

**State Party<sup>1</sup> JAPAN**

**National Procedures for Transfer of sentenced persons**

**Updated on 5 February 2025**

<b>The Central Authority responsible for the transfer of sentenced persons</b>	Correction Bureau, Ministry of Justice Kasumigaseki, Chiyoda Ward, Tokyo 100-8977, Japan  Tel : +81-(0)3-3592-7609 Fax : +81-(0)3-3592-8387 E-mail: <a href="mailto:kyosei-kokusai@i.moj.go.jp">kyosei-kokusai@i.moj.go.jp</a>
If different from the Central Authority, the authority to which the request should be sent:	N/A
If different from the Central Authority, the <b>Authority/ies in charge of coordinating and/or implementing the physical transfer</b> of the person concerned:	N/A
<b>Channels of communication</b> for the request for the transfer of sentenced persons:  (directly, through diplomatic channels or other)	In accordance with Article 5, paragraph 3, of the Convention, communications shall be done through diplomatic channels, Ministry of Foreign Affairs, except for in case of emergency or other extraordinary circumstances.
<b>Means of communication</b> (eg. by post, fax, e-mail <sup>2</sup> ):	By post (through diplomatic channel).
<b>Language requirements:</b>	In accordance with Article 17, paragraph 3, of the Convention, Japan requires that requests for transfer and supporting documents shall be accompanied by a translation into the Japanese or English language.

---

<sup>1</sup> Please indicate your state.

<sup>2</sup> Please indicate if encryption or electronic signature is required.

<b>Documentation required:</b>	N/A
--------------------------------	-----

<b>Continued enforcement or conversion of the sentence<sup>3</sup>:</b>	In accordance with Article 3, paragraph 3, of the Convention, Japan intends to exclude the application of the procedure provided in Article 9, paragraph 1(b), in cases when Japan is the administering State.
---	--

<b>General rules on early release:</b>	<p>Parole can be granted to inmates who evince the sign of substantial reformation and are expected to be reformed and rehabilitated. The inmates granted parole are provisionally released and placed under probation during the period of remaining sentence. Parole aims to prevent reoffending and facilitate their reformation and rehabilitation and smooth reintegration into society.</p> <p>To be recognized as evincing the sign of substantial reformation, inmates shall be deemed to have a sense of remorse for the offense they committed and be willing to reform and rehabilitate themselves, without any likelihood of repeating an offense, thus making it reasonable to place them under parole supervision for their own reformation and rehabilitation. However, if it is deemed that the general sentiment of society does not approve such decision, the parole will not be granted. It is necessary that they have served one third of a definite imprisonment term or 10 years for life imprisonment.</p>
--	---

<b>Scope of application with regard to transfer of mentally disordered persons:</b>	N/A
---	-----

<b>Scope of application with regard to nationals and/or residents:</b>	In accordance with Article 3, paragraph 4, of the Convention, for the purposes of the Convention, "national" means, in relation to Japan, a Japanese national or a "special permanent resident" stipulated under the "Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan".
--	--

<b>Other relevant information:</b> (such as practice regarding time limits or revocation of consent)	<p>Fine:</p> <p>If a foreign prisoner was imposed both a prison sentence and a fine, the transfer can take place only after the completion of the payment or workhouse duty as an alternative if unable to pay. During the workhouse term, the sentence is temporarily suspended, and after the completion of the workhouse duty, the sentence is re-started and new termination date of the sentence shall be fixed.</p> <p>Pre-sentence term:</p> <p>In Japan, the pre-sentence detention term is decided based upon the judge's discretion in accordance with the relevant law, which may be included in whole or IN PART into the sentence imposed. This term will be provided as the information based on Article 4 and as the supporting documents based on Article 6. The date of arrest may be provided on request by administering state.</p>
---	--

---

<sup>3</sup> In case the sentence is converted, please specify whether this is done before or after the transfer has taken place.

<b>Links</b> to national legislation, national guides on procedure:	<p>Act on the Transnational Transfer of Sentenced Persons :  <a href="https://www.japaneselawtranslation.go.jp/ja/laws/view/2723">https://www.japaneselawtranslation.go.jp/ja/laws/view/2723</a> (in English and Japanese)</p> <p>General procedures  <a href="http://www.moj.go.jp/kyousei1/kyousei_kyousei29.html">http://www.moj.go.jp/kyousei1/kyousei_kyousei29.html</a>          (only in Japanese)</p>
---	---

Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers concerning information about ETS <sup>o</sup> 112 and PC-OC INF 12):	<p><a href="http://www.mofa.go.jp/mofaj/gaiko/treaty/treaty_020411.html">http://www.mofa.go.jp/mofaj/gaiko/treaty/treaty_020411.html</a>          (only in Japanese)</p>
--	--

### For Parties to the Additional Protocol

<b>Information on the implementation of Article 2:</b> (e.g. interpretation of “by fleeing to”)	N/A
---	-----

<b>Information on the implementation of Article 3</b> (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence)	N/A
---	-----

<b>Documentation required:</b>	N/A
--------------------------------	-----

<b>Other relevant information:</b>	N/A
------------------------------------	-----