

Facts of complaint (additional submission)

January 4, 2021

Japan

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I replay the "Complaint Procedure form" below. Sent.

cp@ohchr.org

Secretariat of the Complaint Procedure of the Human Rights Council

Then I received an email notifying me that I received the "Complaint Procedure form".

Mon, 30 Nov 2020 21:31:50 +0000

Dear Sir / Madam,

We hereby acknowledge receipt of your communication submitted to the Complaint Procedure of the Human Rights Council.

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Below is the additional text.

I read an article that translated the coverage of Agence France-Presse.

"The process by which Carlos Ghosn was arrested and detained four times in Japan was fundamentally unjustified," a UN working group said.

Experts in the working group are calling on the Japanese government to compensate Mr. Ghosn.

"Europe 1" reported the news of AFP communication.

This opinion was posted on November 20th and published in the media on November 23rd.

Experts said, "The process of arresting and detaining Carlos Ghosn four times is fundamentally unjustified.

Because he prevented him from regaining his freedom and enjoying other rights to justice.

In particular, he concluded that "it hindered the right to communicate freely with lawyers."

"The infringement of the right to a fair trial was so serious that it made Mr Ghosn's detention arbitrary."

In addition, Carlos Ghosn was detained in a situation that forced him to say that he was involved. This is "presumption of innocence"! The principle of law that the accused should be presumed innocent until convicted on the basis of evidence! "It violates his rights," the group points out.

In this regard, the UN Working Group

Carlos Ghosn's deprivation of liberty from November 19, 2018 to March 5, 2019, and from April 4 to 25, 2019 violates:

And the group expressed the view that it was arbitrary.

Articles 9, 10 and 11 of the Universal Declaration of Human Rights.

It also violates Articles 9, 10 and 14 of the International Covenant on Civil and Political Rights.

They report to the UN Human Rights Council, but do not speak on behalf of the United Nations.

The Japanese government said the opinion was "not acceptable at all" and emphasized that it was "not legally binding."

This group is a gathering of independent experts.

No matter how non-binding it is, it is a report by the Working Group for the United Nations Human Rights Council.

I think the Japanese government cannot ignore it.

The future response of the Japanese government, the prosecution, the police, and the judiciary will be watched.

I have made a "complaint request" to "OHCHR" in the past.

However, "OHCHR" has been notified that it cannot be accepted because the Japanese government has not ratified the "personal reporting system".

I think the lawyer of "Carlos Ghosn" is an American, but the "other party" of "report" is the Japanese government.

Please treat my "claim of complaint" in the same way.

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The attorney of "Carlos Ghosn" has submitted it to the "Working Group on Arbitrary Detention", so I will also submit it to the "Working Group on Arbitrary Detention".

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Apart from the UN working group, I have called on governments and the media in each country to say that "Carlos Ghosn" is not guilty.

They are calling on the Japanese government to "request" to withdraw "Carlos Ghosn's indictment."

The grounds for "Carlos Ghosn" not being guilty are as follows.

1) The "Securities Report" is prepared according to Nissan Motor's "Company Regulations".

This "internal regulation" has "passed" the "regulation standard" of "Japan Certified Accountants Association" and "Tokyo Stock Exchange".

The "Securities Report" has been approved by Nissan's "Audit Firm".

The "Securities Report" is prepared by a person other than "Carlos Ghosn" according to "Company Regulations".

The "Securities Report" has been approved by Nissan's "Audit Firm".

The "Securities Report" is edited by the person in charge of preparation from the default in-house materials according to the regulations.

Therefore, there is no "room" for "Carlos Ghosn" to "arbitrarily" make a "false statement" in the "securities report."

2) The prosecution says that the funds for the purchase of a private villa were paid by Nissan Motor.

However, even if the act of payment is true, it was paid according to Nissan's internal regulations.

Payment is made by the slip of "Payment Request Form".

Usually, "verify" with the voucher to confirm "validity".

A "voucher" is an invoice or contract document on which payment is based.

If necessary, it will be "collated" with the prescribed documents such as "minutes of the board of directors" and "approval documents".

Therefore, even if he is the "top of management", it is impossible for Nissan to make a "breach of regulation" payment.

If the prosecution's point is correct, Nissan executives and employees have "arbitrarily" committed "criminal acts."

Therefore, it is not possible to punish only "Carlos Ghosn" unless the people involved are punished together.

(Equality under the law)

The prosecution's act against "Carlos Ghosn" is the same as "arbitrary punishment" that applies "support" (accessory crime) of "immigration law violation (out-of-qualification activity)" to me.

The arrest and imprisonment of "Carlos Ghosn" violates Articles 9, 10 and 11 of the "Universal Declaration of Human Rights".

And because it violates Articles 9, 10 and 14 of the International Covenant on Civil and Political Rights, it seems that the UN Working Group has taken it up.

"I" will also submit "additional materials" from "this point of view".

*****Japan has not ratified the "reporting system".

However, if Mr. Ghosn's attorneys François Jimerley and Jessica Finnell's "complaints" to the Japanese government were deliberated by the "working group",

Please handle my "complaints" in the "Working Group on Arbitrary Detention".

We will leave the handling to the Human Rights Council, such as treating it as an "arbitrary" "case" related to the "Carlos Ghosn case" rather than treating it by the "reporting system".

Look at the indictment.

The "reason for crime" in the indictment states that it is a crime for us to provide a "false employment contract document" to a foreigner (Chinese).

The indictment blames Article 22-4-4 of the Immigration Control Act for the crime.

How to write a complaint. The four Chinese write the same way. (A, b, c, d)

1) The fact that the Chinese engaged in "unqualified activities" that violated the Immigration Control Act.

Article 70, Paragraph 1, Item 4 of the Immigration Control Act, Article 19, Paragraph 1, Item 1.

2) The fact that Yasuhiro Nagano created a "false contract" at LeftCO.

Support (Article 22-4-4 of the Immigration Control Act).

3) The fact that the accomplice "KinGungaku" handed a "false contract" to the Chinese.

Support (Article 22-4-4 of the Immigration Control Act).

4) The fact that the Chinese applied for renewal of their status of residence to the Tokyo Regional Immigration Bureau with a "false contract" attached.

(Immigration Act Article 22-4-4).

Under the Immigration Control Act, foreigners who submit "false employment contract documents" and obtain "status of residence" fall under the provisions of "Article 22-4-4 of the Immigration

Control Act".

For this disposition, the Minister of Justice will "revoke the status of residence" as an "administrative disposition".

Therefore, a foreigner who has obtained a "status of residence" is not a criminal.

If so, the person who provided the "false employment contract documents" is "not guilty".

Therefore, a person who provides a "false employment contract document" cannot be punished for "accessory crime" in Articles 62, 1 and 60 of the Penal Code.

I continue to insist on this.

My claim is proved by the revised law.

The Immigration Control Act was amended at the 192nd Extraordinary Diet Session and has been in force since January 1, 2017.

An amendment law will be enacted that will penalize those who have obtained a status of residence by applying for false employment contract documents.

The purpose of the revised law.

Previously, the Immigration Control Act was not subject to penalties for persons who obtained a status of residence by false application (former law Articles 70 and 74-6).

The revised Immigration Control Act stipulates that persons who have obtained a status of residence by deception or other wrongful means (false application) will be subject to penalties (Article 70, Paragraph 1, Item 2-2 of the Act).

In addition, with the establishment of the new provision, those who have facilitated the execution of the act of the provision for the purpose of profit, that is, not only the broker, but also the workplace, attorney, administrative scrivener and "school staff, etc." who participated in the false application.

"Application agent" was also subject to penalties (Article 74-6 of the Act).

http://www.immi-moj.go.jp/hourei/h28_kaisei.html

<http://www.visa-daiko.com/topics/5297/>

Proven by the 192nd Extraordinary Diet Session.

However, in light of Article 39 of the Japanese Constitution and international law, punishment cannot be made "backward" to the "past."

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I will organize the explanation so far.

The reason for the crime points out the support of Article 22-4-4 "Revocation of Status of Residence" of the Immigration Control Act.

However, this law is completed by the "revoke of status of residence" by the Minister of Justice. Therefore, foreigners who have obtained a status of residence with "false documents" cannot be punished.

The "provider" of false documents is not guilty because "the foreigner cannot be punished".

"Arbitrary punishment" in Japan is "daily life".

If the Human Rights Council (OHCHR) had taken up the 2010 "Immigration Control Act Violation Case"

There was no "immigration law violation case" at the "Embassy of the Philippines" in 2014.

At the "Embassy of the Philippines", embassy staff were punished for providing "false employment contract documents" to the Filipinos.

Some officials and diplomats returned to the Philippines before being arrested.

(Same as Carlos Ghosn's case)

Judging from the "newspaper article", the case of violation of the Immigration Control Act of the "Embassy of the Philippines" is exactly the same as the case of violation of our Immigration Control Act in 2010.

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This case is an "error" of the "applicable law".

This case has been decided by the Supreme Court (rejected)

Therefore, a "request for retrial" is required.

The requirement for "request for retrial" is that if there is a crime of a police officer, prosecutor, or judge related to this case, you can apply for "request for retrial".

So I filed a "accusation" and "accusation" with the Tokyo Prosecutor's Office.

We also filed a "accusation" with the Tokyo Prosecutor's Office regarding the "Embassy of the Philippines" case.

The reasons for the crime are:

1. It is a crime of abuse of the authority of a special civil servant.

Criminals are police officers of the Metropolitan Police Department, prosecutors of the Tokyo Prosecutor's Office, judges of the Tokyo District Court, etc.

Reason: They arbitrarily arrested and imprisoned "acts" that were not crimes as crimes.

2. It is a false accusation.

Criminals are police officers of the Metropolitan Police Department, prosecutors of the Tokyo Prosecutor's Office, etc.

Reason: They arbitrarily filed a false "accusation" as a crime for an "act" that was not a crime.

3. In addition, lawyers and "media that made false reports" were accused and accused of "accessory crimes" of the above-mentioned crimes.

However, the Tokyo Public Prosecutors Office, the Tokyo Supreme Public Prosecutors Office, and the Tokyo Supreme Public Prosecutors Office will not accept it as a crime.

This act is a "crime of abuse of authority".

I added this "criminal abuse of authority" and filed a "accusation" and "accusation" with the Tokyo Prosecutor's Office.

I submitted it many times.

They replied, "Don't send me anymore."

In the end, they ignored the "accusation" and "accusation".

So I made a "petition" to all the "prosecution examination committee", "chairman of the Diet", "Prime Minister's Office", political parties and members of the Diet, but all were ignored.

The Prime Minister's Office was returned with the reply, "The Prime Minister will not receive any goods." (Content: Described as a document)

Is "Document Mail" a "Product"?

The prime minister's "personal office" is ignored (no reply).

I consulted with the Ministry of Justice by phone.

"I can find out your name by looking it up," he says. It's like a "blackmail".

I made a request in writing.

However, I cannot answer "individual cases" in writing.

I also consulted with the Human Rights Bureau of the Ministry of Justice by telephone.

(Email transmission is still ongoing)

The answer is, "It's not the job of the Human Rights Bureau."

The Japan Federation of Bar Associations supports human rights violations.

So I submitted a written request for "support for human rights violations."

However, the reply was that the "Japan Federation of Bar Associations" does not have the "power" to support you.

So I made a "billing" to "OHCHR",

Japan could not accept the application document because it has not ratified the "personal reporting system".

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However, I read an article that translated the coverage of Agence France-Presse.

(This article is regulated by the Japanese government and is not reported by the general media.)

(I'm calling by email and SNS to governments and the media that Carlos Ghosn is not guilty).

So the reader taught me.

The UN Working Group is demanding compensation from the Japanese government for human rights violations against "Carlos Ghosn".

Therefore, please treat it in the same way as "Carlos Ghosn"'s human rights violations.

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The author (translator) points out that "arbitrary" is the "key point".

Immigration law violation cases are "arbitrary punishments."

This "arbitrary act" is not limited to the "arbitrary deception" of the "applicable law."

The judgment declares the "causal relationship" between the act of providing "false documents" and "violation of the Immigration Control Act (activities outside the qualifications)" as follows.

The causal relationship is "arbitrary" "composition"

- 1) We provided the Chinese with "false employment contract documents".
- 2) The Chinese were able to obtain "false employment contract documents", so they could easily apply for Tokyo Regional Immigration Bureau and obtain "status of residence".
- 3) The Chinese have been able to stay in Japan because they have obtained a "status of residence".
- 4) Since the Chinese were able to stay in Japan, they were able to carry out illegal "activities outside the status of immigration law violation".

5) Therefore, there is a clear "causal relationship" between the act of providing "false employment contract documents" and the act of Chinese people "acting outside the status of immigration law violation".

In Japan, this kind of logic is called the logic that "if the wind blows," Okeya "will make a profit."

When the strong wind causes dust,
Blind people increased because of dust in their eyes
Because more people are trying to make a living with the shamisen,
You will need a lot of shamisen,
Demand for "cat skin" on the "body" of the shamisen will also increase.
This reduces the number of "cats",
As a result, the number of mice increases,
The "increased mice" bite the "wooden tub", so the "tub shop" is profitable,
"Okeya" is pleased.

This is too "arbitrary" logic.

I was told in a police interrogation like this.

The crime is light because the Chinese are "violating the Immigration Control Act".

But when they murder, you are "guilty of supporting the murder."

Foreigners say that they commit a "crime" when they live in Japan.

I tell police officers "the logic of law" (described earlier).

Police officers say:

"You should admit your sins with" general logic "rather than" legal logic "."

No more conversations are possible.

For Japanese interrogation, you can only choose to "acknowledge your sins."

Every day, illegal detention is followed by "interrogation", but the "logic of law" claim and the "general story" do not match the conversation.

The "spirit" just "gets crazy".

The prosecutor always says this before the interrogation.

"I'm great," he says.

"If you plead guilty, I will fine you."

"If you don't find your sin, I'll put you in jail for labor."

"If you don't find your sin, I'll arrest your wife too."

The prosecutor "creates" the "record scenario".
Then have them sign the "Record of Interrogation".

The conversation does not match between the "logic of law" claim and the "general story".

The prosecutor finally says:

"Okay! I'll send you to jail."

In Japan's judicial system, prosecutors make "judgments."

In Japan, there is a system of exchange between judges and prosecutors.

Judges and prosecutors can share trial documents.

Such a mechanism is a "prewar custom".

The attorney tells me:

There is no point in saying "procedure theory"!

Is my "logic of law" mentioned above "procedural theory"?

Most Japanese attorneys make "private proceedings" their "main job."

They only do it "business-wise".

I wanted to be released from the police and Tokyo Detention House as soon as possible.

"I" has been detained for over a year.

I was arrested in early June.

I was "indicted" after the 20th of July.

I submitted a "bail application" every month.

I expected the judge to review the "indictment" and the Immigration Control Act and notice the "error in the applicable law".

But every month it was rejected.

Since it was rejected by the Tokyo District Court, I always "appealed" to the Tokyo High Court.

However, the "indictment" was dismissed every month as "no mistake".

If I had been released, I was looking for a new attorney!

I'm in custody, so I can't do anything.

I offered to look for an attorney at the Tokyo Detention House guard.

But the jailer told me.

"The Tokyo Detention House is not a place to introduce lawyers."

What can OHCHR advise me?

What should I do in this case?

The Tokyo District Court ruled after April 20th, the year after I was arrested.

My judgment is one year and six months "punishment for labor in prison".

A fine of 500,000 yen.

If the "first offense" is a "prison sentence" of 3 years or less, the "execution of the sentence" is deferred.

But I don't have the "grace" of "execution of punishment".

(Because I don't plead guilty)

I will be returned to Tokyo Detention House from the court.

I file a "criminal charge" with the "Tokyo High Court".

I also continue to apply for "bail" every month.

I was "bailed" after the affairs were transferred from a judge at the "Tokyo District Court" to a judge at the "Tokyo High Court".

June 24th? It was about.

The reason for not allowing "bail"

1) There is a risk of escape.

The police keep my "passport". (Returned when leaving prison).

2) There is a risk of obliterating the evidence.

As for the Chinese involved, at the end of October 2010, all the Chinese involved had left for China.

The underwriters are an adult son and wife.

Prosecutors and judges were "fearful of being pointed out for errors in applicable law," so they systematically "concealed."

This illegal arrest and imprisonment was also in prison.

There is a rule to allow "parole" for those who have passed two-thirds of their sentence.

The prison officer was convinced that "I was not guilty."

Therefore, we will proceed with the "parole" procedure as scheduled.

The final decision is the judge of the "Tokyo District Court" who issued the decision.

Judges of the "Tokyo District Court" do not allow "parole".

The most shocked are the "prison" staff.

The correct answer for "wrong applicable law" can be understood by anyone with ordinary legal knowledge.

But "prison officers" cannot file an objection.

Until the very end, it was an arbitrary "restraint".

But I think they are still afraid.

I think they are thinking of "restraining" me.

The Human Rights Council should pursue Japan's human rights abuses at the United Nations.

Every day, I "disseminate" this "false accusation of the case" on SNS etc.

I am now in danger of life.

Suppose the prosecution "murders" me.

Under the Japanese judicial system, the prosecution can "dismiss" even if someone witnesses and "accuses" it.

This is called the "exclusive right" of "prosecution."

Unless the prosecution accepts it, the trial cannot be done.

This is the "greatest weapon" that can do "arbitrary things".

The case of this immigration law proves.

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I'm "sueing" for two things. ..

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One is that, as mentioned above, the applicable law was forged and arbitrarily arrested, imprisoned and punished.

A "false employment contractor" who has received a "status of residence" and has provided a "false

employment contract" to a "foreigner" is not a crime.

The revised Immigration Control Act states at the 192nd extraordinary Diet session.

The person who provided the "false employment contract documents" is not guilty.

The "employment contract documents" I provided are not false.

In 2008, there was a "Lehman shock" and it became difficult to hire, so we stopped hiring.

That's why the Chinese continued to work at the restaurant where they worked part-time when they were students.

But I avoid the "false employment contract documents" dispute.

The main controversy is that the provision of "false employment contract documents" is not guilty.

It doesn't make sense whether the "employment contract document" is "imaginary" or "no"!

The second is that Chinese and Filipinos who have "acted outside the status of residence (illegal labor)" are not guilty.

This means that Article 14 of the Constitution of Japan and "equality under the law" of international law cannot be observed.

It means that Japanese and foreigners use their ignorance of the law to "arbitrarily" violate "equality before the law."

The Immigration Control Act has the following provisions regarding violations of Article 70 of the Immigration Control Act (labor not qualified).

- 1) Foreigners who work illegally will be punished for violating Article 70 of the Immigration Control Act.
- 2) Employers who illegally hire foreigners who are not qualified to work will be punished under Article 73-2 of the Immigration Control Act.

Immigration law is built in compliance with international law.

However, prosecutors do not "arbitrarily" "punish them equally."

In the case of four Chinese and Filipinos, none of the employers have been punished under Article 73-2 of the Immigration Control Act.

Only foreigners who violate Article 70 of the Immigration Control Act (labor not qualified) are punished.

This violates Article 14 of the Constitution of Japan (equality under the law).

And it violates international law that prohibits the arbitrary punishment of foreigners.

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There are countless victims who cannot be protected by "equality before the law."

Many foreigners who come to Japan on a student visa or work visa have been sacrificed.

Most of them violate Article 70 of the Immigration Control Act for non-qualified activities.

They will not come to Japan if they cannot do "out-of-qualification activities".

Since the government has a shortage of "simple workers", it allows foreigners to enter the country "arbitrarily" on the premise of violating it.

Therefore, it is an "arbitrary" crime by the "government".

When I was arrested and imprisoned

I saw it at the Tokyo Prosecutor's Office and the Tokyo District Court.

Hundreds of foreigners were punished there each time.

Many foreigners were also "detained" on charges of "unqualified labor" in "police detention centers."

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Why are there so many arrests?

This is because, under the Immigration Law, if you "report to the Immigration Bureau" of illegal labor, the "person who reported the information" will receive a "reward" of 50,000 yen.

I am complaining about this fact on SNS etc. every day, so

Becoming news has decreased.

Perhaps the government is manipulating information to hide the facts.

In 2010, hundreds of people were punished a day in Tokyo alone.

However, most foreigners are deported with fines. The employer does not punish.

Therefore, the Japanese government has arbitrarily punished foreigners.

Right now, I don't think there is a shortage of temporary employment at restaurants with the "new corona", but if the "new corona" does not occur, "a large number of unskilled workers" will be required.

"Technical intern training" in the "technical intern training system" has also escaped from "slave labor" and is doing "illegal labor outside the qualification" in a well-paid occupation.

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It makes it easy for foreigners to enter the country and work in unskilled labor.
If there is a report from a Japanese person, he will be arrested and banished with a fine.

The Chinese and Phillin people I mentioned are "labor punishments in prisons."
Even among prosecutors, "arbitrary" dispositions differ depending on their personal "hobbies" (bribery).

There are countless foreigners punished for this immigration law (activities outside the status of qualification).
The UN Human Rights Council should take Japan's human rights violations seriously and deliberate.
Regarding Carlos Ghosn's request of the working group, the Japanese government says, "The" decision "of the working group is not" effective. "

I think the Japanese government will put a "honey trap" on the members of the UN Human Rights Council.

I hope that "members of the UN Human Rights Council" will not fall into the "honey trap."

The UN Human Rights Council should impose economic sanctions on the Government of Japan.

In this way, I send out the human rights violations of the Japanese government to the world every day.

Government officials are aiming to assassinate me.

My server is constantly being devastated.

Parliamentarians will send you anonymous blackmail emails to prevent you from sending them.

The UN Human Rights Council and OHCHR have a duty to take this seriously.

* * * * *

"Carlos Ghosn" was taken up by the Working Group on the grounds of violations of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Take up our human rights abuses for the same reason.

It violates Articles 1, 2, 3, 6, 6, 7, 8, 9, 9, 9, 10, and 11 of the Universal Declaration of Human Rights.

It violates Articles 2, 9, 10, 14, 15, and 26 of the International Covenant on Civil and Political Rights.

This human rights violation is more serious than "Carlos Ghosn's human rights violation".

There are countless victims around the world.

This is a site that proves the above explanation.

Indictment (letter of indictment) English translation (English translation is not guaranteed), Japanese original

<http://www.miraico.jp/ICC-crime/2Related%20Documents/%EF%BC%91Indictment.pdf>

Indictment (letter of indictment) English translation, (English translation is not guaranteed).

<http://www.miraico.jp/crime/g5-Indictment-against-Nagano-Kin.pdf>

Immigration Control and Refugee Recognition Act

<http://www.japaneselawtranslation.go.jp/law/detail/?id=3039&vm=1.re=>

Criminal Code (Penal Code)

<http://www.japaneselawtranslation.go.jp/law/detail/?id=1960>

The Constitution of Japan

<http://www.japaneselawtranslation.go.jp/law/detail/?id=174>

This is a reference site.

This is a newspaper article of evidence of false information manipulation of immigration law violations at the Philippine embassy (Japanese)

<http://www.miraico.jp/Bridgetohumanrights/index.html>

Submission to ICC, preparation materials

<http://www.miraico.jp/ICC-crime/>

Everyone in the international community! Please denounce Japan's national crime! (Japanese)

<http://www.miraico.jp/crime/g6-national-crime.pdf>

This is a public homepage.

<http://www.miraico.jp/>

<http://www.miraico.jp/Bridgetohumanrights/index.html>

<http://www.miraico.jp/kakehasi/index.html>

<https://toworldmedia.blogspot.com/>

If you have any questions, please ask a question.

Please request the necessary materials.

I have a large amount of materials related to complaints and accusations.

There is also a reply material.

I agree to publish my name.

(I have already published it online)

that's all