

Annex I

MODEL FORM FOR THE SUBMISSION OF COMMUNICATIONS UNDER THE OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, THE CONVENTION AGAINST TORTURE OR THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Please indicate which of the above procedures you are invoking:

Procedure under the Optional Protocol to the International Covenant on Civil and Political Rights

Date: March 24, 2017 .

I. Information on the complainant I.

Name: Yasuhiro (恭博) First name(s): Nagano (長野)

Nationality: Japan Date and place of birth: September 9, 1949

Address for correspondence on this complaint:

Takahama 6-18-9 Mihama-ku, Chiba City Zip code 261-003

E-mail nagano@miraico.jp

mobile phone 090-4824-7899

Submitting the communication:

on your own behalf # or on behalf of another person #

and

If the complaint is being submitted on behalf of another person, please provide the following details of that other person:

Name: First name(s): Nationality: Date and place of birth:

1. In the case of violation of Immigration Control Act in 2010, 4 Chinese who were charged with illegal employment contrary to international law

A) Name: Suki (述輝) First name (s): Cyo (張) birth October 13, 1983

B) Name: Kouritu (厚立) First name (s): Rin (林) birth August 10, 1983

C) Name: Houkou (宝光) First name (s): Ka (何) birth August 28, 1982

D) Name: Moe (萌) First name (s): Ri (李) birth Unknown without a written record

2. In 2010, Chinese who was conspired with me and was awarded assistance for the case of the violation of the Immigration Control Act of the above four Chinese Name: Gungaku (軍学) First name (s): Kin (金) birth 1981 February 10

3. In 2014, several Filipinos who were disposed of in illegal work crimes contrary to international law in case of violation of Immigration Control Act

4. In 2014, 15 years, the Philippine Embassy staff and Philippine diplomatic officials who were disposed of with assistance crimes in case of the violation of the Immigration Control Act of the Philippines

If you are acting with the knowledge and consent of that person, please provide that person's authorization for you to bring this complaint

.....

Or

If you are not so authorized, please explain the nature of your relationship with that person:

and detail why you consider it appropriate to bring this complaint on his or her behalf:

【 I 】 Violation of Immigration Control Act by Chinese who occurred in 2010 Regarding four Chinese who are former offenders, my sentence is an aid for assisting the illegal work of the former offender, so we need to state about the criminal offense. Four Chinese who are former offenses are innocent under the law, contrary to international law, innocent. Assassination crimes against the former offender will not apply if the former offense is innocent. Even if it is guilty, the counsel written in the indictment refers to the aid act of Article 4 to 4 (Rescission of Status of Residence) of Immigration Act 22 by the former offender, and it is a violation of the applicable law. Chinese, Gungaku Kin (金軍学) is my conspirator and punishment is an assistance sin, so I am mistaking the law as with me.

[II] Since this case is exactly the same as the above [I], the judicial administration of Japan is not limited to the incident that occurred in 2010, but also the acts contrary to the rule under the law, contrary to basic human rights , Do not adhere to international law "on a daily basis to prove that you are doing it. And as soon as possible, I will stop the Japanese government's acts contrary to international law.

II. State concerned/articles violated

Name of the State that is either a party to the Optional Protocol (for complaints to the Human Rights Committee) or has made the relevant declaration (for complaints to the Committee against Torture or the Committee on the Elimination of Racial Discrimination): Japan

Articles of the Covenant or Convention alleged to have been violated:

The International Covenant on Civil and Political Rights

Article 2 (1) (3), Article 4 (1), Article 5 (2), Article 9 (1) (5), Article 13, Article 14 (6)

Article 15 (1), Article 16, Article 17, Article 26

III.Exhaustion of domestic remedies/application to other international procedures

Steps taken by or on behalf of the alleged victims to obtain redress within the State concerned for the alleged violation. Detail which procedures have been pursued, including recourse to the courts and other public authorities, which claims you have made, when and with which outcomes:

This case is legally a false charge due to "application law violation".

However, there are no reasons for "retrial request" to redo the trial in violation of the applicable law.

However, if the crime of police officers involved in the incident becomes clear and confirmed, "retrial request" can be done.

So, I've accused and accused crimes of police officers, prosecutors and judges involved in the incident.

Japan has been granted the exclusive right to "prosecute" to prosecutors.

In this case, prosecutors do not even "accept" fare "not prosecuted".

4584

May 14, 2014

Tokyo District Public Prosecutor's Office

I wrote a letter titled "complaint letter" sent from you (dated May 1, 2014).

Since complaint is declaring criminal facts to the investigation agency and seeking punishment of the criminal, when and who, where, who, in what way, in what way, what did you do, what kind of damage was caused as a result It is necessary to specify and describe as far as possible the facts that fall under the constituent requirement on the basis of concrete grounds. From the above written document, you inspected that you will file a complaint against non-complainants for the abuse of the special civil servants official authority, but in the above-mentioned documents, the duties of police officials, prosecutors and judges involved in the investigation / Based on what basis, it is not recognized that the specific content is unclear why it is supposed to be abuse of duty, and it is not recognized that the criminal fact subject to complaint is specifically specified.

Therefore, the written document sent from you will be turned back.

No. 534

June 6, 2014

Tokyo District Public Prosecutor's Office

I saw a document titled "Circuit of complaint" sent from you (dated May 25, 2014).

..... Thus, the written sent from you will be turned back.

No. 574

June 27, 2014

Tokyo District Public Prosecutor's Office

abridgement...

Therefore, the written document sent from you will be turned back.

No. 683

August 4, 2014

Tokyo District Public Prosecutor's Office

abridgement...

In the future, if the same document as before has been sent to the Agency, we will not handle it as a complaint and accusation letter stipulated by the Code of Criminal Procedure, and also the border process Because it may not be taken. Thank you for your understanding.

No. 704

August 7, 2014

Tokyo District Public Prosecutor's Office

abridgement....

February 19, 2015

Ministry of Justice Criminal Bureau

I received your letter from you and read it but I understand that this matter is related to specific concrete cases so please understand that we can not deal with it.

In addition, of letters received, letters of inquiries, complaints, letters of charge, written documents addressed to you from the Special Investigative Division of the Tokyo District Public Prosecutors Office will be returned.

February 26, 2015

Metropolitan Police Department Investigation Section 2

I saw a document titled "complaint letter" submitted from the police to the general police officer, but since the criminal facts being declared are unclear and are not recognized as declarations of criminal facts, write down the documents We will do.

May 14, 2015

Tokyo High Prosecutor's Office public prosecutor

I have read and examined the documents, etc. that are described as "complaint letters", which was submitted by you. In case of complaint, it is necessary to specify and describe criminal facts as much as possible based on concrete evidence, but in the above document, specific criminal facts are not determined and facts of complaint are identified I can not do that. Therefore, we will return all the above documents, etc., where there was a submission from you.

June 2, 2015

Chiba District Public Prosecutor's Office

I saw the letter of complaint you received from you, but the main point is that you are told that the final judgment that guilty of guilty was incorrect is said that in our judicial system this kind of Sometimes we have a system of retrial against the court, we would like you to file a request for a retrial and we will return the complaint sent to you.

15th June 2015

Chiba District Public Prosecutor's Office Special Criminal Division

Three letters sentenced by June 1, 2015, three complaints of the same month 8, two complaints filed on the same day 9, and three letters of charges were sent to you from the agency I think that there is no jurisdiction, so I will return it.

No. 100148

7th August 2015

Supreme Public Prosecutor's Office

A letter entitled "Petition for Sentiment" sent by you (one dated 19th this year, one as dated 22nd of this year), a letter entitled "Letter of Complaint" (5th anniversary dated 19th this year , 4 dated on the 22nd of the same month), a document titled "Accusation letter" (6 dated 19 June this year) and all enclosed materials were delivered to Tokyo District Public Prosecutors Office as of today.

No. 2679

August 19, 2015

Tokyo District Public Prosecutor's Office

I have seen 16 written letters (12 letters dated June 19, 2014, 4 dated on the 22nd of the same month) entitled "letter of charge" and "letter of charge" sent from you and the Scripture 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 was based on the grounds, why it is supposed to be abuse of official abuse, false complaint It is not allowed to concretely identify the criminal facts subject to charges and accusations only by describing the specific content such as the basis to assert claims and not based on specific evidence. Therefore, the document etc. are returned to the side.

In addition, although it was stated in the previous neighborhood document, if documents similar to the past have been circulated to the Agency in the future and cases have been handed over to the Agency from the Supreme Public Prosecutor's Office etc, We do not handle it as a complaint or accusation stipulated in the lawsuit, and we may not take back the neighborhood procedures for documents sent etc. We do understand.

After that,

1. We also consulted the Ministry of Justice's Human Rights Defense Committee, but it is not covered by consultation.

Since the request is a legal theory, it is out of scope.

2. I also requested the National Police Agency, the upper authority of the Metropolitan Police Department, for relief in writing, but the answer is that the National Police Agency is not an investigation agency.

3. In the upper authority of the National Police Agency, the National Public Safety Commission, the Cabinet, also requested relief in writing, but the National Public Safety Commission is not an investigation agency.

4. I filed a complaint and a letter of accusation to the Chiba prefectural police headquarters of the residence where the investigation right resides, but it is not accepted.

5. I asked for the salvation of the House of Representatives, Chairman of the House of Councilors, and the Chief Justice of the Supreme Court in writing, but no answer.

6. We requested relief in writing to political parties such as the LDP, the Democratic Party, but no answer.

7. I asked many Diet members for relief by letter or e-mail, but no response.

8. In December 2016, the prosecutor of Tokyo Prosecutors' office changed. I submitted a complaint and a letter of accusation together with the following documents.

Tokyo District Public Prosecutor's Office Attorney General Hiroyuki Yagi

May 10, 2016

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 it.

We have filed complaints and accusations repeatedly to the Special Direct Investigative Division of the National Police Agency of Japan, but ...

Abbreviation

We have been getting back many times from the Special Direct Investigative Division Special Investigative Division of your department.

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 grounds, such as police officers, prosecutors, judges and the like involved in investigation, crackdown and trial, why it is supposed to be abuse of official abuse, concrete contents such as grounds to assert as false complaint etc We have revised part of it based on a lot of advice, so we will re-submit it as a citizen's rights for many times.

Normal ...

Attachment

1. Backside document list
2. 1 indictment statement
3. 1 newspaper article
4. Lawsuit officer against me

5. Prosecutor A prosecutor against me
6. Litigation form Judge against me
7. Judge police officer for accusation letter Kin Gungaku
8. Charged letter Four offenders 4 policemen prosecutor judge
9. Accusation letter Police officer for Filipino Public prosecutor judge
10. Accusation letter Assistance to the mass media against me
11. Accusation letter Assistant lawyer against me
12. Mass credit offense against accusation letter Kin Gungaku
13. Lawyer assistant crime against accusation letter Kin Gungaku
14. Lawyer Assassins for 4 Shogun Attorneys
15. Prosecution Office Abuse of authority for office Tokyo District Prosecutor's Office - Prosecutor
16. Prosecution Office Abuse of official authority Tokyo high public prosecutor · public prosecutor
17. Prosecution Office Abuse of official abuse Supreme prosecution · public prosecutor
18. Complaint Prosecution of official authority Prosecution police office, police officer
19. Complaint letter abuse of official authority sin guilty Ministry officials

Even if I wait until the end of January 2017, unfortunately, there is no reply from Tokyo District Prosecutors Office.

I do not even reply that I will not accept it.

The way of relief was completely shut down.

9. So, as a last resort, I entered February 2017, I requested a review to the "Tokyo Prosecution Review Board". Japan has monopolized the prosecutor for prosecution to the court. (Prosecution monopolyism)

If the prosecution fails to file a prosecution, you can request a review from the "prosecution review board"

I filed a "request for review" at the Tokyo Prosecution Review Board,

The answer is dismissed on the grounds that the prosecution "has not taken the case of

non-prosecution".

With all of the above, we have taken all possible means in Japan, but it was not effective at all.

10. Since the victim is a foreigner, I wrote a letter to the Chinese government and the Philippine government "to protest the Japanese government as it is a human rights violation against my people."

About 17:30 on March 17, 2015 Embassy staff called me on my cell phone.

"The Chinese government will not protest the Japanese embassy," "I will return documents such as complaints and letters of accusation," "We do not oppose the laws of the Japanese government." In the case of

Even saying "Chinese are being criminals who are not in violation of Japanese law" can say "I do not care, I will not say to the Japanese government." There is no reply from the home government.

From the Philippine government, there is no reply from the home government or from the embassy in Japan.

11. I asked for relief with letters to governments such as the US government, but there is no reply.

12. Currently, I am calling for support by e-mails to newspaper companies in Japan and foreign countries.

If you have not exhausted these remedies because their application would be unduly prolonged, they would not be effective, they are not available to you or for any other reason, please explain your reasons in detail:

If your application has not been exhausted due to excessive extension, if it is ineffective or not available for other reasons please explain the reason in detail:

In the Japanese court system, there is a "retrial request system" of the trial. However, due to the reason of "application error mistake", "retrial request" can not be done. However, if the crime of police officers involved in the incident is confirmed, we can request a retrial.

So, the crime of police officials, prosecutors, judges, etc. is referred to as "complaint letter" on me, "Chinese letters" on the Chinese and Filipinos, to the police investigation agency, the Metropolitan Police Department, the Chiba District Public Prosecutors, what to Tokyo District Public Prosecutors We will also submit the degree, but it will be rejected.

Originally, the prosecution has only judgment of "prosecution" or "judgment of non-prosecution", but if you do "unacceptable act" like this, you will not receive governance under the law.

I asked the attorney general from the Minister of Justice to accept the "complaint letter" "accusation letter" in the "command right" of the Minister of Justice, as prescribed in the Code of Criminal Procedure, and requested the document to investigate, I am rejecting it because I can not deal with the case.

In the case that the prosecution is "not prosecuted", you can make a "request for examination" to the "prosecution review board" of the court but in this case it is "not accepted" so we can not request a review, but It was. However, because the prosecutors did not say "non-prosecution" as a result, it was a judgment dismissal.

I sent the plight to the chairperson of the House of Representatives, the House of Councilors, which is the legislature, in writing, but no reply.

I will send letters and e - mails to political parties and parliamentarians to correct justice administration, but no reply. The only reply is that only one person "keep in mind". Legislative parliamentarians have no choice but to justify the judicial administration in the Diet, so now we still want e-mail support like every week.

The Chinese embassy asked the Chinese embassy or Philippine embassy or home country government, who is the victim of the accusation stated in the accusation letter, the support, but from the Chinese embassy, "The Chinese government said nothing to the Japanese government There is no answer.

Japan has long been a weak country against external pressure. When it is said from developed countries such as the United States, it is a nation that responds as if there was something wrong, as if nothing had happened.

We are seeking support from the US government, G7 governments, the Russian government and others.

To everyone in the world such as a newspaper publishing company, we send it as requested email every week, so as to condemn the Japanese government as an article. The Office of the High Commissioner for the United Nations as a foreign pressure as well, please urge the Japanese government to "govern under the law, respect the fundamental human rights, comply with international law".

However, when using the trial system for requesting retrial, there is not much time because the prescription of 'special officials' abuse of the authority of official authority' and 'false complaint' is seven years (incident occurrence is June 2010). Please respond in an emergency.

If the prescription of a criminal case is over, please recommend the relief by legislating the special law to the Japanese government.

I will file a complaint against himself, although I am the "assistant assistant criminal case aid case", but also the Chinese and the Filipino who submit a letter of accusation also ask for relief.

Because the incidents of violation of immigration law are occurring frequently, in addition to Chinese and Philippine people, countless foreigners are being punished contrary to international law, so please also recommend this recommendation .

The purpose of "request for retrial" is to seek compensation for apology and recovery of honor (innocence), and loss of economic and mental loss.

Have you submitted the same matter for examination under another procedure of international investigation or settlement (e.g., the Inter-American Commission on Human Rights, the European Court of Human Rights or the African Commission on Human and Peoples' Rights)?

Yes #

No #

If so, detail which procedure(s) have been, or are being, pursued, which claims you have made, when and with which outcomes:

IV. Facts of the complaintI

Detail, in chronological order, the facts and circumstances of the alleged violations. Include all matters which may be relevant to the assessment and consideration of your particular case. Please explain how you consider that the facts and circumstances described violate your rights.

I (Nagano), the president of Lefko Inc., has planned to adopt (planned) by 4 January 2009 for regular Chinese employees (regular offenders) scheduled to be hired regularly (April 2009) Got out

However, due to the December 2008 Lehman shock, due to the sharp decline in the schedule of orders, in March 2009 we canceled the planned adoption (planned).

Chinese people planning to adopt have already renewed their status of residence. Previously, the Immigration Bureau has not granted the status of residence to the company to be employed, as it is delivered to individuals in foreign countries, so even if you cancel cancellation, the status of residence already issued You can not cancel your qualification. Also, if a foreign national who got the status of residence is within the scope of residence status, he was told that he / she is free to work at any company.

Even after graduating from university, four Chinese who failed to find a job at Lefco (continued) worked at a restaurant that worked part-time in school days, continuing to work, from May to June 2010, Immigration Control Act 70 He was arrested in Article 4 (illegal work due to activities other than the status of residence).

However, business operators of eating and drinking establishments hiring a former offender are not arrested by Article 73 (a crime of promoting illegal employment) as stipulated by the Immigration Control Act, and have not received any disposition.

Looking at the interrogation record, the employers who employed hired to neglect to confirm that the Chinese are qualified to work, either.

Although I and the Chinese who was in charge of recruitment which is the former subordinate, Kin Gungaku (Gold Military) do not act as stipulated in Article 2, Article 2, despite having no intention of hiring to be a primary offender to be hired, False Employment Employment Paper "so that the former offender could easily obtain the status of" technology "or" humanities international "status of residence.

I was able to live in Japan because I got my status of residence. Because I was able to live in Japan, I was able to work illegally in the offense.

Therefore, the usual of the penal code of criminal law as "Contents providing false employment contractor and illegal work is obvious" was applied, was arrested in June 2010 and was indicted in July .

I was imprisoned in Tokyo district court in April 2011 for a prison sentence of 1 year and a half imprisonment and a fine of 1 million yen for criminal punishment and appealed to the Tokyo High Court but it was dismissed in October 2011 and the Supreme Court However, "Appeal due to application error mistake is not subject to deliberation under criminal procedure law", it was rejected in February 2012.

In March 2012, he was imprisoned in the Tokyo Detention Center and in the following April he was imprisoned in a prison in Tochigi Prefecture, and he was sentenced in March 2013 with a sentence of sentence.

Kin Gungaku (Gold Military Academy), which was deemed to be an accomplice, was the same punishment as myself, but since he admitted his crime, he was not sentenced to death, he was suspended from execution and forcibly repatriated to China at the end of October 2010.

Four former offenders were sentenced to prison for imprisonment for a year and a half by imprisonment by around August 2010, but they are deported to China with suspended sentence.

In the case of

I and the four Chinese former offenders and the Chinese, Kin Gungaku (Kinjo Makoto) who was considered as an accomplice of me, said that Article 14 (Equality under the Law) paragraph 1 of the Japanese Constitution,

"Every citizen is equal under the law, by race, creed, sex, social status or entrance, There is no discrimination in political, economic or social relations. ",

And, in light of Article 31 of the Constitution of Japan, in light of "No one is deprived of its life or freedom, or can not impose any other punishment unless it is in accordance with the procedures prescribed by law"

I have not done any violation (see below). "Procedure prescribed by law" means the law legislated in the Diet.

Article 2 (1) (3), Article 4 (1), Article 5 (2), Article 9 (1) of the International Covenant on Citizenship and Political Rights "ratified by Japan (5), Article 13, Article 14 (6), Article 15 (1), Article 16, Article 17, Article 26, which are not subject to any crimes and are falsely charged is.

In the Japanese judicial system, there is a "retrial request system", but due to the reason of "application error mistake" it can not be requested. However, when a crime such as a police officer involved in the incident is confirmed, you can request a retrial.

Police officers, prosecutors, and judges' crimes are obvious. That sin, Although it did not become any crime, he was arrested and captured, so it is a criminal law "abuse of the official authority of special civil servants".

It is a "false charge of criminal charges" of the criminal law because he accused us to impose punishment for false reasons, even though it did not become any crime. As a crime constitution reason, "willful" is not necessary.

So, the Tokyo District Public Prosecutors Office and the Metropolitan Police Department etc. submit as "a complaint letter" for things related to me and "letters of charge" for Chinese and Filipinos, but after submitting many times, the crime is not clear I will not accept it.

Since Japan has given "prosecution monopoly right" to prosecutors, trial can not be made as a criminal case unless the prosecution accepts "indictment" or "accusation letter".

If the prosecution accepts the "indictment" "accusation letter" and sets it "non-prosecution", there is a method of compulsory indictment by giving "examination request" to the "prosecution review board" of the court,

Because the prosecution is not accepted, the last way of relief has also run out.

We also filed a "request for examination" at the "Tokyo Prosecution Review Board" at the premise of dismissal,

Prosecutors have been dismissed for reasons that they are not prosecuted.

Please urgently respond

Appellant matters concerning "abuse of special public officials' authority for official authority" and "false charges" are imminent. Please urgently respond to the UN High Commissioner.

The following is based on the complaint of I (Nagano)

In the criminal facts of police officers and prosecutors, I will state infringement of rights.

1. Police officers, illegally abusing their own authority around 11:30 on June 14, 2010, I (Nagano) thought that no criminal offense is being considered and despite not conducting criminal acts Contents The provision of a false employment contract to an illegal worker who committed illegal employment is said to be a criminal offense at the Setagaya Police Station on suspicion of assisting me (Nagano) in violation of the Immigration Act (illegal employment due to activities outside the status of qualification) , I pretended to falsely charge the arrest warrant to the Tokyo Simplified Court, I (Nagano) abuses my own authority and content illegal arrest warrant illegal, pressed down freedom of decision, I (Nagano) I did illegal arrest / detention, investigated and interrogated it, after that I moved to the Tsukishima station to conduct illegal arrest detention and interrogation. Therefore, the act of I (Nagano) falls under the criminal abuse of 194 special criminal officials criminal law.

2. The police officers, illegally abusing the official authority which is held before June 15, 2010, I (Nagano) thought that no criminal offense is being considered and despite not conducting criminal acts, I (Nagano) wanting to obtain a plan to strictly imprisonate the illegally worked principal, which is different from usual countermeasures, to imprisonment with imprisonment by the Immigration Control Act (activities outside the status of qualification), for which it does not contravene international law, I have to punish a business operator who is an assistant of illegal employment, but since I do not want to be punished by passion, I planned to punish me (Nagano) as an alternate assistant and punish it with criminal law, content false Due to the allegation of assisting me (Nagano) who was arrested and arrested at the Tsukishima station as a criminal offense by providing employment contracts to the former offenders who worked illegally, for allegedly assisting

in inviting the immigration law (illegal employment due to activities outside the status of qualification) It was a false complaint filed by the Tokyo District Public Prosecutors Office with a false name. Therefore, the act of I (Nagano) falls under criminal law 172 false charges.

3. Prosecutors illegally abused the authority they have about June 16, 2010, and I (Nagano) is aware that no criminal offense is being considered, and despite not conducting criminal acts, false hiring The fact that the agreement was provided to the former offender who worked illegally is said to be suspected of a criminal offense, suspected me (Nagano) arrested / kept in captivity at Tsukishima Station for allegedly assisting in inviting the immigration law (illegal employment due to activities outside the status of qualification) I illegally obtain a detention claim, illegally obtain a detention letter, abuse the authority, press the freedom of decision making with an illegal detention letter of false contents, I (Nagano) has no obligation There was no illegal arrest detention and interrogation conducted. Therefore, the act of I (Nagano) falls under the criminal abuse of 194 special criminal officials criminal law.

4. In response to the detention request by the public prosecutor, on June 24, 2010, the lawyer requested the Tokyo District Court to cancel the detention, but the prosecutor of me (Nagano) requested the opinion of the judge, Illegitely abuse the authority that I have, illegally issue a notice of cancellation, oppress the freedom of decision making, I (Nagano) has no duty, illegal arrest detention I did it. Therefore, the act of I (Nagano) falls under the criminal abuse of 194 special criminal officials criminal law.

5. The police officers illegally abused the authority which I have about July 3, 2010, and I (Nagano) is not able to think any crime . . .

Naka, ... I (Nagano) abuses the authority I have and is an illegal arrest warrant of false content, squeezing the freedom of decision making, I (Nagano) has no obligation, illegal Arrested and captured, and then transferred to the Setagaya Department and the Ogikubo Station for illegal arrest and detention and interrogation. Therefore, the act of I (Nagano) falls under the criminal abuse of 194 special criminal officials criminal law.

6. The prosecutor of I (Nagano), illegally abusing the official authority which I have about July 3, 2010, I (Nagano) thought that no criminal offense is being considered and even though he is not committing criminal acts ,
. Abusing the official authority and content illegal detention forms illegal detention and pressure on decision freedom, I (Nagano) has no duty, illegal arrest detention and interrogation I did it. Therefore, the act of I (Nagano) falls under the criminal abuse of 194 special criminal officials criminal law.

7. The police officers, illegally abusing the official authority they had around July 4, 2010, I (Nagano) thought that no criminal offense is considered and despite not conducting criminal actsOffice abbreviation
It is what the Tokyo District Public Prosecutor's Office made a false complaint (additional submission) with a false criminal name. Therefore, the act of I (Nagano) falls under criminal law 172 false charges.

8. Prosecutors illegally abused their own authority around July 24, 2010, I (Nagano) wants to get a hand in spite of no crime being considered or being committed criminal acts I (Nagano) planned to severely imprisonment the offense that illegally worked, unlike ordinary countermeasures, to imprisonment with severe imprisonment by the Immigration Control Act (activities outside the status of qualification), which aided the immigration of the immigration law We have to punish a business operator who is a person with illegal employment promotion crime, but since I do not want to punish by emotion, I planned to punish me (Nagano) as an alternate assistant and punish it with criminal law, contents false employment contract A criminal offense provided by the Ogikubo Department to the former offender who illegally worked was a false complaint in the Tokyo District Court (Nagano) for assisting me (Nagano) violating the Immigration Act (illegal employment due to activities outside the status of qualification) Prosecution). Therefore, the act of me (Nagano) falls under criminal law 172 false charges.

9. The prosecutor who is in charge of trial receives handover from the interrogation prosecutor and from around late July 2010 until around June 24, 2011, I illegally abused the authority I have, I (Nagano) I believe that any criminal offense has not been considered, and despite not conducting criminal acts, providing the false employment

contract to the former offender who worked illegally was a crime, and I was imprisoned in the Tokyo detention center (Nagano) As a defendant of aid for invasion of Immigration Act (illegal employment due to activities outside the status of qualification), and at the end of October of the same year, the court began a trial by reading illegal content false indictment in the trial, and freedom of decision making Squeezed, I (Nagano) had no duty, I tried illegally arresting and holding a trial.

And the counsel also requests a bail request monthly, but I (Nagano) makes an opinion that does not approve bail for the judge every time, issues a notice of dismissal of illegal bail, I pressured freedom, I (Nagano) had no duty, I carried out a trial by making an illegal arrest and detention. Therefore, the act of I (Nagano) falls under criminal law 172 false charges.

"What crime does not come to mind and is not doing criminal acts"

In response to "illegal employment" in Japan,

Illegal foreign workers were criminalized under Article 70, "illegal employment crimes" and "

By criminalizing both companies equitably with Article 2 of the Immigration Act 73, "illegal employment promotion crime", businesses who illegally worked,

We are legislating not to violate "the equality under the law" of the Constitution of Japan and "international law" (International Covenant on Citizenship and Political Rights) which prohibits the disposal of foreigners arbitrarily.

However, in reality, we do not dispose of (illegal workers) in "illegal employment promotion crime", but criminalize (illegal workers only) for criminal discrimination against illegal employment crimes and make it expelled from abroad.

This is contrary to international law which prohibits foreign discrimination arbitrarily. It is contrary to equality under the law of the Constitution of Japan.

If you do not dispose of businesses with "illegal employment promotion crime" that illegally worked,

Foreign nationals who have been illegally worked are also disciplined without innocence (lawless logic).

If so, of course, there is no one to help anyone to work illegally.

This is governance under the law, respect for fundamental human rights, compliance with international law.

In the case of an aid to violate Immigration Control Act occurred in 2010, I did more criminal acts.

Do not dispose of businesses that illegally worked in the past as "illegal employment promotion crime"

Only foreigners who worked illegally were punished for "illegal work crimes" and were banished from the country,

We made up "third-party" assistant "who replaces the business operator of" illegal employment promotion crime "

In order to make it appear as if it had been disposed of equally, we criminalized a third party and banished illegal foreigners who were illegally employed as "imprisonment punishments" instead of being sentenced to fine.

The third person is Kin Gungaku "Kin Military School", a former subordinate who was supposedly accomplished with my (Nagano) who provided an employment contract to the former offender who will be hiring.

"Gold Military College" which was deemed to be accomplice with me is a special law which established for compliance with international law against a illegal act against Chinese illegal employment and which aimed at compliance with international law, It is not "illegal employment promotion crime"

Illegally provided "False Employment Agreement" so that the status of residence was easily obtained. So I was in Japan. I was illegally working because I was in Japan. In a causal relationship with,

I was imprisoned with imprisonment (imprisonment punishment) abusing "criminal sin" of criminal law which is the general law.

As far as I know, these incidents are criminalized not only by us but also by the Embassy of the Philippines officials and diplomats in 2014 and under the same illegal logic "assistance crime" has been applied.

Since international law violation is taking place on a daily basis, please urgently respond. So we will file a complaint against the UN High Commission office including this incident.

(Those related to myself have been filed as "complaint letters", those related to Chinese and Filipinos as "complaints", but they have not been accepted.

My argument is that the application of the "assistance crime" of the criminal law is a criminal act by violation of applicable law for the following reasons. The offense is a "criminal charges of false charges" of the criminal law and it is "a crime of abuse of the special public servant 's office."

1. The aid for assisting illegal employment is stipulated in Article 2, Article 73 of the Immigration Act, "Special Law", "Crime for Promoting Illegal Employment."

I and KinGungaku (Gold Military University) do not do the act prescribed in "illegal employment promotion crime" so that regular chief officers, police officers, prosecutors can admit.

※ The "counsel" written in the indictment is a violation of the applicable law as it refers to aid acts against the cancellation of the status of residence, which is the administrative punishment described in Article 22-4-4 of the Immigration Control Act .

No employer who hired a former offender has been disposed of as "illegal employment promotion crime" prescribed by Immigration Control Act without disposition.

If so, the former offenders who are hired and forced to work illegally are also equal under law without disposal. Therefore it is not guilty.

If so, that there are no assistants to illegal work, including me.

2. Next, it is said that the provision of "false employment contract" made it easy to acquire the status of residence as a causal relation of application of the "criminal penalty" of criminal law, but it is unjust.

In the case of

Although it is said that they got the status of residence easily, the conditions for giving a status of residence are not stipulated by law, the conditions of granting are unpublished, they are given at discretion by the Minister of Justice and have made the status of residence easier I can not say.

Even if you get a status of residence as "content false employment contract", it is separate from illegal employment as stipulated in Article 4-4 of the Immigration Act 22 "Reset of status of residence".

Even if you obtain the status of residence of international and technical skills and humanities from the Minister of Justice for "content false employment contract", if you work within the scope of the status of residence of international or technical skills or humanities, you will not become illegal (non-qualified) activities. It is a trivial idea. Therefore, acquisition of status of residence and illegal employment have nothing to do with it.

Article 31 of the Constitution stipulates that "No person shall be deprived of its life or liberty unless it is made by the procedures prescribed by law, or can not impose any other punishment" (The provision of law refers to the law established in the Diet In addition to the ordinance established by local councils)

Submission of employment contracts is not required by law or ministerial ordinance but is requested to be submitted to foreigners by section manager and cooperated as an employer scheduled to be employed,

Even if it is false, there is no legal basis to impose criminal penalties on the case that the Minister of Justice gives at discretion. The only thing is that the Minister of Justice can cancel the "status of residence" as an administrative measure rather than a criminal disposition by the Immigration Control Act as a countermeasure to that.

The granting of status of residence is at the discretion of the Minister of Justice, but the Minister of Justice is not a law "ministerial ordinance" of the Ministry of Justice, and for technical and humanities international, it is stipulated as granting policy that you have expertise after graduating from university, junior college etc. As we can guess that "diploma" is a major factor of granting status of residence, it can not be said that employment contracts make it easier to obtain status of residence.

I was in Japan because I got my status of residence. He said that he was able to work illegally because he was in Japan,

The status of residence is provided by the Minister of Justice at the discretion for undisclosed conditions.

Even after receiving a status of residence, further permission for entry (a seal on the passport) is also unpublished permission conditions, allowing the foreign minister to reside (enter) by giving permission at the discretion. Therefore, even if the employment contract is false, it can not be said that it is easy to influence the discretionary authority of both Ministers.

As a fact, since the Minister of Justice grants the status of residence at the discretion, I (Nagano) was explained and operated as follows on the status of residence, such as by questioning with immigration.

- 1) If the status of residence qualification is satisfied in "diploma" and expert knowledge is found, if employment company is inappropriate or employment contract is false etc, please let foreigners change employment contract company and reapply I am doing.
- 2) The status of residence is granted to foreign individuals even if foreign nationals who have engaged in employment contract have not obtained their status of residence, and after grant, work where within the scope of status of residence (skills and humanities) This is free.
- 3) After acquiring the status of residence, even if you can not join the employment contract company, you can find the employer within the period of stay and work within the fixed period instead of canceling the status of residence immediately.

Therefore, it can not be said that the provision of "Contents false employment contract" made it easy to acquire the status of residence, and there is no causal relation between aid acts for obtaining status of residence and illegal work.

As mentioned above, even if you obtain the status of residence of technology and humanities internationally at the discretion of the Minister of Justice in "content false employment contracts", if you work within the scope of the status of residence in the technical and humanities international, you will not become illegal It is obvious that it is unrelated to "illegal employment contract" and illegal employment is self-evident. It is self-evident that they were responsible for employers who employed and worked foreigners with a status of residence without the qualification to work, as long as they were illegal.

As described above, according to the intention of legislation of Immigration Control Act, aiding and promoting acts against illegal employment are unjustifiable as stipulated in "illegal employment promotion crime" and application of assistance charges is illegal.

In 2015, in Osaka, a Chinese international student whose status of residence is "studying abroad" was hosted and criminalized as "illegal employment crime (activity outside the qualifications)" and became "deportation", but as unjustified We have fought in trial and are innocent.

The reason for the judgment at this time is that since it is a by-law (ministerial ordinance), not the Immigration Law Principle (law), that it does not allow 28 hours of working hours limit weekly or "non-qualified employment" , He dismissed prosecution as not being a violation of the law.

It is human rights violation against foreigners to declare foreigners to live in Japan if they do crime. And if foreigners can live in Japan, it is abuse of assistance sins to assume that foreigners commit crimes if they commit a crime, people can not live with peace of mind.

In relation to the illegal employment made by a foreigner, it was not a "crime for promoting illegal employment" that stipulated the punishment for that aid, but because of making it possible for him to live in Japan, it was a causal relationship to criminal punishment Application of the criminal law "assistance crime" is applied for the reason of "assistance for revocation of status of residence"**It is illegal for the abuse of assistance sins.**

Since it provided "(contract false) employment contract" (requested by the section manager) to the former offender for reasons for assisting illegal employment, it was possible to obtain the status of residence easily (at the discretion of the Minister of Justice). Since I got my status of residence, I gained immigration visa (at the discretion of the Minister of Foreign Affairs) and was able to live in Japan.

I was able to work illegally because I was able to live in Japan. I am applying criminal law assistance crime in causal relation with

As mentioned above, even if it is a "false employment contract," there is no legal basis for "delivery of status of residence" or "delivery of immigration visa", there is no clear causal

relation To make it possible for crime to be made so as to be in Japan is a vicious discrimination against foreigners, is a human rights violation, and illegal because of abuse of assistance crime.

In Japan, we refer to such a far-cryptic reasoning theory as "the way in which Tablo is profitable if the wind blows". If the wind blows, why will the tuya be profitable ...? If you talk about causality, it is long.

And there are various scenarios. In other words, the causal relationship is "trouble".

These customs of applying assistance crime by far causal relationship are rooted and it is a terrible Japanese society.

I made it possible to live in Japan, so I was able to "work illegally". Therefore, although it says that the causal relationship is obvious, I lent a room of an apartment to a foreigner so that I could live in Japan. As being able to live in Japan, it is possible to kill murder and can the apostolic owner apply assistance of "murder crime"? Is it? Is it? As this answer, The interrogation officer said, "President, Chinese have worked illegally, so we can financially assist illegal work ... but if the Chinese were murderers, it would be an assistance crime against murder charges! Please do it! "

We already applied "murder guilt" of murder to the owner of the apartment.

If you think that Japanese who treat foreigners equally is not interesting, we are also making this Japanese Japanese an assistant for murder at the discretion. The root of infringement of human rights is because the custom of exclusion of arbitrary foreigners is rooted.

Therefore, the offense of police officers and prosecutors is "criminal charges of false charges" of the criminal law and is "crime of abuse of the official authority of special civil servants."

「A crime of abusing the ex officio of a special civil servant "is a crime established by abusing its authority and arresting and imprisoning others.

Criminal composition requirement of official abuses of special public officials As to the suitability,

① The principal is a special civil servant, . . . facts It is police officers, prosecutors and judges.

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, but abuse is the illegal exercise of authority on duties, so that means and methods are not only violent and threatening, but also against the victims legally and virtually It is said that it is enough if it can oppress the freedom of decision making to the extent that you can accept the result.

Regarding job authority, as for police officers,

Article 189 of the Code of Criminal Procedure Police officers shall perform duties as judicial police officials, respectively, pursuant to other laws or by the National Public Safety Commission or the Prefectural Public Safety Commission.

When judicial police officials think that there is a crime, they will investigate the perpetrator and evidence.

It is stipulated.

Therefore, it is illegal to conduct investigation, arrest and confinement, even though crime is not imagined, that is, it is not in violation of any law, it is a crime of abuse of the official authority of special civil servants.

We urge freedom of decision making by exercising illegal content lie and arrest warrant etc and exercise authority on duties.

Criminal offense is established because this obvious illegal act is abuse of official absence because the crime of special public official abuses the official abilities of the special public official does not need deliberate intention.

Quality of Japanese lawyers

Democratic municipal councilor consulted with Democratic counsel lawyer.

The answer is,

As a principal offender (foreigner of illegal work) is imprisoned for illegal work, the application of assistance is valid.

This is not an answer. It merely states the effectiveness of assistance crime in criminal law.

Assistance charges are not imposed for assistance in the case of "fine offense is fine".

The number of charges written in the indictment is prescribed in the "illegal employment promotion charges" prescribed by Article 2 of the Immigration Act 73,

Instead of aiding acts against illegal employment,

Illegal employment is not directly related to enemies,

Regarding the fact that the former offender made an act of revoking the status of residence which is administrative punishment,

The provider of "content false employment contract" is counted as a counsel as saying that it is an aiding act thereof,

Why is the criminal assistance offense against illegal work applied? This reason can not be stated.

This is the qualification of a Japanese lawyer.

Police officers and prosecutors are laws of logic, and can not bear the applicable crime.

The policeman says, in the interrogation,

"Do not lick Sakuradamon (a place name of the Metropolitan Police Department)! Accept (sin) in general theory!"

The prosecutor, in an interrogation, says,

"Accept (sin) in the general theory! (Fine) if you recognize (sin), it will be sentenced to a fine, (I will imprison you if I do not admit it)"

There is no country other than Japan to make a criminal in general theory.

What I'm directly concerned with is that four Chinese who occurred in 2010, both of whom worked at a restaurant, were illegally working in violation of Immigration Control Act (activities outside the status of qualification), four of them said, "Content false Employment Contract "and was deemed to be an assistant for the illegal worker's injury, in Gungaku (gold military academy) who was considered as an accomplice and complicity. (I am not accepting but I am prosecuting and accusing)

Drivers related to the Philippine Embassy, which occurred in 2014 and 2015, were reported to have worked at a landscaping shop and were charged with illegal workers' violation of immigration laws (activities outside their qualifications), " Embassy officials and diplomats in the Philippines, who were deemed to have assisted against their illegal workers' hands as if they handed in an employment contract, are exactly the same as mine cases that occurred in 2010, they are stated. (I am not accepting but I am accusing) The Government of Japan will submit it as a proof of conducting contrary to international law on a daily basis.

Although this is described as a reference, the Japanese government, for illegal employment,

Although it does not change that you do not dispose illegally by the employer who is hiring "illegal employment promotion crime"

For foreigners, we operate with two standards.

1. If an alien who already becomes an administrative sanction of withdrawal from overseas etc. has illegally worked in the state of violation of Immigration Control Act, he / she will be removed from the country without being disposed of as "illegal employment crime" We are sending facilities and leaving the country for overseas reasons.

2. In the case of illegal employment of activities other than the status of residence with regular status of residence, only foreigners are made a violation of Immigration Act (illegal employment due to activities other than the status of immigration), they are punished by a small amount and sentenced to criminal penalties, I am withdrawing from overseas because of being disposed of.

However, even in this case, it is an arbitrary disposition against foreigners, so it is a violation of international law.

Most cases are this case, so there are countless victims.

I think that there are a few cases of imprisonment for imprisonment for us in 2010 or Filipino from 2014 to 2015 due to illegal employment crimes contrary to international law, or imprisonment of criminal law for violation of applicable law, Anyway, it is a serious human rights violation of International Law violation, so please respond promptly.

The reason for not applying "illegal employment promotion crime"
Because the business says "I did not know such a law", because it is not applied,
In the revision of July 2010, the Diet was implemented with a grace period of three years,
with the addition of the provision that "Such laws are unknown unknown" clause,
Even in the case of the Philippine Embassy in 2014 - 2015, as evidenced by the fact that
illegally employed businesses are not disposed of, as foreigners who are employed illegally
are being arbitrarily criminalized Please urgently, please relieve.

V. wrap up (short sum- mary of up to 5 pages)

I (Nagano), who was the president of Lefco, issued an appointment (informal) to four Chinese (former offenders) by January 2009, but in Lehman shock in the fall of 2008, Due to a sharp decline, in March 2009, we canceled the planned adoption (informal).

Four Chinese who were unable to get a job at Lefco (formal offender) were working at a restaurant that worked part-time in college days even after graduating from college, and from May to June 2010, Immigration Act 70 Was arrested at 4 (illegal work due to activities outside the status of residence).

However, neither business operator of a restaurant that employed a former offender has been arrested by Article 73 (a crime of promoting illegal employment) as stipulated by the Immigration Control Act, and has not received any disposition.

Kin Gungaku (Kin Military University), who was in charge of recruitment and recruitment, provided "content false employment employment book" despite not having acted as stipulated in Article 2, Article 2, but without intention to hire himself as a former offender As a result, the primary offender could easily obtain the status of "technology" or "humanities international" status of residence. I was able to live in Japan because I got my status of residence. Because I was able to live in Japan, I was able to work illegally in the offense.

Therefore, the ausal of the penal code of criminal law as "Contents providing false employment contractor and illegal work is obvious" was applied, was arrested in June 2010 and was indicted in July .

I am imprisoned in April 2011 for a prison sentence of 1 year and a half imprisonment and criminal punishment of a fine of 1 million yen and will be dismissed in October 2011 but appealed to the Supreme Court, but " Final appeal by the criminal procedure law is not subject to deliberation "was rejected in February 2012.

And in March 2012, she was imprisoned and he was sentenced in March 2013 at the maturity of sentence.

As an accomplice, Kin Gungaku (Gold Military Academy) approved the crime, it was not sentenced to imprisonment, but suspended execution and was forcibly repatriated to China at the end of October 2010.

Four former offenders were sentenced to prison for imprisonment for one year and a half by the time of August 2010, but they were forcibly repatriated to China due to the suspension of execution.

In the case of

I and the four Chinese former offenders and Kin Gungaku (Gold Military) said that Article 14 (Equality under the Law) paragraph 1 of the Constitution of Japan, "All citizens are equal under the law, race, It is not discriminated on political, economic or social relations by creed, gender, social status or entrance. ",

And, in violation of Article 31 of the Constitution of Japan, in light of "no one can be deprived of its life or freedom, or subject to other punishment unless pursuant to the procedures prescribed by law" Not (see below).

Article 2 (1) (3), Article 4 (1), Article 5 (2), Article 9 (1) of the International Covenant on Citizenship and Political Rights "ratified by Japan (5), Article 13, Article 14 (6), Article 15 (1), Article 16, Article 17, Article 26, which are not subject to any crimes and are falsely charged is.

In the Japanese judicial system, there is a "retrial request system", but for reasons of "application error mistake" it can not be requested, but a crime such as a police officer involved in the incident is confirmed, you can request a retrial.

Police officers, prosecutors, and judges' crimes are obvious. That sin,

Although it did not become any crime, he was arrested and captured, so it is a criminal law "abuse of the official authority of special civil servants".

It is "criminal charges of false charges" of criminal law because it prosecuted for the purpose of impose punishment for false reasons, although it does not become any crime.

So, the Tokyo District Public Prosecutors Office and the Metropolitan Police Department etc. submit as "a complaint letter" for things related to me and "letters of charge" for Chinese and Filipinos, but after submitting many times, the crime is not clear I will not accept it.

Since Japan has given "prosecution monopoly right" to prosecutors, trial can not be made as a criminal case unless the prosecution accepts "indictment" or "accusation letter".

"What crime does not come to mind and is not doing criminal acts"

Japan criminalized foreigners who illegally worked against "illegal employment" under Article 70 of the Immigration Control Act "illegal employment crime" and entrepreneurs who let illegal work work under Article 2 of the Immigration Act 73 "Promotion of illegal employment By criminalizing both of them in criminal cases, it is possible to crack down on both sides by equally criminalizing both of them, "equality under the law" of the Constitution of Japan, "international law" which prohibits arbitrary disposal of foreigners (citizenship and political rights We are legislating not to violate the International Covenant on International Relations.

However, in reality, we do not dispose of illegal workers as "illegal employment promotion crime", criminalize only illegal foreigners who are illegally employed in "illegal employment crime" and expel them from foreign countries.

This is contrary to international law which prohibited foreign discrimination arbitrarily. It is contrary to equality under the law of the Constitution of Japan.

If you do not dispose of businesses with "illegal employment promotion crime" that illegally worked, foreign nationals who were made illegally worked are also innocent (innocent) the logic of law. If so, of course, there is no one to help anyone to work illegally.

In the case that occurred in 2010, I did a criminal act more viciously.

We did not dispose of companies that illegally worked illegally in "illegal employment promotion crime", but only foreigners who illegally worked were fined for "illegal working crimes" and were expelled from abroad,

In order to make it appear as though it seems to have dispose equally, instead of a business operator of "illegal employment promotion crime", in order to make it appear as if it was dispensed evenly, a third party was criminalized, and a foreigner who worked illegally was fined for fine It was a "imprisonment punishment" rather than expelling it abroad.

The third party is Kin Gungaku "Gold Military" which was conceived as a complicity with me (Nagano) who provided employment contracts for the primary offenses to be hired.

It is not a "law of promoting illegal employment" which is a special law prescribing aid acts and promoting acts against illegal work that was created to comply with international law against the illegal acts of Chinese against illegal employment, Illegally provided "False Employment Agreement" so that the status of residence was easily obtained. So I was in Japan. I was illegally working because I was in Japan. I abused the "criminal assault" of the criminal law which is a general law in a causal relationship with.

In the case of

As far as I know, not only for us but also for staff members and diplomats from the Philippine Embassy in 2015, "Assassination Crime" has been applied with criminal disposition with similar illegal logic .

Since international law violation is taking place on a daily basis, please urgently respond.

1. The aid for assisting illegal employment is stipulated in Article 2, Article 73 of the Immigration Act, "Special Law", "Crime for Promoting Illegal Employment."

I and KinGungaku (Gold Military Academy) do not do the act prescribed in "illegal employment promotion crime" so that the former offenses, the police officers, the prosecutor can also be accepted.

※ The "counsel" written in the indictment is a violation of the applicable law as it refers to aiding acts against the cancellation of the status of residence, which is the administrative penalty described in Article 22-4-4-4 of the Immigration Control Act .

No employer who hired a former offender has been disposed of as "illegal employment promotion crime" prescribed by Immigration Control Act without disposition.

2. If so, the former offenders who are hired and forced to work illegally are also equal under the law, without disposal. Therefore it is not guilty.

3. If so, that there are no assistants to illegal employment, including me.

2. Next, it is said that the provision of "false employment contract" made it easy to acquire the status of residence as a causal relation of application of the "criminal penalty" of criminal law, but it is unjust.