

The first chapter in each letter of complaint / charges. As stated in the spirit of complaints, we are also submitting reasons why criminal acts and human rights violations are also sent to the UN Human Rights Council, etc., so that complaints and charges of submission to your office In order to match the expression with the expression below it is diverted and described below.

Illegality of misappropriation case application law violation of immigration law

Initially, for the aid to assist illegal immigration to the Immigration Bureau, illegally arrested in 2010, in the case of a general law, the special law "illegal employment promotion crime" specified in the Immigration Act, From the standpoint of complying with international law prohibiting arbitrary disposition to foreigners, it is the law of the law to prioritize the criminal assistance of a certain criminal law, it should be completed with this law , It is allegation that the application of the criminal law assistance crime is a violation of applicable law.

The application of the criminal law assistance criminal offense against illegal work was a mistaken application law and claimed to be illegal, but the Tokyo District Prosecutor's Office rejected it as "being an opinion."

So, as we asked for support from the international community, the problem became bigger, not only for me, Chinese people, Filipinos, but also for international allegations of illegal judicial administration against illegal immigration law against many foreigners including the past It has developed into a human rights violation problem.

Although the primary offender permits illegal employment, illegal employment is not established only by foreigners.

Illegal employment illegal employment Because there are operators illegally hiring foreigners who want to work illegally working is established. It is exactly the same logic as the prostitution prevention law. Therefore, I think that you can understand the purpose of creating "illegal employment promotion crime".

My argument is that all businesses hiring foreigners who are not qualified to work are not disposed of as "illegal employment promotion crimes" prescribed by the Immigration Control Law without the accusation. If so, illegal employment will not be established, so foreign nominees hired will also be acquitted without fault. And there is no assistant of any kind.

The application of criminal law assistance for illegal employment is a criminal act by violation of applicable law. The offense of police officers, prosecutors, judges, etc. is the "criminal charges of false charges" of the criminal law and is "crime of abuse of the special public officer's authority."

"Crime of abuse of the special public servant's authority" is a crime established by abusing its authority and arresting and imprisoning others. Criminal constitution requirements of official abuses of special public officials As to the suitability,

① The principal is a special civil servant, · · · facts It is a policeman, a prosecutor, a judge.

② Having arrested and confined a person · · · It was arrested and confined as a fact.

③ abuse of authority, established by. · · · · Whether abusing official authority,

Abuse is the means by which illegal exercise of authority on duties means that means and methods are not only violent and threatening, but also intention to accept the result against victims legally and virtually It is supposed to be sufficient if it is one that puts pressure on freedom of decision.

For example, for police officers, the criminal procedure law (Act No. 131 of July 10, 1954) Chapter 1 Investigation Article 189

Police officers perform their duties as law enforcement officers according to other laws or by the National Public Safety Commission or the prefectural public safety commission respectively.

○ 2 When a judicial police official thinks that there is a crime, it shall investigate the criminal and evidence.

In addition,

I have stated many times that crimes are not being imagined.

Why are crimes not imagined? That is because it is an arbitrary application law violation.

That is why we are putting in detail the fact of illegal application law violations where

crime is not imagined.

Even if you do not need deliberate intentions, there is still unexpected as a specialist in law.

"Special public officials did not know the law" is not allowed.

In addition,

As stated in complaints of complaints and complaints of accusation letters, illegal contents Contents of freedom of decision making are exercised by expressing arrest warrant of false (applicable law violation) and exercise authority on duties.

Criminal offense is established because this obvious illegal act is abuse of official abilities, since crimes of abusing ex official authority of special civil servants does not require deliberation.

False accusation is the act of making a false complaint for the purpose of subjecting others to punishment or disciplinary action.

It is a deliberate criminal, an objective criminal, and "a purpose to make a person receive criminal or disciplinary action" is necessary. In fact, I received a fine of 1,000,000 yen, imprisonment for a year and a half, he was released on maturity without admitting parole. Other foreigners are also punished with fine or imprisonment.

In addition, the public prosecutor is unaware of the job authority, constitutional requirements of crime and the immigration law, and the reason for the return of complaint and accusation letter is no longer a confident organized crime.

The Immigration Control Act does not limit not only foreigners who work illegally, not to disregard international law only by equality under the law and arbitrarily disposing

only foreigners, but also to employers as both "punishment promoting crimes of illegal employment "We are punished severely.

However, even in this case businesses are not disposed of as "illegal employment promotion crime", so it is not equal under the law, so it is a violation of international law because it is arbitrarily criminalized only for foreigners.

Since we do not dispose of illegally employed businesses, foreigners who have illegally worked must also be innocent.

Because there was no illegal employment, there are also no helpers.

The police detention center charged with a complainant was overflowing with an arrest of illegal work. It is not uncommon for illegal stay for over 10 years. In many cases, we will not dispose of employers without even arresting illegal employment due to passion, so among illegal foreigners who are illegally working, illegal residents usually do not carry out criminal treatment, is. The problem is a legitimate resident staying at a study abroad visa etc. Regular qualifications in many cases, in contradiction to equality under the law, are being criminalized for fine penalties or the like and arbitrarily withdraw from abroad.

In this case, in order to impose fairness under the law, and not criminalize international law, to criminalize only foreigners arbitrarily with imprisonment, we will make up an assistant to the assistant of "illegal employment promotion crime" It is. Here is the malignancy of this incident.

The act of saying that the content of providing a false employment contract documented by counsel is obviously an irresponsible work irrespective of illegal employment, refers to the act of assisting the cancellation of the status of residence of 22 Article 4, 4 of the Immigration Act.

Since the Minister of Justice granted it at the discretion of the ministerial ordinance, the status of residence by submitting false documents stipulates to cancel the status of residence as the administrative penalty of the Minister of Justice. Therefore, point of counsel is irrespective of illegal employment, it is a violation of applicable law.

The submission of a false document, such as submitting 22 4 Article 4 of 4 Immigration Control Act 4 As to the disposition of the action to cancel the status of residence, as indicated by the Minister of Justice's departure from abroad, granting a status of residence is not a provision of law, Because it was granted at the discretion of the Minister of Justice, it is against the logic of the law to make a criminal disposition. Therefore, at the discretion of the Minister of Justice, we are taking administrative measures for deportation.This logic is based on Article 31 Constitutional Criminal Law. No one will be punished unless it is obeyed by the law established in the Diet.

In the judgment, it is assumed that the act of providing the false employment contract made easy to obtain the status of residence, but the conditions for granting the status of residence is not the provision of the law, and even the ministerial ordinance which is the only guideline, It only sets the graduation qualification of.

The delivery condition is not disclosed and it can not be said that the act of providing a false employment contract to the status of residence issued at the discretion of the

Minister of Justice has made the status of residence easier.

Submission of an employment contract is required by the section manager. It is illegal to have criminal disposition with the criminal assistance criminal as making it easy to obtain the status of residence without the grounds of the law stipulated in Article 31 of the Constitution.

Everyone in the international community!

Some lawyers say that based on the training at the Judicial Research and Training Institute, the offense is a prison sentence, so anything is unreasonable or unreasonable, anything can be said that assistance charges will be established as a result of assistance acts . It is said that this is a judicial judgment in Japan.

After all, as this country seems not to be ruled under the law, whether it is said that it is one of the Japanese and "opinion", after all, I organized this problem and violated the applicable law I will assert.

In the law of law, the former offender who is illegally employed is innocent because the business that made illegal work is innocent. (Although it is illegal, it is a fine for convention in the past)

There can not be only those who have worked illegally, even though no one has illegally worked.

If the former offender is attempted (or fined), the criminal assistance charges will not be established.

Here is the problem、Illegal work、Just like the prostitution prevention law、It is self explanatory that it is established because there are businesses that illegally work. We

must pursue this.

Equality under the law, contrary to international law, only foreigners who have been illegally worked will receive criminal penalty for imprisonment or imprisonment and be removed from the country!

And、For criminal acts, the general criminal law assistance criminal charges apply!

As soon as possible, we will comply with the international law ratified by the National Assembly, become a country governed and punished under the law established in the Diet, claiming that the basic human rights of the people and the people of the world will be protected, Please listen.

I. Introduction

Punishment for illegal employment under the Immigration Control Act stipulates to dispose of illegal workers for illegal workers and illegal employers for illegal employment promotion crimes.

Originally should be completed by applying this law, contrary to the legislative purpose of the Diet, do not punish the businesses illegally arrest and detain only foreigners, criminal disposition arbitrarily with illegal work crimes It is illegal, contrary to international law.

Also 、 In this case, it is illegal judicial administrative contrary to Article 31 of the Constitution, as it applied the crime aid assistance criminalization, referring to the aid act of canceling the status of residence without any causal relationship with illegal work.

In this case, judicial officials collaborate with the mass media and operate information and publicize it as if arrested because they performed the act prescribed in "illegal

employment promotion crime" to the people, but the indictment is a criminal assault for murder Just like application, against illegal employment of immigration law、Foreigners have a principle theory of insulting foreigners who always make a crime if they stay in Japan、If the wind blows, Tubuya is the argument that is profitable, and the criminal assistance crime under the general law is abused.

Businesses that illegally worked were not criticized, but foreigners who were made illegally worked were arbitrarily criminalized under "illegal work crimes" contrary to international law, becoming forced to retreat abroad.

Businesses that illegally worked are not punished at all, and this is an arbitrary act prohibited by international law. It is not a country governed under the law at this. It is not a country that complies with international law.

While developed countries in the world are suffering from immigration problems, the Japanese government is still adding human rights abuses to deport not only Japanese but also people all over the world in an illegal way as a criminal It is.

In my case and Philippine embassy affair, I am applying criminal law aid to me and diplomats for the reason of aiding actions for "cancellation of status of residence" which is not related to illegal work against illegal employment . It is exactly the same as North Korea. Japan must be a country governed under the law.

In order to protect the employment opportunities of the Japanese, the Diet punishes foreigners for illegal work and pays them for illegal work, and as a special law as a special law, Article 2 of the Immigration Act 73 illegal work Promotion guilty "has been

enacted. The Diet must correct the judicial administration which ignores the legislation, but will not attempt to rectify it.

For an outline of the incident, please see the separate sheet "Violation of Immigration Act (Aid Association) Summary Memo").

The case abused the guilt of assistance of the general law, and Article 31 of the Constitution, "No one is deprived of its life or freedom unless it is based on the procedure prescribed by the law, or can not impose any other punishment" Conversely,

The conditions for granting status of residence are not disclosed and will be granted at the discretion of the Minister of JusticeNonetheless, we conclude that the status of residence was easily obtained because the documents requested to be provided by the section manager as false, ・・・・・Apart from whether I got a status of residence by submitting false documents、Working within a given status of residence is not illegal work (activity other than qualification), but even though the acts that work outside of the given status of residence are illegal work (activities outside the status of being qualified) I have applied criminal aid for illegal work for illegal employment because I insulted foreigners' human rights when I made a criminal act (illegal employment) because I made it to be in Japan without any causal relationship.
The provision of the law refers to the law established by the National Assembly (including the ordinance established by the local council in the precedents).

In an effort to punish foreigners only arbitrarily without punishing business operators, they conspired with the mass communication, cheated on international law, pretense

citizens appear to have arrested assistants by illegal employment promotion crime, On the other hand, we are applying illegal workers' crimes by misusing the immigration laws of citizens and foreigners, making up an assistant for illegal work by a crime aid for the criminal law of the general law in lieu of a business that made illegal work. I will.

Despite the provision of the status of residence is not the provision of the law but the Minister of Just gives it at the discretion, because it provided false employment contracts, it is possible to easily obtain the status of residence of international and technical skills It was. I was able to stay in Japan because I got my status of residence. I was able to work illegally because I lived in Japan. As I was abusing the criminal assistance crime with a causal relationship which has nothing to do with illegal work, it is illegal out of the logic of law.

As if by law the provision of employment contracts is based on the application of criminal law aiding criminal just as absolute terms of granting status of residence、Regarding the conditions for granting a status of residence, there is no provision in the Immigration Act (Principles) at all.

The only ministerial ordinance (by-law), the Minister of Justice has established graduation qualifications (academic background) of universities etc. as a condition to grant international status of residence of technology and humanities at the discretion. Therefore, heavy submission documents are "diplomas" certifying educational background.

However, even if it is false with this, because it gives the status of residence at the discretion, it can only do administrative measures to cancel the status of residence.

"Content false employment contract" written in the indictment complies with the smooth administration of immigration administration because it asks for submission by section manager, not by law, and it is stipulated in law It can not be said that it is an absolute document of the status of residence, and the condition of grant itself is undisclosed and it is given at the discretion of the Minister of Justice、In light of the provisions of Article 31 of the Constitution, it can not be said that it is enough to impose penalties on account of making it easier to obtain a status of residence.

This is also self explanatory because it makes administrative penalty for cancellation of status of residence at the discretion of the Minister of Justice for false document submission.

The status of residence is given to the individuals of the Japanese nation by foreign nationals and restricts employment within the status of residence, but the work place is not a company offering employment contracts, so it is free to employ at any company or organization And immigration and explained that a company that issued an employment contract and has concluded an employment contract after the Minister of Justice granted a status of residence to a foreigner can not detain the place of work for foreigners .

Under the Immigration Control Law, as a countermeasure in the event of obtaining a status of residence by submitting false documents, the Minister of Justice sets out a provision to rescind the status of residence, but if you work in a position within that qualification, what is illegal employment It is obvious that it will not. The offense became illegal because I worked outside the status of residence.

The causal relationship of illegal employment is illegal acts of businesses who worked in off-qualified positions. As punishment including promotion of illegal employment, there

is a punishment provision in Article 2 of Immigration Act 73, it is given priority over criminal law deduction for criminal law of the general law, application of criminal law assistance is law It is obvious that it violates the logic.

With the Immigration Control Act, it is stipulated that illegal employment practices should be dispose fairly with illegal workers' incentives and illegal employment promotion crimes.

Regarding submission of false documents, since the Minister of Justice has granted the status of residence at the discretion, the Minister of Justice stipulates that the submitter, the person who has helped and suggested it, be administrative punishment for departure from the country.

Thus, it is proved that there is no causal relationship between illegal employment acts and acts for rescission of status of residence.

II. The causal relationship of applying assistance crimes is insulting foreigners' human rights.

Apply force aided criminal aid forcedly without applying "illegal employment promotion crime" stipulated as an aid / promotion act against illegal employment Contents False employment contracts offer easy acquisition of status of residence I was able to live in Japan. Since it was possible to live in Japan, it is said that the illegal employment was able to be made and the causal relation between the provision of a false employment contract and the illegal employment crime is clear, ignoring the special law, ignoring international law, It is an indictment that ignores human rights and abuses assistance charges and is a judgment.

It is absolutely impossible for the international community to live in Japan because it made it possible for residents to live in Japan so that they could have committed a crime (illegal employment outside the status of qualification) because of prejudice that if a foreigner lives in Japan, it is a prejudice that a crime is always invited It is a malicious discrimination against an arbitrary foreigner who abused the crime.

Contents of false employment contracts could facilitate the acquisition of status of residence and could live in Japan if permitted causal relationship of such assistance crime. As I was able to live in Japan, I thought that the causal relationship of murder was evident as being killing, but it is a terrible thing that is not allowed in the logic of law, but the interrogating police official said, "President, Chinese I am illegally working, so I can financially assist you with illegal work ... but if the Chinese were murderers, it is an assistance crime against murder, please be careful! " We are already applying "assistance crime" against homicide. We must pursue this with the help of the international community.

If you think that Japanese who treat foreigners equally is not interesting, they apply criminal charges and make them criminals. The root of human rights abuses is because arbitrary foreign exclusion habits are rooted.

In addition,

Even if you are in Japan, your employment within the status of residence is natural and there is no causal relationship with illegal work (crime) at all. It seems to be bad,

It is self-evident that it was a business employer hiring foreigners who are not qualified to work as stipulated in the illegal employment promotion crime, because the employment became illegal because they worked outside the status of qualification.

Also, even if you obtain a status of residence with false contracts of employment, it is self explanatory that if you work within the scope of your status of residence, you will not be illegally employed.

The only thing to be clear is that by the Immigration Control Act, the Minister of Justice stipulates that foreigners who obtained a status of residence as false documents can cancel their status of residence. Since it is applied without illegal work, obviously there is no causal relation with illegal work.

As administrative punishment rather than criminal disposition, because it gave discrimination rather than regulation of the status of residence to the status of residence, it is contrary to the logic of the law to make it criminal disposition, so it is to make administrative penalty for cancellation of status of residence at the discretion .

Police officers, prosecutors, judges, lawyers and others、 Identifying the status of residence by the Minister of Justice and the entry permit (visa) by the Minister of Foreign Affairs, granting a status of residence They are misunderstanding.

Grant of status of residence and entry permission (to be in Japan), that is, a seal on the passport (entrance visa) is separate, and even if a status of residence is granted, an

entry permit (seal) is obtained in the passport If not, I can not live in Japan.

The immigration permit is given by the Foreign Minister at the discretion to a foreign national who got the status of residence, and the status of residence was granted from immigration, but a visa (a seal on the passport) can not be obtained That is common.

The entry permission criteria for immigration visas has not been disclosed, and we do not disclose the reasons for non-permission and can not file a dispute.

Is not in the passport (entrance visa) is separate, and even if a status of residence is granted, an entry permit (seal) is acquired in the passport If not, I can not live in Japan.

The immigration permit is given by the Foreign Minister at the discretion to the foreign national who got the status of residence, and the status of residence was granted from immigration, but a visa (a seal on the passport) can not be obtained That is common .

The entry permission criteria for immigration visas has not been disclosed, and we do not disclose the reasons for non-permission and can not file a dispute.、Considering various, at discretion、It is reasonable to guess that the Minister of Justice granted a status of residence.

Even if we enter employment, we frequently protest to cancel the status of residence at the immigration because it is common to not enter the company, but the granted status of residence was granted to foreign individuals, As long as you are in the

qualification, you are free to work anywhere, and you have been taught tightly that immigration can not be restrained after immigration if the immigration status is granted. In addition,

So, when I am canceling an employment job office with a Lehman shock, I have not informed the immigration. Some lawyers say that at this time, from the immigration office, if they receive the official document of the above purpose, it is said that no assistance charges will be established, but at such time the immigration office will reply with the official document Is it thing?

Even if you submit false contracts of employment and get the status of residence of international and technical skills, it is not illegal to work within the scope of your status of residence. This is self explanatory.

I was illegally employed (activities outside the status of qualification) because I worked outside of the given qualifications. It is because there was a business operator to work outside the status of qualification. This is also a trivial idea.

It is obvious that it is a crime of arbitrary violation of the applicable law to summarize the crime aid for criminal law, contrary to the purpose of creating illegal employment promotion charges.

Although it seems awful, there is absolutely no causal relation between obtaining the status of residence of international and technical skills and humanities at discretion from

the Minister of Justice and illegal employment.

At the discretion of the Minister of Foreign Affairs, there is absolutely no causal connection between having been able to live in Japan with a visa (immigrant visa) and visiting illegal workers.

In addition,

Even if you are in Japan with a status of residence by obtaining a status of residence by submitting a non-false employment contract, you are illegally working if you do illegal work (activities outside your qualification) even if you are in Japan.

If you gave a status of residence by false employment contracts, the Minister of Justice can rescind the status of residence according to Article 4 4 of Immigration Act 22, so this also has no causal connection with illegal employment.

The Immigration Control Act prohibits foreign workers who have illegally worked as illegal workers, illegally working businesses who illegally worked for illegal employment promotion against the illegal employment (activities outside the status of being qualified) It is impossible to say that it is not equal under the law to punish arbitrarily foreigners who have been illegally employed by illegal work as they are not punished for illegal workers, It is contrary to law.

For many years, Japan has been making arbitrary foreign workers illegally working even now, and if it is not convenient, Japan is expelling only foreigners arbitrarily as criminals. It is absolutely disgusting act.

In lieu of law experts, police officers, prosecutors and judges who obliged the illegal employment promotion officials to replace the aid supporters, provided that they provided false employment contracts and made up as false deceiters for illegal employment ,

For foreigners, under the auspices of false advocates of false charges, they are charged with illegal work as illegal employment,

Applying the criminal law aiding criminal charges against illegal workers against fraudulent assistants is a common act of judicial judgment in Japan, but it can be said that it is a violent criminal act internationally.

As a result of the above, it is self-evident (innocence) that no one has worked illegally if no one has punished him for illegal employment for promoting illegal employment. Therefore foreigners who work illegally are innocent. Then you will be innocent (not guilty) that there are no assistants of any illegal work.

III. At the end

Police officers approach confessions that "accept in general theory."

The prosecutor in the interrogation compels confessions by saying "I am great, I am fine if I admit it, I am imprisoned if I do not acknowledge it."

It can not be said that it is a judicial administration of a state that advocates freedom and democracy, such as criminal disposition in general theory, but unfortunately this is the actual condition of Japanese judiciary.

And, in order not to make the prosecution review committee review the prosecution's non-prosecution act, it is the abuse of prosecution monopolisticism, not criticizing the prosecution letter / complaint as non-prosecution, squeezing it as unacceptable because

the prosecution administration in Japan is.

Even at trial, the prosecutor asserts that transfer payment under the name "Kin" to Refco is proof from "Kin Gungaku" as proof that intention was assisted in assisting.
As for Chinese, cash is common sense in these money. Indeed it is asserted that it is not 100% to do the name transfer by bank transfers with "Kin only by surname". The Chinese always have their first and last name set. In addition,

However, I am pursuing with a legal theory, not as such facts but as Japan is governed under the law, protecting basic human rights including foreigners, and becoming a country that complies with international law It is.

Although it seems awful, in the Immigration Control Act regulating the treatment of foreigners, it is the national proposition to comply with the international law which is the treaty approved by the Diet under the Constitution.

In contrary to the legislative intent of the National Assembly that adheres to international law for many years, Japan has not punished businesses that illegally worked against illegal employment against illegal work against international law, against the illegal purpose of the Diet , He punished only foreigners arbitrarily for fines and imprisonment for illegal work and punished them for deportation.

This case is larger than the Japanese abduction issue by the North Korean government and the Japanese comfort women issue by the Japanese army, and the number of

foreign victims is enormous.

If the Japanese government adheres to international law, apologizes to foreigners arbitrarily disposed of, and promptly restores honor and reparations, the international credit of Japan will be harmed and will impose a great price on later generations It becomes.

Prime Minister Shinzo Abe, for the international community, and in holding the G7 in Japan, even at the annual parliamentary greetings, Japan is a country governed under the law, protecting fundamental human rights, complying with international law Although I pride himself,
Japan must be governed under the law as soon as possible, protected from fundamental human rights, and must comply with international law. In addition,

Please, support us. In addition,
(This completes the reprint)

In addition, since prosecutors who have revamped complaints and accusations sent by the complainant in the past have obstructed the exercise of the right, they have also filed complaints filed for prosecuting offense for abuse of authority, so the prosecutor However, it is inappropriate to be involved in acceptance and investigation of accusations and accusations, so please take care.

After World War II, I am a Japanese who received education such as freedom and

democracy in the United Nations army (US Kin Gungaku), governance under the law, respect for fundamental human rights, compliance with international law. Thank you very much.

However, although it is no longer an old man, the Japanese government (judicial administration) does not govern under the law against some Japanese and many foreigners, causing serious and organized human rights abuses. Help me. I have reported the facts to the international community at the beginning of and I have found support.

In addition,

If I further exploit prosecution monopolisticism and do unacceptable acts, it is also a fundamental problem of the Japanese justice system itself, so I must further appeal to the international community. Of course, a reply to this complaint / accusation will be the voucher.

Some countries have received words of encouragement, but the best is that the Japanese are governed under the law by the Japanese, the basic human rights are protected, and countries that adhere to international law I think that should be done.

Means for restoring honor is 'request retrial.' However, we can not request a re-trial of "mistake in application law". However, it can prosecute crimes of police officials and prosecutors involved in the case, and if the crime is confirmed, you can request "retrial."

I hope that the prosecution will voluntarily request a retrial as a proof that Japan's judiciary realizes governance under the law, respect for basic human rights, and compliance with international law.

In addition,

Therefore, I will submit a complaint to you a couple of times. It is again a scandalous affair inside of you, but it is not something you can squeeze through forever and keep it hidden forever. As a proof that "prosecution reforms are strongly promoted", please take care so seriously.

that's all

Attachment

1. 12 side documents returned

2. 1 indictment statement

3. 1 newspaper article

Four. Court complaint Yasuhiro Nagano Policeman

Five. Prosecution letter Yasuhiro Nagano public prosecutor

6. Court orders Yasuhiro Nagano Judge

7. Charges Kin Gungaku Police Officer Prosecutor Judge

8. Charged letter Four offenders 4 policemen prosecutor judge

9. Accusation letter Filipino police officer public prosecutor Judge

Ten. Litigation letter Yasuhiro Nagano Media Assistance Assistance Crime

11. Accusation letter Yasuhiro Nagano lawyer assistant crime

12. Accusation letter Kin Gungaku academic press deduction

13. Account letter Kin Gungaku lawyer assistant crime

14. Charged letter Four former offenses assistant lawyer

15. Accused letter abuse of official authority Tokyo District Prosecutors Office

16. Complaint Official abuse authority Tokyo high public inspection

17. Penal Code offense abused for offense of offense

18. Complaint Official offense abuse offense Tokyo Metropolitan Police Department

19. Complaint letter abuse of official authority sin guilty

that's all

東京地方検察庁 検事正　八木 宏幸　殿

平成２８年5月１０日

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上　申　書

貴殿は昨年 12 月 11 日､東京地検検事正に就任され｢検察改革を強力に推進｣されるとの報道があり、半年近くになりますので、満を持して告訴状・告発状を添えて上申するものです。

貴庁特別捜査部　特殊直告班へは何度も告訴・告発状を提出しておりますが、最終返戻しは、下記文面でした。

東地特捜第２６７９号

平成２７年8月１９日

長野恭博 殿

東京地方検察庁

特別捜査部　特殊直告班

貴殿から送付された｢告発状｣｢告発状｣と題する書面計１６通（平成２７年6月１９日付け１２通、同月２２日付け４通）及び上申書並びに資料を拝見しました。

これまでの辺戻文書にも記載しましたが、捜査、取締り及び公判に関わった警察官、検察官、裁判官等の各職務行為がいかなる根拠に基づき、なぜ職権乱用に当たるとするのか、虚偽告訴と主張する根拠などの具体的内容が判然とせず、具体的証拠に基づかない主張を記載しただけでは告訴・告

発の対象となる犯罪事実が具体的に特定されているとは認められません。よって、前記書面等は辺戻します。

なお、前回の辺戻文書に記載しましたが、今後も、これまでと同様な書類等が当庁に回付されてきた場合及び最高検察庁等から当庁に回付されてきた場合は、刑事訴訟法に規定する告訴・告発状としての取扱いをせず、かつ、送付された書類等についても辺戻手続きを執らない場合もありますので、御承知おき願います。

貴庁特別捜査部　特殊直告班からは何度も辺戻しを受けております。
記載事項が告訴・告発の対象となる犯罪事実が具体的に特定されているとは認められないのであれば不起訴とすべきであります。

よって、再度、捜査、取締り及び公判に関わった警察官、検察官、裁判官等の各職務行為がいかなる根拠に基づき、なぜ職権乱用に当たるとするのか、虚偽告訴と主張する根拠などの具体的内容について、多くの助言をもとに一部訂正いたしましたので、国民の権利として何度めかになりますが再提出いたします。

貴庁の検察行政につきましては、告訴状・告発状記載の具体的事件だけでなく、過去の入管法違反（不法就労）に関する検察行政も含めて、国際的な基本的人権の侵害でありますので、国連人権理事会等に救済を申出ているところであります。

各告訴状・告発状でも　第１章．告訴の趣旨で記載しておりますが、国連人権理事会等へも、なぜ犯罪行為に当たるか、なぜ人権侵害にあたるのか、その理由を提出しておりますので、貴庁へ提出の告訴・告発状と表現の一致をとるため以下に転用し記載します。

入管法違反幇助事件　適用法誤りの違法性

私は２０１０に不法に逮捕された入管法違反幇助事件について、当初は、「不法就労」に対する幇助罪については、入管法に定めた、特別法である「不法就労助長罪」が、一般法である刑法の幇助罪より優先するのが法の論理であり、法の下での平等、外国人への恣意的な処分を禁じた国際法を順守する立場から、この法律で完結すべきであり、刑法幇助罪の適用は適用法違反であるとの主張です。

不法就労に対して刑法幇助罪の適用は適用法誤りであり、不当であると主張したが、東京地検は「持論である」として退けたのです。

それで、国際社会に支援を求めるにつれ問題は大きくなり、私や中国人、フィリピン人だけでなく、過去を含めた多くの外国人に対する入管法違反（不法就労）に対する、不法な司法行政による国際的な人権侵害問題に発展したのです。

正犯は不法就労を認めていますが、不法就労は外国人だけでは成立しません。
不法就労は不法に働きたい外国人を不法に雇用する事業者がいるから不法就労が成立するものです。まさに売春防止法と同じ論理です。よって「不法就労助長罪」の創設趣旨が理解できると思います。

私の主張は、働く資格のない外国人を雇用した事業者は何れも、お咎め無しで入管法が規定する「不法就労助長罪」で処分されていません。そうであれば、不法就労は成立しませんので、雇用された外国人もお咎め無しの無罪です。そして如何なる幇助者も存在しないということです。

不法就労に対して刑法の幇助罪適用は、適用法違反による犯罪行為です。警察官、検察官、裁判官らの罪名は刑法の「虚偽告訴罪」であり、「特別公務員職権乱用罪」です。

「特別公務員職権濫用罪」は、その職権を濫用して、他人を逮捕、監禁することによって成立する罪です。特別公務員職権濫用罪の犯罪構成要件該当性については、
①主体が特別公務員であること、・・・・事実　警察官、検察官、裁判官です。

②人を逮捕・監禁したこと 、・・・・事実として逮捕・監禁されました。

③職権を濫用したこと、によって成立します。・・・・職権を濫用したか否かですが、

濫用とは、職務上の権限を不法に行使することで、その手段や方法は、暴行・脅迫だけでなく、法律上・事実上、被害者に対してその結果を受け入れざるえない程度に意思決定の自由を圧迫するものであれば足りるとされています。

職権ですが、例えば警察官については、刑事訴訟法（昭和二十三年七月十日法律第百三十一号）

第一章　捜査　第百八十九条

警察官は、それぞれ、他の法律又は国家公安委員会若しくは都道府県公安委員会の定めるところにより、司法警察職員として職務を行う。

○２　**司法警察職員は、犯罪があると思料するときは、犯人及び証拠を捜査するものとします。**

私は、これまで何度も、犯罪が思料されないことを述べて来ました。

なぜ犯罪が思料されないか？それは恣意的な適用法違反であるからです。

それで、犯罪が思料されない不法な　適用法違反の事実を、詳細にのべているわけです。

故意を必要としなくとも、少なくとも法の専門家として未必の故意があります。

「特別公務員らが法律を知らなかった」は許されません。

告訴状、告発状の告訴事実にに記載のとおり、不法な内容嘘偽（適用法違反）の逮捕状を提示するなどして意思決定の自由を圧迫し職務上の権限を行使しています。

特別公務員職権濫用罪は故意を必要としていませんので、この明らかな不法な行為は、職権乱用であるので、犯罪は成立します。

虚偽告訴罪は、他人に刑罰や懲戒を受けさせる目的で、虚偽の告訴をする行為を内容とします。

故意犯、目的犯であり、「人に刑事又は懲戒の処分を受けさせる目的」が必要です。事実、私は罰金１００万円、懲役１年半の実刑を受け、仮釈放を認めず満期釈放されました。他の外国人も罰金や懲役刑を受けております。

また、検察官が、職務権限、犯罪構成要件や入管法を知らないわけがなく、告訴状・告発状の返戻し行為の理由は、もはや確信的な組織犯罪です。

入管法は、法の下での平等そして外国人だけを恣意的に処分して国際法に反しないように、不法に働く外国人だけでなく、雇用者を両罰規定の「不法就労助長罪」で厳しく処罰しています。

しかし、この事件でも事業者は「不法就労助長罪」で処分されていませんので、法の下での平等でなく、外国人だけを恣意的に刑事処分していますので国際法違反です。

不法に雇用した事業者を処分しないので、不法就労した外国人も無罪としなければなりません。ということは、不法就労はなかったのですから、その幇助者も存在しないのです。

告訴人が収監された警察の留置所は、不法就労の逮捕者で溢れかえっていました。不法滞在１０年以上も珍しくありません。多くの場合、情により雇用者を不法就労助長罪で逮捕さえせず処分しませんので、不法就労した外国人の内、不法滞在者は、通常は刑事処分はせずに入管送りで国外強制退去です。問題は、留学ビザなどで滞在する正規の滞在者です。正規の滞在資格は、多くの場合、法の下での平等に反し罰金刑などで刑事処分をして恣意的に国外退去をさせているのです。

この事件では、法の下で公平に、そして国際法に反せずに、外国人だけを恣意的に懲役刑で刑事処分するために、「不法就労助長罪」の幇助者にかわる幇助者をでっち上げたのです。ここに、この事件の悪質性があります。

訴因で示す、内容虚偽の雇用契約書を提供したと言う行為は、明らかに不法就労とは関係なく、入

管法の２２の４条の４在留資格取消の幇助行為を指しております。

法務大臣が裁量により省令の基準で付与したので、虚偽の書類提出による在留資格は、法務大臣の行政処分として在留資格を取消することを規定しています。したがって訴因の指摘は、不法就労とは関係なく、適用法違反です。

虚偽の書類を提出するなどして、入管法の２２の４条の４在留資格取消行為の処分が、法務大臣による国外退去処分でわかるように、在留資格の付与は、法律の規定ではなく、法務大臣の裁量で付与したものであるから、刑事処分にすることは法の論理に反するからです。それで法務大臣の裁量で国外退去の行政処分としているのです。この論理は憲法３１条　罪刑法定主義によるものです。何人も国会で成立した法律によらなければ刑罰を科されないのです。

判決では、内容虚偽の雇用契約書を提供した行為が在留資格の取得を容易にしたとするが、在留資格の交付条件は法律の定めではなく、唯一の指針である省令でも、関連する大学等の卒業資格を定めているだけです。

交付条件は非公開であり、法務大臣の裁量により交付した在留資格に対して、内容虚偽の雇用契約書を提供した行為が在留資格を容易にしたとは言えません。

雇用契約書の提出は課長通達で求めるものです。在留資格の取得を容易にしたとして刑法幇助罪で刑事処分するには、憲法３１条で定める法律の根拠がなく違法です。

国際社会の皆さん！

一部の弁護士は、司法研修所での研修を根拠に、正犯が懲役刑なので、不当であろうと、理不尽であろうと、なんでもいいから幇助行為を理由にすれば幇助罪は成立すると言う始末です。これが日本の司法だと言うのです。

やはり、この国は、法の下で統治されていないようですので、日本人の一人とし、「持論」だと言われようが、やっぱり私は、ここに、この問題を整理して適用法違反を主張します。

法の論理では、不法就労した正犯は、不法就労させた事業者が無罪なので、正犯は無罪です。（不法ですが従来は罰金刑です）

・・・・不法就労させた者がいないのに、不法就労した者だけがいるはずがありません。

正犯が無罪（若しくは罰金刑）であれば、刑法幇助罪は成立しません。

ここで問題とするのは、不法就労は、売春防止法と同じ様に、不法就労させる事業者がいるから成立するのは自明の理です。このことを追及しなければなりません。

法の下での平等、国際法に反して、不法就労させられた外国人だけが、なぜ、罰金刑や懲役刑の刑事処分を受け、国外退去されられるかです！

そして、なんら罪にならない行為に対して、一般論で刑法幇助罪を適用されるかです！

一日も早く、国会が批准した国際法を遵守し、国会で成立した法の下で統治され処罰される国となり、国民や世界の民の基本的人権が守られることを主張しますので、耳を傾けてください。

Ⅰ.総論

入管法の不法就労に対する処罰は、不法就労した外国人を「不法就労罪」で、不法就労させた事業者を「不法就労助長罪」で処分するように規定されております。

本来この法律を適用することで完結すべきですが、国会の立法趣旨に反し、事業者を処罰せず外国人だけを、不法に逮捕監禁し、恣意的に不法就労罪で刑事処分を行うことは、国際法に反し不法です。

また、この事件では、不法就労とは何ら因果関係のない在留資格取消の幇助行為を指して、刑法の幇助罪を適用したので、憲法３１条に反する不法な司法行政です。

当事件では、司法関係者はマスコミと共謀し情報操作をして、国民には「不法就労助長罪」に規定する行為をしたので逮捕したように広報するが、起訴状は殺人罪に対する幇助罪適用と同じように、入管法の不法就労に対して、外国人は日本に在留すれば必ず犯罪をするという外国人を侮辱する原

則論をたて、風が吹けば桶屋が儲かる論法で、一般法である刑法の幇助罪が乱用されております。

不法就労させた事業者はお咎め無しで、不法就労させられた外国人は、国際法に反して、恣意的に、「不法就労罪」で刑事処罰されて、国外強制退去になっています。

不法就労させた事業者は、なんら処罰されない状況が続いており、これは国際法が禁じている、恣意的な行為です。これでは、法の下で統治されている国とは言えません。また国際法を順守している国とは言えません。

世界の先進国が移民問題で苦しんでいる中、日本政府は今も、日本人だけでなく世界中の民に対して、不法な方法で、犯罪人にして国外退去させる人権侵害を加えているのです。

私の事件やフィリピン大使館事件では、不法就労に対して不法就労とは何ら関係ない「在留資格取消処分」の幇助行為を理由に、私や外交官らに刑法の幇助罪を適用しています。まさに北朝鮮と同じことをしているのです。日本こそ、法の下で統治される国にしなければなりません。

不法就労に対して、国会は、日本人の雇用機会を守るため、外国人を不法就労罪で処罰し、事業者らの幇助・助長行為について、特別法として入管法７３の２条「不法就労助長罪」を制定しています。国会は、立法を無視する司法行政を正さなければなりませんが正そうとしません。

事件の概要については、別紙「**入管法違反（幇助）事件　まとめメモ**」をご覧ください。

当事件は、一般法の幇助罪を乱用し、憲法３１条、「何人も、法律の定める手続によらなければ、その生命若しくは自由を奪はれ、又はその他の刑罰を科せられない。」に反し、

在留資格の付与条件は非公開で法務大臣の裁量で付与されるにも関わらず、課長通達ごときで提供を求めた書類が虚偽であるから在留資格を容易に得られたと断定するが、・・・・・虚偽の書類

を提出して在留資格を得たか否かは別として、与えられた在留資格内で働くことは不法就労（資格外活動）ではなく、与えられた在留資格外で働く行為が不法就労（資格外活動）であるにも関わらず、

何ら因果関係のない、日本におられるようにしたから犯罪行為（不法就労）したと、外国人の人権を侮辱する理由で不法就労に対する刑法幇助罪を適用しています。

法律の定めとは、国会で制定した法律（判例では地方議会で制定した条例も含む）を指します。

事業者を情により処罰せずに、恣意的に外国人をだけを処罰しようとして、マスコミと共謀し、国際法を騙して、国民には不法就労助長罪で幇助者を逮捕したように見せかけ、裏では、国民や外国人が入管法に疎いことを悪用し、不法就労させた事業者に代わり、一般法の刑法幇助罪で不法就労に対する幇助者をでっちあげることで、不法就労罪を適用しています。

在留資格の付与条件は法律の規定ではなく法務大臣が裁量で与えているにも関わらず、内容虚偽の雇用契約書を提供したから、技術や人文国際の在留資格を容易に取得させることができた。在留資格が得られたので日本に在留できた。日本に在住できたので不法就労ができた。として、不法就労とはなんら関係のない因果関係で刑法幇助罪を乱用しましたが、法の論理に外れ不法です。

あたかも、法律で、雇用契約書の提供が在留資格付与の絶対条件のごとく、刑法幇助罪の適用根拠としているが、在留資格の付与条件について、入管法（本則）では何ら規定はありません。

唯一、省令（細則）で、法務大臣は裁量で技術や人文国際の在留資格を与える条件として大学等の卒業資格（学歴）を定めています。したがって重用な提出書類は学歴を証明する「卒業証書」です。しかし、これとて虚偽であったとしても裁量で在留資格を与えるので、在留資格取消の行政処分にしかできません。

起訴状に書かれた「内容虚偽の雇用契約書」は、法により提出を求められるものではなく課長通達で提出を求めるので入管行政の円滑な運営に協力したものであり、法律に規定するものではなく在

留資格付与の絶対書類とは言えず、また交付条件そのものが未公開で法務大臣の裁量で付与するものですから、憲法３１条の規定に照らして、在留資格の取得を容易にしたとの理由で、処罰を科すほどの提供書類とはいえません。

このことは虚偽の書類提出行為を法務大臣の裁量によって在留資格取消の行政処分としていることからも自明の理です。

在留資格は日本国家が外国人個人に与えるものであり、在留資格内での就労制限をするが、就労場所は雇用契約書提供の会社でなく、どこの企業、団体で就労するこうは自由だと入管は説明し、法務大臣が在留資格を外国人に与えた以降、雇用契約書を交付し、雇用契約を締結した会社は、外国人の就労場所を拘束することはできないと指導してきました。

入管法では、虚偽の書類を提出して在留資格を得た場合の対処として、法務大臣は在留資格を取消す規定を定めていますが、当該資格内の職で働いていれば、不法就労とはならないことは明白です。正犯が、不法就労となったのは、在留資格外で働いたからです。

不法就労の因果関係は、資格外の職で働かせた事業者の不法行為です。その処罰は、不法就労に対するほう助を含めた助長行為として、入管法７３の２条で処罰規定があるので、一般法の刑法ほう助罪よりも優先されるもので、刑法幇助罪の適用は法の論理に反することは明白です。

入管法では、不法就労行為については、不法就労罪と不法就労助長罪で公平に処分することが規定されております。

また、虚偽の書類提出については、法務大臣が在留資格を裁量で付与したものですから、法務大臣が提出者とそのほう助および教唆した者を国外退去の行政処分にすることが規定されています。

以上により、不法就労行為と在留資格取消行為とは、なんら因果関係がないことが証明されます。

Ⅱ.幇助罪適用の因果関係は外国人の人権を侮辱するものです。

不法就労に対しての幇助・助長行為として定められた「不法就労助長罪」を適用せずに、無理やり刑法幇助罪を適用して、内容虚偽の雇用契約書の提供が在留資格の取得を容易にし、日本に在住できた。日本に在住できたので、不法就労ができたとして、内容虚偽の雇用契約書の提供と不法就労罪との因果関係は明白であるとするが、特別法を無視し、国際法を無視し、人権を無視し、幇助罪を乱用した起訴であり判決です。

国際社会が絶対に許せないは、日本に在住できるようにしたから犯罪（資格外の不法就労）ができたとするのは、外国人を日本に在住させれば必ず犯罪をするという偏見で、幇助罪を乱用した恣意的な外国人に対する悪質な差別です。

こんな幇助罪の因果関係を許していれば、内容虚偽の雇用契約書の提供が在留資格の取得を容易にし、日本に在住できた。日本に在住できたので、殺人できたとして、殺人罪の因果関係は明白であるとするであろうが、法の論理では許されない恐ろしいことですが、取調べの警察官は、「社長、中国人が不法就労したから、不法就労に対する幇助罪で済むけど・・・・中国人が、殺人をしていたら、殺人罪に対する、幇助罪ですよ！気をつけてくださいよ！」と言いました。既に殺人に対する「幇助罪」を適用しているのです。国際社会の力を借りて、このことも追及しなければなりません。

外国人を平等に扱う日本人を面白く無いと思えば、幇助罪を適用し犯罪者にしているのです。人権侵害の根本は、恣意的な外国人排除の習慣が根付いているからです。

日本におられたとしても在留資格内での就労は当然であり、不法就労（犯罪）との因果関係はまったくありません。くどいようですが、

不法就労となったのは、在資格外で就労したからであり、その因果関係は不法就労助長罪で規定する働く資格のない外国人を雇用した事業者であることは自明の理です。

又、仮に内容虚偽の雇用契約書で在留資格を得たとしても、在留資格の範囲で就労した場合は不法就労とならないことも自明の理です。

唯一、明らかなのは、入管法で法務大臣は、虚偽の書類で在留資格を得た外国人は在留資格の取消ができると規定しています。不法就労をしなくとも適用されますので、明らかに不法就労とは因果関係がありません。

刑事処分でなく行政処分としているのは、在留資格を法律の規定ではなく裁量で与えたので、刑事処分とするのは法の論理に反するので、裁量で在留資格取消の行政処分とするものです。

警察官、検察官、裁判官、弁護士らは、法務大臣による在留資格の付与と、外務大臣による入国許可（ビザ）を同一視して、在留資格の付与イコール日本におられる（入国許可）と勘違いしています。

在留資格の付与と、入国許可（日本におられるようにする）、つまりパスポートへの証印（入国査証）は別もので、在留資格が付与されてもパスポートへに入国許可（証印）が得られなければ日本に在住することはできません。

入国許可は、在留資格を得た外国人に対して、外務大臣が、これも又、裁量で与えるもので、入管より在留資格は付与されたが、査証（パスポートへの証印）が得られないことは、よくあることです。

入国査証の許可基準も公開されていませんし、不許可の理由開示はしませんし、異議申し立てもできません。

査証不許可の理由は一般論としてホームページに列挙されていて、当てはまらなければ、日本国の国益に資さない理由に該当すると理解するしかありません。これは日本だけでなく多くの国々でも同様だと思います。

法律的根拠の無い雇用契約書で、権力を持たない無力の一日本人が、法務大臣や外務大臣の裁量に影響を与え、外国人を日本におられるようにした！と断言できないことは自明の理です。

真の卒業証書や内容虚偽の雇用契約書、その他の書類を提出し、在留資格の申請をしたとしても、入管職員には審査にあたり、裁判所の許可無く、必要な立ち入り調査ができるなど「事実の調査権」を与えており、それらの権限を行使して、省令が規定する卒業証書で重用な技術や人文国際資格の付与条件が充足していたので、諸々を勘案して、裁量により、法務大臣は在留資格を付与したと推測するのが妥当です。

入社を内定しても、入社しないことはよくあることで、何度も入管に在留資格を取消すように抗議していましたが、付与した在留資格は、外国人個人に与えたものであり、資格内であれば、どこで働こうと自由であり、入管が在留資格の付与後は、外国人の就労を拘束できないと、きつく指導されていました。

それで、リーマンショックで入社内定を取消す際、入管には連絡していません。一部の弁護士は、この時、入管より、前記の趣旨の正式文書を受けていれば、幇助罪は成立しないと言いますが、入管はこのような時、入管の見解を公式文書で回答するものでしょうか？

仮に内容虚偽の雇用契約書をも提出して、技術や人文国際の在留資格を得たとしても、在留資格の範囲内で働くことは不法就労とはなりません。このことは自明の理です。

不法就労（資格外活動）となったのは、与えられた資格外で働いたからです。それは資格外で働かせる事業者がいたからでです。このことも自明の理です。

よって不法就労助長罪の創設趣旨に反して、刑法幇助罪を摘要するのは恣意的な適用法違反の犯罪であることは明白です。

くどいようですが、法務大臣より裁量で、技術や人文国際の在留資格を得たことと、不法就労とはまったく因果関係はありません。
外務大臣より裁量で、入国査証（ビザ）を得て日本に在住できたことと、不法就労とはまったく因果関係はありません。

仮に内容虚偽でない雇用契約書を提出して、在留資格を得て、入国査証を得て日本にいても、不法就労（資格外活動）をすれば不法就労です。

仮に内容虚偽の雇用契約書で在留資格の付与をしたのであれば、法務大臣は入管法 22 の 4 条の 4 により在留資格取消すことができるので、これも不法就労とはまったく因果関係はありません。

入管法は不法就労（資格外活動）に対して、不法就労した外国人を不法就労剤で、不法就労させた事業者を不法就労助長罪で平等に、国際法にも反しないように処罰規定を設けていますので、不法就労させた事業者を何ら処罰せずに、不法就労させられた外国人だけを恣意的に不法就労罪で処罰するのは法の下で平等とは言えず、国際法に反する行為です。

日本は、長年にわたり、現在も、外国人を恣意的に不法就労させ、都合が悪くなれば、外国人だけを恣意的に犯罪者にして国外追放しているのです。まったく破廉恥な行為です。

法の専門家である警察官、検察官や裁判官が不法就労助長罪で規定する幇助者に代わり、内容虚偽の雇用契約書を提供したと因縁をつけ不法就労に対する罪名虚偽の幇助者としてでっちあげ、
外国人に対しては、罪名虚偽の幇助者の幇助を受け不法就労をしたとして不法就労罪を科し、又、罪名虚偽の幇助者に対して、不法就労罪に対する刑法幇助罪を適用することは、日本の司法の常識とはいえ、国際的には極悪非道な犯罪行為と言えます。

以上により、不法就労助長罪で処罰する不法就労させた者がいないのであれば、不法就労した者もいないのは自明の理で（無罪）です。よって不法就労した外国人は無罪です。そうすると、如何なる不法就労の幇助者もいないこと（無罪）になります。

Ⅲ.終わりに

警察官は「一般論で認めろ」と自白を迫ります。

取調べでの検察官は「私は偉いんです、認めれば罰金、認めなければ懲役刑」と言って自白を強要します。

一般論で刑事処分するなど、自由と民主主義を標榜する国家の司法行政とは言えませんが、残念ながらこれが日本の司法の実態です。

そして、検察の不起訴行為を審査する検察審査会を機能させないように、起訴独占主義を悪用して、起訴状・告訴状を不起訴とせずに、不受理として握りつぶすのが日本の検察行政です。

公判でも、検察官は、幇助に故意があった立証として、レフコ社への「キン」なる名前での振込入金は、「金軍学」からだと断言します。

中国人は、こうした金は現金が常識です。まして銀行振込で振り込み人名を「姓のみの　キン」で行うことは、１００％ないと断言します。中国人は常に姓名がセットになっているのです。

しかし、私はこのような事実関係でなく、日本が法の下で統治され、外国人をも含め基本的人権を守り、国際法を遵守する国になるように、法律論で追及しているのです。

くどいようですが、外国人の処遇を規定する入管法においては、憲法の下で、国会が承認した条約である国際法を順守することは、国家の命題です。

日本は、長年、国際法を順守する国会の立法趣旨に反して、司法行政は独裁で、不法就労に対し、国際法に反して、不法就労させた事業者を不法就労助長罪で処罰せずに、外国人だけを恣意的に不法就労罪により罰金や懲役刑で処罰し、国外退去させてきたのです。

この事件は、北朝鮮政府による日本人拉致問題や日本軍による従軍慰安婦問題よりも大きく、外

国人犠牲者の数は甚大です。

日本政府は、国際法を順守し、恣意的に処分した外国人に謝罪し、そして名誉回復と賠償を速やかに行わなければ、我が国の国際的信用は毀損され、後世に大きな代償を背負わせることになるのです。

安倍首相は、国際社会にむけて、またＧ７を日本で開催するにあたり、年頭の国会挨拶でも、我が国は、法の下で統治され、基本的人権が守られ、国際法を順守する国だと自負するが、

日本国こそ、一日も早く、法の下で統治され、基本的人権が守られ、国際法を順守する国にしなければならないのです。

どうぞ、ご支援をお願い致します。

（以上　で転載終了）

尚、過去、告訴人の提出する告訴状・告発状を変戻しをした検察官は、権利の行使を妨害したので、職権乱用罪で告訴する告訴状も提出しておりますので、当該検察官が、告訴・告発状の受理および捜査に関与することは不当ですのでご配慮願います。

私は第二次大戦後、国連軍（アメリカ軍）に自由と民主主義、そして、法の下での統治、基本的人権の尊重、国際法の遵守などの教育を受けた日本人です。ありがとうございました。

しかし、もはや老人ですが、日本政府（司法行政）は、一部の日本人や多くの外国人に対して、法の下で統治せず、深刻かつ組織的な人権侵害を引き起こしています。助けてください。との始まりで国際社会に対して、事実を報告して支援をもとめて参りました。

これ以上、起訴独占主義を悪用して、不受理行為をするのであれば、日本の司法制度そのものの根本的問題でもありますので国際社会へ、そのことを更に訴えていかねばなりません。勿論、この告訴・告発状に対する返書はそのバウチャーとなるものです。

一部の国からは、励ましのお言葉は頂いておりますが、最善は、日本人が日本人の手で、法の下で統治され、基本的人権が守られ、国際法を順守する国にすべき事だと思います。

名誉回復のための手段は「再審請求」です。しかし、「適用法の誤り」は再審請求できません。しかし事件に関わった警察官や検察官の犯罪を起訴し、犯罪が確定すれば「再審請求」できます。

私は、日本の司法が、法の下での統治、基本的人権の尊重、国際法の遵守を実現する証として、検察が自主的に再審請求することを望んでいます。

よって、何度めかになりますが　告訴状を堤出いたします。またもや身内の不祥事ではありますが、いつまでも隠し通して、握りつぶせるものではありません。「検察改革を強力に推進」される証として、どうぞ真摯に対応されますようお願い致します。

以上

添付資料

1. 辺戻し書面　　12件

2. 起訴状　　1件

3. 新聞記事　　1枚

4. 告訴状　長野恭博　警察官

5. 告訴状　長野恭博　検察官

6. 告訴状　長野恭博　裁判官

7. 告発状　金軍学　　警察官　検察官　裁判官

8. 告発状　正犯４人　警察官　検察官　裁判官

9. 告発状　フィリピン人　警察官　検察官　裁判官

10. 告訴状　長野恭博　マスコミ幇助罪

11. 告訴状　長野恭博　弁護士幇助罪

12. 告発状　金軍学　　マスコミ控除罪

13. 告発状　金軍学　　弁護士幇助罪

14. 告発状　正犯４人　弁護士幇助罪

15. 告訴状　職権乱用罪　東京地検

16. 告訴状　職権乱用罪　東京高検

17. 告訴状　職権乱用罪　最高検

18. 告訴状　職権乱用罪　警視庁

19. 告訴状　職権乱用罪　法務省

以上