

Geneva, 17 January 2013

Enclosure mentioned
Information related to access to justice in the promotion and protection of the rights of indigenous peoples

The Human Rights Organs of the Ministry of Justice of Japan provide human rights counseling services and investigation and remedy procedures for human rights infringement cases free of charge for the purpose of realizing simple, quick and flexible remedy for the victims. The Human Rights Organs conduct investigation and remedy activities for human rights infringement cases ex officio, and no legal knowledge or other special knowledge is required of a person who requests relief. In addition, the matter is kept strictly confidential so that those who request relief need not fear societal criticism or retribution.

In addition, the Human Rights Organs are making efforts to disseminate and publicize the rights of individuals through various human rights promotion activities. In addition, in receiving requests for human rights counseling, they give appropriate advice on the rights of those who request human rights counseling on a case-by-case basis.

The Japan Legal Support Center (Houterasu), established in 2006 based on the Comprehensive Legal Support Act, provides victims, etc. of discrimination with information concerning legal systems for compensation, etc. and introduces counseling organs, organizations, etc. free of charge. Houterasu also introduces free of charge attorneys at law who have experience in and understanding of support for crime victims to victims, etc. of crimes.

Moreover, Houterasu provides services, such as free legal counseling services and temporary payment of attorney’s fees, for victims, etc. of discrimination who are not able to consult with an attorney at law and pursue a civil lawsuit due to lack of financial resources in cases in which such a victim, etc. claims damages against the perpetrator.

The Code of Civil Procedure of Japan establishes a system of judicial aid whereby a person who lacks the financial resources to pay the expenses necessary for preparing for and conducting a suit, or a person who will suffer substantial detriment in his/her standard of living by paying such expenses, is granted grace of payment of judicial costs, etc. where it cannot be said that such person is unlikely to win the case (Article 82 and thereafter of the Code of Civil Procedure).