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HAGUE CONFERENCE ON
PRIVATE INTERNATIONAL LAW
CONFÉRENCE DE LA HAYE
DE DROIT INTERNATIONAL PRIVÉ

Convention de La Haye du 25 octobre 1980 sur les aspects civils de l'enlèvement international d'enfants

Profil des États

établi par le Bureau Permanent

* * *

Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction

Country Profile

drawn up by the Permanent Bureau

Document d'information No 2 de mars 2011 à l'intention de la Commission spéciale de juin 2011 sur le fonctionnement pratique de la Convention Enlèvement d'enfants de 1980 et de la Convention Protection des enfants de 1996

Information Document No 2 of March 2011 for the attention of the Special Commission of June 2011 on the practical operation of the 1980 Hague Child Abduction Convention and the 1996 Hague Child Protection Convention

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Convention de La Haye du 25 octobre 1980 sur les aspects civils de l'enlèvement international d'enfants

Profil des États

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Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction

Country Profile

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FOREWORD TO THE COUNTRY PROFILE

This Country Profile should be used by Contracting States[1] to assist with fulfilment of the obligations contained within Article 7 of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*.[2] In particular, it is anticipated that the Country Profile will help Contracting States fulfil their obligations under Article 7(2) *e)* and 7(2) *i)* of the Convention, that is:

- To provide information of a general character on the law of their State in connection with the application of the Convention; and
- To keep other Central Authorities informed regarding the operation of the Convention in their State and to eliminate any obstacles to the Convention's application.

The Country Profile is intended to assist with the practical operation of the Convention. It is hoped that it will facilitate:

a) information exchanges between Contracting States;
b) knowledgeable service by Central Authorities under the 1980 Hague Child Abduction Convention;
c) cost-effective translation of the information provided by Contracting States into English, French, Spanish, and other languages as required by Contracting States; and
d) prompt updates of the information provided.

NEWLY ACCEDING STATES:
It should be noted that the Country Profile does not replace the "Standard questionnaire for newly acceding States" (available at < www.hcch.net > under "Child Abduction Section" then "Questionnaires and responses"). The Standard Questionnaire provides a means for newly acceding States to describe promptly, and in brief, the measures taken in their State to ensure compliance with their Convention obligations and to ensure the effective practical operation of the Convention in their State. It thereby assists States already Party to the Convention with their decision as to whether to accept an accession.
Newly acceding States are encouraged to complete this full Country Profile as soon as is practicable.

INSTRUCTIONS:

- Please mark the box which best represents the arrangements in your State:
  - Where the response requires either "Yes" or "No", please mark one box only.
  - For all other questions, it may be necessary to mark more than one box.
- Where applicable, please specify the relevant provision(s) of your domestic legislation and indicate how the legislation may be accessed, *e.g.,* website, or provide a copy of the legislation.
- Please complete a separate profile for each territorial unit if there are significant differences in the substance and operation of the laws in each.
- Please note: the information contained in the Country Profile **is of a general nature only**. The purpose of the Country Profile is to assist with the practical operation of the Convention and not to provide a comprehensive picture of the legal system of each Contracting State. Please consider this when completing the Country Profile and when using the Country Profile of other Contracting States. Please contact the relevant Central Authority for clarification or specific advice.
- Contracting States are exclusively responsible for updating the information contained in their Country Profile. However, reminders for updates will be provided by the Permanent Bureau of the Hague Conference on Private International Law.

[1] Any reference to a Contracting State in this Country Profile is a reference to a Contracting State of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*
[2] Hereinafter, "the 1980 Hague Child Abduction Convention", or simply "the Convention".

- Completed Country Profiles will be published on the website of the Hague Conference on Private International Law < www.hcch.net >.
- The Permanent Bureau of the Hague Conference has prepared a number of resources which may assist States in the effective implementation and operation of the Convention, in particular Guides to Good Practice. See < www.hcch.net > under "Child Abduction Section" for further information in this regard.

TERMINOLOGY:

- Whilst it is acknowledged that in some Contracting States the formal applicant to a return or access application under the Convention may be a State authority (see question 10.3 b) below), please note that the term "**applicant**" is used in the Country Profile as follows:
  (a) In relation to a *return* application, the term "applicant" denotes the person, institution or other body alleging that their actually exercised rights of custody in relation to a child have been breached by the removal or retention of the child, in accordance with Article 3 of the Convention; and
  (b) In relation to an *access* application, the term "applicant" denotes the person, institution or other body seeking to establish and / or exercise rights of access in relation to a child under Article 21 of the Convention.

- The term "**abducting party**" or "***alleged* abducting party**" in the Country Profile refers to the person, institution or other body who has, or is alleged to have, wrongfully removed or retained a child in accordance with Article 3 of the Convention.

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., *website, or provide a copy of the legislation.*

Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction

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Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., *website, or provide a copy of the legislation.*

Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction

COUNTRY PROFILE

Country Name: Japan

Territorial Unit (where applicable):

Last updated: 2026

Part I: Central Authorities

1 Central Authority contact details

Provide the designation and contact details of the Central Authority to which communications may be addressed.
Always check < www.hcch.net > then "Child Abduction Section" and "Central Authorities" for the most current contact details.

Organisation:	Hague Convention Division,Consular Affairs Bureau, Ministry of Foreign Affairs
Address:	2-2-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8919 JAPAN
Territorial and personal extent of functions, if applicable:	
Telephone:	+81-(0)3-5501-8466
Fax:	+81-(0)3-5501-8527
E-mail:	hagueconventionjapan@mofa.go.jp
Website:	https://www.mofa.go.jp/fp/hr_ha/page22e_000249.html
Contact person(s) and direct contact details (please indicate language(s) of communication):	Mr. EBATA Yasuyuki Director (languages of communication: Japanese, English) Tel.: +81 (0)3-5501-8466
Preferred method of communication:	☐ Telephone ☐ Fax ☒ E-mail ☐ Post ☐ Other (*please specify*):

OTHER DESIGNATED CENTRAL AUTHORITIES (IF APPLICABLE)

Please attach additional pages if there is more than one designated Central Authority in your State.

Organisation:	
Address:	
Territorial and personal extent of functions, if applicable:	
Telephone:	
Fax:	
E-mail:	

Website:	
Contact person(s) and direct contact details (please indicate language(s) of communication):	
Preferred method of communication:	☐ Telephone ☐ Fax ☐ E-mail ☐ Post ☐ Other (*please specify*):

2 Language requirements

a) Does the Central Authority prefer applications, communications and other documents sent to them to be accompanied by a translation into the official language(s) of the State? *See Article 24* *See questions 10.3 c) and 17.2 b) below regarding any translation(s) required by the court / administrative authority*	☒ Yes, for all communications, applications and other documents. Please specify the official language(s) of the State: Japanese ☐ Not for informal communications ☐ No
b) Has your State made a reservation in respect of the use of French or English for communications, applications and other documents sent to the Central Authority? *See Article 42*	☐ Yes, object to English ☒ Yes, object to French ☐ No

3 Central Authority operations

a) What are the working days and hours of the Central Authority?	Days of the week open: Monday through Friday Opening time: 9:00 a.m.(JST, GMT+9) Closing time: 5:00 p.m.(JST, GMT+9) Shut down periods (*e.g.,* public holidays, court closures):National holidays and December 29 through January 3 (January 1 is a national holiday). Note:If a national holiday falls on Sunday with the following Monday not being a national holiday, the said Monday shall be a holiday.
b) Can assistance be accessed outside of working hours?	☐ Yes (*please specify contact details, if different from above*): ☐ For persons in other Convention States: ☐ For persons in your State: ☒ No
c) Does the Central Authority have a dedicated staff who deals *only* with 1980 Hague Child Abduction Convention applications and related issues?	☒ Yes ☐ No
d) Please indicate the professions represented in the Central Authority:	☒ Civil servants ☒ Civil servants (legal advisors)

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

Please note that some individual staff members may fall under more than one category. This question should not be interpreted as an indication of the number of staff members in the Central Authority	☒ Lawyers ☒ Social workers ☐ Mediators ☒ Other (*please specify*): experts in child psychology, and in DV victim support

Part II: Relevant legislation

4 International Child Abduction	
4.1 1980 Hague Child Abduction Convention	
a) When did the 1980 Hague Child Abduction Convention enter into force in your State?	Date: April 1, 2014
b) Was implementing legislation necessary for the 1980 Hague Child Abduction Convention to enter into force in your domestic law? *Please specify how legislation can be accessed (*e.g.*, website) or attach a copy*	☒ Yes, please specify: • The date that the legislation entered into force: April 1, 2014 • The legislative provision(s) or implementing legislation: Act for Implementation of the Convention on the Civil Aspects of International Child Abduction (available at the website of Japanese Law Translation) ☐ No
c) Whether implementing legislation was necessary in your State or not, have any (other) legislative provisions or procedural rules been enacted to assist with the effective operation of the 1980 Hague Child Abduction Convention? *Please specify how legislation can be accessed (*e.g.*, website) or attach a copy*	☒ Yes, please specify: • The date that the legislation or procedural rules entered into force or effect: April 1, 2014 • The legislative provision(s) or procedural rules: • Cabinet Order on Request for Provision of Information relating to Child's Domicile, etc. and Social Background of Child under the Act for Implementation of the Convention on the Civil Aspects of International Child Abduction • Ministerial Ordinance on application for assistance to the Minister for Foreign Affairs pursuant to the Act for Implementation of the Convention on the Civil Aspects of International Child Abduction • Ministerial Ordinance on Measures for the Minister for Foreign Affairs to request the Prefectural Police to take pursuant to Article 5 (3) of the Act for Implementation of Convention on the Civil Aspects of International Child Abduction • Rules of the Supreme Court No.5 of 2013 ☐ No
4.2 Other agreements on international child abduction	
a) Is your State party to any other international agreements which relate to international child abduction?	☐ Yes: ☐ Brussels II a Regulation (Council Regulation (EC) No 2201/2003 of 27 November 2003) ☐ Inter-American Convention of 15 July 1989 on the International Return of Children ☐ Bilateral agreements (*please specify*): ☐ Non-binding memoranda of understanding (*please specify*): ☐ Other (*please specify*): ☒ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

5 1996 Hague Child Protection Convention	
a) Is your State a Contracting State to the 1996 Hague Child Protection Convention? *Refer to < www.hcch.net > for the status table of the 1996 Hague Child Protection Convention*	☐ Yes, if so, on what date did the 1996 Hague Child Protection Convention enter into force in your State: ☒ No
b) Was implementing legislation necessary for the 1996 Hague Child Protection Convention to enter into force in your domestic law? *Please specify how legislation can be accessed (*e.g.*, website) or attach a copy*	☐ Yes, please specify: • The date that the legislation entered into force: • The legislative provision(s) or implementing legislation: ☐ No

c) Whether implementing legislation was necessary in your State or not, have any (other) legislative provisions or procedural rules been enacted to assist with the effective operation of the 1996 Hague Child Protection Convention? *Please specify how legislation can be accessed (*e.g.*, website) or attach a copy*	☐ Yes, please specify: • The date that the legislation or procedural rules entered into force or effect: • The legislative provision(s) or procedural rules: ☐ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

Part III: Applications for return

6 Applications through Central Authorities

6.1 Outgoing applications (requesting State)

a) What type of assistance is provided to applicants in your State when completing an application for return under the Convention? *See Articles 7 and 8*	☒ Assistance from the Central Authority ☐ Assistance from another authority ☐ Referral to a legal representative ☐ Other (*please specify*):

6.2 Incoming applications (requested State)

a) What form of application does your State require for an incoming application?	☐ (1) Model Application Form *Available at < www.hcch.net > under "Child Abduction Section"* Go to question c) ☒ (2) Form developed by your State Please specify how this form can be accessed (*e.g.*, website) or attach a copy: Available at < https://www.mofa.go.jp/fp/hr_ha/page22e_000249.html > Go to question c) ☐ Both (1) and (2), go to question c) ☒ The form of the requesting State is accepted, go to question c) ☐ No particular form is required, go to question b) ☐ Other, go to question b)
b) If your State does not require a particular form of application, what information or documents does your State request? *See Article 8* *Please note that the only information actually* required *by the Convention (Art. 8) is indicated by a cross in the relevant box*	☐ Information concerning the identity of the child: ☐ Name and previous name/s ☐ Date of birth, where available ☐ Address ☐ Telephone number ☐ Nationality / nationalities ☐ Passport number(s) ☐ Physical description (height, eye and hair colour) ☐ Photograph (as recent as possible) ☐ Information identifying the child's parents *e.g.,* nationalities – where a parent is not the applicant or respondent to proceedings *(please specify)*: ☐ Other *(please specify)*: ☐ Information concerning the identity of the applicant: ☐ Name and previous name/s ☐ Date of birth ☐ Address ☐ Telephone number ☐ Nationality / nationalities ☐ Passport number(s) ☐ Relationship of the applicant to the child ☐ Name(s) of legal adviser, if any ☐ Other *(please specify)*:

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

	☐ Information concerning the identity of the person alleged to have removed or retained the child: ☐ Name and previous name/s ☐ Date of birth ☐ Address ☐ Telephone number ☐ Nationality / nationalities ☐ Passport number(s) ☐ Physical description (height, eye and hair colour) ☐ Photograph (as recent as possible) ☐ Relationship of the person to the child ☐ Other (*please specify*): ☐ The grounds upon which the applicant's claim for return of the child is based ☐ Evidence of the applicant's rights of custody ☐ An authenticated copy of any relevant decision or agreement ☐ A certificate or an affidavit emanating from the Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State ☐ The alleged habitual residence of the child, with supporting information ☐ Other (*please specify*): ☐ All available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be ☐ Any other relevant document / information ☐ Concerning any child protection issues ☐ Marriage certificate (if applicable) ☐ Divorce decree (if applicable) ☐ Civil and / or criminal proceedings in progress (if applicable) ☐ Evidence of child or other relevant person's right to re-enter the State of the child's habitual residence ☐ Other (*please specify*):
c) Does your Central Authority accept an application and accompanying documentation transmitted by electronic means?	☒ Yes, please specify any requirements for electronically transmitted applications / documentation: E-mail up to 10MB files ☐ Yes, but any documentation sent electronically is not accepted by the court / administrative authority (*please specify*): ☐ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

d) Does the Central Authority require a written authorisation empowering it or a designated representative (e.g., *lawyer*) to act on behalf of the applicant? *See Article 28*	☐ Yes, the authorisation should be provided: ☐ On the application form ☐ In a signed statement or declaration ☐ Other (*please specify*): ☒ No
e) Does the Central Authority acknowledge receipt of the application?	☒ Yes, acknowledgment generally is provided by: ☒ E-mail ☐ Facsimile ☐ Post ☐ Other (*please specify*): ☐ No
f) Can the Central Authority proceed with an application where the information provided is incomplete?	☐ Yes, the Central Authority will begin processing the application and will immediately inform the requesting Central Authority of what additional information is required to complete the request ☒ No: ☐ The Central Authority will not process an application without all of the necessary supporting documentation ☒ The Central Authority is unable to process the application but will immediately inform the requesting Central Authority of what additional information is required before further action can be taken ☐ It depends upon what type of information is missing (*please specify*): ☐ Other (*please explain*):
g) Who does the Central Authority prefer to communicate with in incoming applications?	☒ The requesting Central Authority ☐ The applicant ☐ The applicant's legal representative ☐ All of the above ☐ Other (*please specify*):
h) What measures are taken by the Central Authority (directly, or through an intermediary) to attempt to secure the voluntary return of a child allegedly wrongfully removed or retained in accordance with Article 3 of the Convention (hereinafter, simply "the child")? *Please explain where necessary* *See Article 7* c) *and Article 10* *See also* ***Part V: Mediation and other forms of alternative dispute resolution*** *below*	☒ Contact is made with the alleged abducting party to seek a voluntary return ☒ Mediation and / or other forms of alternative dispute resolution are offered to the parties (see **Part V: Mediation and other forms of alternative dispute resolution**) ☐ Other (*please specify*):
i) How is it ensured that no undue delay results from the measures taken, or attempted, to secure the voluntary return of the child (see question h) above)?	Please explain: *The Central Authority sends the person who lives together with the child/children pertaining to the Hague Convention application a letter stating that the application has been filed and requests the person to contact the Central Authority. Meanwhile, the applicant may be able to file a petition with a family court any time.*

j) What is the role of the Central Authority in taking or causing to be taken provisional measures to prevent further harm to the child? *See Article 7(2)* b) *Refer also to sections 10.5 and 11.2 below*	☒ Alert appropriate agencies where there are concerns that a child is at risk ☐ Apply directly to authorities for protection orders ☒ Refer parties to appropriate agencies ☐ Other (*please specify*):
k) Can an applicant commence proceedings in your State for the return of the child under the Convention without using the Central Authority channel? *See Article 3 and Article 29*	☒ Yes, if so, please explain: Where the applicant can obtain information about commencing proceedings: The applicant can obtain information on website of the Central Authority <https://www.mofa.go.jp/mofaj/gaiko/hague/index.htm>. The applicant may obtain some information from local bar associations or family courts with jurisdiction, in which case, however, only in Japanese. What role, if any, the Central Authority has in these proceedings: The Central Authority cannot assist the applicant other than providing general information, if the application is not filed. ☐ No

7 Locating a child and preventing removal

For best practice on locating a child and preventing removal, see the Guides to Good Practice under the 1980 Hague Child Abduction Convention available at < www.hcch.net >under "Child Abduction Section" then "Guides to Good Practice". In particular, in relation to preventing removal, see Part III of the Guide to Good Practice on Preventive Measures.

a) Can return proceedings commence before the child is located?	☒ Yes ☐ Yes, in certain circumstances (*please specify*): ☐ No
b) What evidence / information does your State require regarding the child's whereabouts to begin to assist with locating the child? *Please explain where necessary*	☐ Evidence that the child entered your State (*e.g.*, evidence that the child boarded an aeroplane bound for your State): ☐ Information from the applicant as to why he / she believes the child is in your State: ☒ No information or evidence is required; searches for the child can begin upon request: ☐ Other (*please explain*):
c) What mechanisms or sources of information are available in your State to discover the whereabouts of the child? *Please indicate in the space provided any associated costs for an applicant or any other necessary information* *See Article 7(2)* a)	☐ (1) Private location services: ☒ (2) Population register: ☐ (3) Employment register: ☒ (4) Information maintained by other government agencies (e.g.*, immigration, social welfare*): ☒ (5) Police: ☐ (6) INTERPOL: ☐ (7) Court orders to compel the production of information on the whereabouts of the child: ☒ (8) Other (*please specify*): Establishers of a school,establisher of a international school, establishers of a hospital, water supply operators, electricity utilities, telecommunications carrier and representatives of private body which supports spousal violence victims, etc.
d) Please indicate who is responsible for arranging the measures listed above in question c) by inserting the relevant number next to the responsible person or authority *E.g.*, Central Authority: 2, 3	Central Authority: 2, 4, 5, 8 The applicant: The applicant's representative: Other (*please specify*):

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

The applicant’s representative: 7	

e) Please indicate, by inserting the relevant numbers, which of the measures listed above in question c) need an order from a competent authority?	
f) What measures can be taken in your State to deter the removal or re-abduction of the child? *Please explain where necessary* *Refer also to the Guide To Good Practice, Part III – Preventive Measures, available at* < www.hcch.net >*, particularly to paragraph 3.1 on barriers to international travel*	☒ (1) Child's passport(s) to be deposited with authorities ☐ (2) Alleged abductor's passport to be deposited with authorities ☒ (3) Obtain orders to prevent the removal of the child ☐ (4) Issuing border and / or port alerts ☐ (5) Requiring the alleged abductor to report periodically to authorities ☐ (6) Requiring the alleged abductor to pay a bond / deposit ☐ (7) Temporary placement of child in institutional care ☐ (8) Other (*please specify*):
g) Please indicate who may apply for the measures listed above in question f) by inserting the relevant number next to the responsible person or authority	Central Authority: The applicant: (1)(3) The applicant's representative: (1)(3) Other (*please specify*): In court proceedings seeking the return of a child, one party (the petitioner) may petition the court for an order not to take the child out of Japan (ne exeat order) if there is a risk that the other party may take the child out of Japan. Further, if the other party possesses the child's passport, the petitioner may petition the court for an order, as part of ne exeat order, to submit the passport to the Minister for Foreign Affairs.
h) Please indicate, by inserting the relevant numbers, which of the measures above in question f) need an order from a competent authority?	1,3

8 Legal representation and assistance

8.1 General

a) Has your State made a reservation to Article 26 of the Convention?	☒ Yes ☐ No
b) Does the Central Authority provide legal advice regarding return applications?	☐ Yes ☐ No ☒ No, however: ☒ The Central Authority will refer the applicant to the appropriate person or authority to obtain legal advice ☒ The Central Authority will provide information that is of a general nature about laws and procedures ☐ Other (*please specify*):
c) Is legal representation required in return proceedings? *See Article 25* *Please explain where necessary*	☐ Yes ☐ No ☒ No, but recommended

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

d) What is the role of the Central Authority in arranging legal representation? *See Article 7(2)* g)	☒ The applicant is required to make his / her own arrangements for legal representation, but the Central Authority will: ☐ Provide the applicant with a list of lawyers ☐ Provide the applicant with a list of free or reduced rate lawyers ☒ Other (*please specify*): Lawyer referral service is available through the Japan Federation of Bar Associations (JFBA) for applicants who wish to retain a Japanese lawyer who can speak English for a Hague case. The JFBA selects and nominates three lawyers for each case, from which the applicant can choose and contact one.The lawyer's fee must be borne by the applicant. ☐ Legal representation is not required. The Central Authority ensures the application is forwarded to the competent authority for action. Please provide additional information if necessary: ☐ Legal representation is arranged by the Central Authority. Representation is provided by: ☐ Central Authority lawyers ☐ Private lawyers ☐ Public prosecutor ☐ Other (*please specify*): ☐ Other (*please specify*):
8.2 Free or reduced rate legal assistance	
a) Is free or reduced rate legal assistance available to an applicant in return proceedings in your State?	☐ Yes, free legal assistance. Go to question c) ☐ Yes, reduced rate legal assistance. Go to question c) ☒ No, go to question b)
b) If free or reduced rate legal assistance is <u>not</u> available, in what other ways can your State assist an applicant financially?	☐ There is a system of costs ordering the respondent to pay ☐ *Pro bono* legal assistance ☒ Other (*please specify*): For applicants who are not financially able to cover the necessary expenses, the Japan Legal Support Center (JLSC) provides financial assistance by offering loans to help pay for these costs. (Eligibility for this assistance is subject to income limits). ☐ Not at all **Go to section 9**
c) Is the applicant required to complete an application form for free or reduced rate legal assistance?	☐ Yes, please specify how application forms can be obtained (*e.g.*, website) or attach a copy: ☐ No
d) Please indicate on what basis free or reduced rate legal assistance may be available *Please explain where necessary*	☐ Income of the applicant ☐ Assets of the applicant ☐ Country of residence of the applicant ☐ Likelihood of success of the proceedings ☐ Other (*please specify*):
e) Which costs are covered by free or reduced rate legal assistance? *Please explain where necessary*	☐ (1) Mediation ☐ (2) Translation ☐ (3) Interpreters ☐ (4) Service of documents ☐ (5) Costs associated with locating the child ☐ (6) Court fees ☐ (7) Travel costs for the return of the child (see question 11.1 c))

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

	☐ (8) Other (*please specify*):

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

f) Please indicate which costs, if any, are covered by the Central Authority by listing the numbers set out in question e) above?	
g) Is free or reduced rate legal assistance available for the appeal of decisions?	☐ No, go to question i) ☐ Yes, free legal assistance; go to question h) ☐ Yes, reduced rate legal assistance; go to question h) ☐ It depends upon an assessment of the merits of the case and / or the means of the individual concerned (*please specify*): Go to question h)
h) Is a new application for free or reduced rate legal assistance required for appeals?	☐ Yes ☐ No
i) Is free or reduced rate legal assistance available for proceedings needed to enforce a return order?	☐ No, go to question k) ☐ Yes, free legal assistance; go to question j) ☐ Yes, reduced rate legal assistance; go to question j) ☐ It depends upon an assessment of the merits of the case and / or the means of the individual concerned (*please specify*): Go to question j)
j) Is a new application for free or reduced rate legal assistance required for enforcement applications?	☐ Yes ☐ No
k) Is free or reduced rate legal assistance available to an alleged abducting party located in your State?	☐ Yes, free legal assistance ☐ Yes, reduced rate legal assistance Please specify in what circumstances and on what basis legal assistance will be granted: ☐ No
l) Where a child is returned to your State, is free or reduced rate legal assistance available to all parties in the custody proceedings in your State?	☐ Yes, free legal assistance is available to all parties ☐ Yes, reduced rate legal assistance is available to all parties Please specify in what circumstances and on what basis legal assistance will be granted: ☐ Free legal assistance is only available to certain persons (*please specify*): ☐ Reduced rate legal assistance is only available to certain persons (*please specify*): Please specify in what circumstances and on what basis legal assistance will be granted: ☐ No, free and / or reduced rate legal assistance is not available to any party ☐ Other (*please specify*):

9 Rights of custody

9.1 Acquisition and exercise of rights of custody

See Articles 3 and 5

a) Do rights of custody arise by operation of law in your State? *Please specify the relevant legislation and provisions and indicate how the legislation may be accessed,* e.g.*, website, or provide a copy*	☒ Yes, go to question b) ☐ No, go to question c)
b) To whom are rights of custody attributed by operation of law? *See Articles 3 and 5* *Please specify the relevant legislation and provisions and indicate how the legislation may be accessed,* e.g.*, website, or provide a copy*	Please explain: It depends on circumstances of the case and provisions of Civil Code applied. Generally, however, both parents have parental responsibility during their marriage. If the parents divorce by agreement or judicial decision, the parents or the court determine whether both parents or either of the parents should have parental responsibility.
c) By what other methods can a person or institution acquire rights of custody?	☒ Judicial decision ☐ Administrative decision ☒ Agreement having legal effect ☐ Other (*please specify*):
d) How, if at all, can the attribution of rights of custody be modified?	☐ By order of a judicial or administrative authority ☐ By written agreement ☐ It depends upon how the rights of custody were acquired (*please specify*): ☒ Other (*please specify*): By judicial decision or agreement having legal effect.
e) How, if at all, can rights of custody be terminated?	☐ By order of a judicial or administrative authority ☐ By written agreement ☐ It depends upon how the rights of custody were acquired (*please specify*): ☒ Other (*please specify*): By judicial decision or agreement having legal effect.
f) Prior to any order determining the issue, who *generally* has the right to determine the child's residence?	Please explain: A person who exercises parental responsibility shall determine residence of the child.

10 Proceedings for Return

10.1 Organisation of competent authorities

a) Does your State limit the number of judicial or administrative authorities who can hear return applications under the Convention? (*i.e.*, has your State "concentrated jurisdiction" in respect of applications under the Convention)	☒ Yes ☐ No
b) If possible, please state exactly how many courts or administrative authorities and how many judges or relevant decision-makers can hear return applications under the Convention?	Courts / administrative authorities: 2 courts (The case seeking the return of child shall be subject to the jurisdiction of the Tokyo Family Court or the Osaka Family Court depending on the domicile of the child.) Judges / decision-makers: A certain number of judges who belong to the two family courts.

c) Please list the judicial or administrative authorities that can make decisions in return applications under the Convention	The Tokyo Family Court and the Osaka Family Court
d) Are the judges or administrative authorities who decide return applications in your State specialists in either family law or international child abduction? *See also section 22 on Training below*	☒ Yes, specialists in family law ☐ Yes, specialists in international child abduction ☐ No ☐ Other (*please specify*):
e) In ascertaining whether there has been a wrongful removal or retention under the Convention, do judicial or administrative authorities in your State take judicial notice of foreign law and decisions without recourse to the specific procedures for the proof of that law or for the recognition of foreign decisions which would otherwise be applicable in ascertaining whether there has been a wrongful removal or wrongful retention? *See Article 14*	☒ Yes ☐ No ☐ Other (*please specify*):
10.2 Articles 15 and 16 of the Convention	
a) In your State is it possible for a decision or other determination to be made, in accordance with Article 15 of the Convention, that the removal or retention of a child was wrongful within the meaning of Article 3? *See Article 3 and Article 15*	☐ Yes, go to question b) ☒ No, go to question e)
b) Which authorities in your State can issue Article 15 decisions / determinations? *See Article 15*	Please list:
c) Who can apply for an Article 15 decision / determination?	☐ Central Authority ☐ The applicant in the return proceedings ☐ Other (*please specify*):
d) Are Article 15 decisions / determinations of other States accepted by the judicial or administrative authorities in your State?	☒ Yes, *please explain if necessary:* ☐ No
e) Who notifies the relevant judicial or administrative bodies that a decision on the merits of rights of custody should not be made until it has been determined that the child should not be returned? *See Article 16*	☒ Central Authority ☐ The applicant's legal representative ☒ Other (*please specify*): The family court before which the case seeking the return of child is pending.
f) When does notification in accordance with Article 16 take place?	☐ Automatically upon receipt of a return application ☐ Upon request of either party ☒ Other (*please specify*): As soon as the central authority or the court hearing the petition for the return of a child becomes aware that another court is hearing custody issues concerning the same child, it shall make that notification.

10.3 Procedures	
a) How does the Central Authority fulfil its obligation to initiate or facilitate the initiation of proceedings in your State? *See Article 7(2)* f) *See also question 8.1 d)* above	☐ The Central Authority itself initiates the proceedings for return ☐ The Central Authority sends the file to an appropriate lawyer ☐ The Central Authority sends the file to the Public Prosecutor ☒ Other (*please specify*): The Central Authority provides general information about relevant laws and procedures.
b) Who is the formal applicant in return proceedings before the court / administrative authority in your State?	☒ The person, institution or other body which made the application under the Convention ☐ The Central Authority ☐ The Public Prosecutor ☐ Other (*please specify*):
c) Does documentation submitted to the court / administrative authority have to be translated into the official language(s) of your State? *See question 2 a) for the official language(s) of the State*	☒ Yes, please state who is responsible for the organisation and cost of the translation: The parties are responsible for the translation. However, a translation service is available at no charge for documents submitted to the court, through a service commissioned by the Central Authority, subject to budget availability. ☐ No ☐ It depends upon the type of documentation submitted (*please specify*):
d) Have measures been taken to ensure that the judicial and administrative authorities in your State act expeditiously in return proceedings? *See Article 11*	☒ Yes, please explain briefly what the measures are: ☒ In the implementing legislation: Act for Implementation Art 151. ☒ In procedural rules: ☐ Other (*please specify*): Please specify how the legislation or rules can be obtained (*e.g.*, website) or attach a copy: https://www.japaneselawtranslation.go.jp/?re=02. ☐ No
e) Generally, what is the expected time from the commencement of the proceedings for return to a final order (excluding appeals)? *See Article 11*	☐ Up to 6 weeks ☒ 6 to 12 weeks ☐ More than 12 weeks (*please provide further information*):
f) Is the applicant generally required to participate in the return proceedings? *Please note that attendance in person is not required under the Convention (see paragraph 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)*	☐ Yes, please specify in what circumstances: ☒ No, but advisable ☐ No
g) Are facilities available to enable the applicant to participate in return proceedings from outside your State?	☒ Yes: ☐ Video-conference ☐ Telephone ☒ Through a legal representative ☐ Other (*please specify*): ☐ No
h) If the applicant does participate in return proceedings in your State, is simultaneous interpretation available, where necessary?	☒ Yes ☐ No ☐ It depends upon the circumstances of the case (*please specify*):

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

i) Where the facilities set out in question 10.3 g) and h) above are required, who is responsible for the cost of providing such facilities?	☐ The applicant ☐ The requesting Central Authority ☐ The requested Central Authority ☐ The court / administrative authority ☐ It depends upon the facility used (*please specify*): ☒ Other (*please specify*): The court decides whether the applicant or the respondant to the case is responsible for the cost.
j) Can special immigration arrangements (*e.g.,* visas) be made to enable the applicant to attend return proceedings in person if he / she so wishes?	☒ Yes (*please specify*): We do not make "special immigration arrangements," but if the person wishes to enter Japan for the purpose of attending judicial proceedings, entry into and residence in Japan is usually permitted as long as it is necessary. ☐ No
k) Is it possible for a return application to be decided solely on the basis of the papers *i.e.*, with no court (or administrative authority) hearing at all?	☐ Yes ☐ Yes, but it is unlikely ☒ No, there will always be a hearing
l) Can oral evidence (*i.e.*, in-person evidence) be received in return proceedings?	☐ Yes, oral evidence will always be received in return proceedings ☒ Yes, oral evidence can be received in return proceedings but in limited circumstances only (*please specify*): such as if the family court deems it necessary to conduct an examination of such oral evidence. ☐ No, oral evidence can never be received in return proceedings
10.4 Participation of the child	
a) Does the child have an opportunity to be heard in return proceedings in your State?	☐ Yes, in every case; go to question b) ☒ It depends upon the particular case and is always at the discretion of the judge / authority hearing the case. *Please explain if necessary*: Go to question b) ☐ Only where Article 13(2) is relied upon; go to question b) ☐ Other (*please specify*): Go to question b) ☐ No, never. **Go to section 10.5**
b) How is the child heard in return proceedings?	☒ Direct interview with judge ☐ Report prepared for court by independent expert ☒ Child's own legal representative ☒ Other (*please specify*): Report by the Family Court Investigating Officer
c) How does your State ensure that no undue delay results from hearing the child in the course of return proceedings?	*Please explain:*
d) Can judicial or administrative authorities appoint a legal representative (attorney or *guardian ad litem*) to represent the child's best interests in return proceedings?	☒ Yes, please specify under what circumstances: Where the child intends to perform procedural acts, and when the presiding judge finds it necessary, he/she may, upon petition or by his/her own authority, appoint an attorney at law as a counsel. ☐ No

10.5 Protective measures	
a) Where there are concerns about the care being given to a child in your State, which authorities provide services for the assessment and protection of the child? *Please provide additional information if necessary* *On the role of the Central Authority in this respect, see also question 6.2 j) above*	☒ Government social / welfare agency: Child Guidance Center ☐ Non-governmental organisations / agencies: ☐ Central Authority: ☒ Police: If necessary. ☐ Courts: ☐ Other (*please specify*):
b) What measures are available to ensure the protection of a child in your State (both prior to the initiation of return proceedings and whilst return proceedings are ongoing)?	☐ 1. Injunctive orders can be placed on the alleged abducting party prohibiting certain forms of conduct *e.g.*, violence, drinking *etc.* ☒ 2. Placement of the child in foster care ☒ 3. Placement of the child in State care ☒ 4. Supervision of the alleged abducting party's care of the child by a social / welfare agency ☐ 5. Other (*please specify*):
c) Which of the above measures require a court order? Please list the relevant numbers from question 10.5 b) above	All of the measures require a decision made by a director of a child guidance center.
d) Who is responsible for applying for any protective measure requiring a court order? Please list next to the relevant individual or body the number of the measure from question b) above, which they are required to apply for *On the role of the Central Authority in this respect, see also question 6.2 j) above*	☐ The applicant: ☐ The requesting Central Authority: ☐ The requested Central Authority: ☐ The Public Prosecutor: ☐ The judge (*ex officio*): ☒ A government social / welfare agency: ☐ The police: ☐ Other (*please specify*):
10.6 Contact or access during return proceedings	
a) Can judicial or administrative authorities take provisional or interim measures to enable an applicant to exercise contact or access in respect of the child while return proceedings are pending?	☒ Yes ☐ No
10.7 Appeals	
a) Can a decision in return proceedings be appealed?	☒ Yes ☐ Only in certain circumstances (*please specify*): If either of the boxes above are ticked, please specify how many levels of appeal exist and to which court(s) / authority(ies) an appeal may be made: Two levels of appeal. The first level of appeal (immediate appeal) may be filed against a final order made in a family court to either of the Tokyo High Court or the Osaka High Court. The second level of appeal may be filed against a final order made in a high court to the Supreme Court, where the final order contains misconstruction or violation of the Constitution (special appeal) or where the final order involves material matters concerning the construction of laws and regulations, and the high court permits the appeal (appeal with permission). ☐ No, **go to section 11**

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

b) Is there an expedited procedure or special process of appeal for Hague return cases? *Please specify the legislation and / or rules which provide for this and how they can be obtained (*e.g., *website) or attach a copy*	☐ Yes, please specify: ☒ No
c) Who can initiate the appeal process?	☒ Either party to the proceedings ☐ Central Authority ☐ Public Prosecutor ☒ Other (*please specify*): A child may file an immediate appeal against a final order to order his/her return.
d) Is leave to appeal required?	☐ Yes ☐ No ☒ In certain circumstances (*please specify*): Permission by the high court is required to file AN APPEAL WITH PERMISSION.
e) If a return order is made, can it be suspended (*i.e.*, "stayed") pending an appeal?	☒ Yes, a return order is *automatically* suspended pending an appeal ☐ Yes, a return order can be suspended pending an appeal at the request of either party ☒ Yes, a return order can be suspended pending an appeal at the request of either party <u>and</u> after determination by the judge / authority ☐ No
f) Is there a time limit by which an appeal must be filed in return proceedings?	☒ Yes, please specify: The time limit: i) 2 weeks for immediate appeal ii) 5days for special appeal iii) 5days for appeal with permission . From when the time limit starts to run (*e.g.*, from the date of judgment, from the date of the order, from the date the decision was notified to the parties *etc*.): i) Immediate appeal; for a party or an intervening child, it shall commence to run from the time when they are notified of the final order. For a child (excluding an intervening child), it shall commence to run from the time when a party is notified of the final order (when there are two or more dates, the latest date among them). ii) Special appeal; the appeal against a final order made by high court shall be filed within an unextendable period of five days from the day on which a notice of the judicial decision is received. iii) Appeal with permission; same as the special appeal. ☐ No
g) Generally, what is the expected time within which appeals are filed and decided?	☐ Up to 3 months ☐ 3 to 6 months ☐ Longer than 6 months
h) Is the applicant generally required to participate in the appeal proceedings? *Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)*	☐ Yes, please specify in what circumstances: ☐ No, but advisable ☒ No
i) Are facilities available to enable the applicant to attend appeal proceedings from outside your State?	☒ Yes, please specify: ☐ Video-conference ☐ Telephone ☒ Through a legal representative ☐ Other (*please specify*):

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

	☐ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

j) If the applicant does participate in appeal proceedings in your State, is simultaneous interpretation available, where necessary?	☒ Yes ☐ No
k) Where the facilities set out in questions i) and j) above are required, who is responsible for the cost of providing such facilities?	☐ The applicant ☐ The requesting Central Authority ☐ The requested Central Authority ☐ The court / administrative authority ☐ It depends upon the facility used (*please specify*): ☒ Other (*please specify*): The court decides whether the applicant or the respondant to the case is responsible for the cost.
l) Can special immigration arrangements (*e.g.,* visas) be made to enable the applicant to attend appeal proceedings in person if he / she so wishes?	☒ Yes (*please specify*): We do not make "special immigration arrangements," but if the person wishes to enter Japan for the purpose of attending judicial proceedings, entry into and residence in Japan is usually permitted as long as it is necessary. ☐ No

11 Return of the child

11.1 Arrangements for return and the costs of return

a) Who is responsible for making travel arrangements for the return of the child?	☐ The abducting party ☐ The applicant ☒ The abducting party and the applicant ☐ The requesting Central Authority ☐ The requested Central Authority ☐ The judicial or administrative authority will direct who is to make arrangements on a case-by-case basis. Please explain if necessary: ☐ Other (*please specify*):
b) Who is responsible for the travel costs relating to the return of the child?	☐ The abducting party ☐ The applicant ☐ The abducting party and the applicant ☐ The requesting Central Authority ☐ The requested Central Authority ☐ The costs are decided by the judicial or administrative authority on a case-by-case basis. Please explain if necessary: ☒ Other (*please specify*): If the return of the child is ordered by a court, the abducting party is responsible for the travel costs. If the parties agree to return the child, it is decided based on their agreement who is responsible for the travel costs.
c) Is there financial assistance available in your State to assist with travel costs associated with the return of the child? *See also question 8.2 e)*	☐ Yes, please specify: ☒ No
d) Can special immigration arrangements (*e.g.*, visas) be made, where necessary, to enable an applicant to travel to your State to collect a child (following a return order or a voluntary agreement to return the child)?	☒ Yes ☐ No Please explain, if necessary: Central Authority does not make "special immigration arrangements," but if the person wishes to enter Japan for the purpose of visiting

	his/her relatives, entry into Japan is generally permitted under status of residence "Temporary Visitor."

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

e) Can special immigration arrangements (*e.g.*, visas) be made, where necessary, for abducting parties and children returning to your State?	☒ Yes ☐ No Please explain, if necessary: If the abducting parties and children wish to enter Japan, residence in Japan is permitted as long as it is necessary in light of the purpose of the entry, the content of their activities, etc.

11.2 Provisions for safe return

See also: Article 7(2) b)

Part VI: Direct judicial communications

Section 6: Applications through Central Authorities

a) Does the law in your State provide for the protection of children from domestic violence or other forms of abuse?	☒ Yes, please specify how legislation can be accessed (*e.g.*, website) or attach a copy: https://www.mhlw.go.jp/bunya/kodomo/dv26/ (only Japanese is available) ☐ No
b) Does the law in your State provide for the protection of adults from domestic violence or other forms of abuse?	☒ Yes, please specify how legislation can be accessed (*e.g.*, website) or attach a copy: https://www.gender.go.jp/policy/no_violence/e-vaw/law/index.html (Act No. 31 of 2001) ☐ No
c) Which authorities provide services for the protection, if necessary, of the child? *Please provide additional information if necessary*	☒ Government social / welfare agency: Child Guidance Center ☐ Non-governmental organisations: ☐ Central Authority: ☒ Police: ☐ Courts: ☐ Other (*please specify*):
d) What action can the Central Authority in your State take, where necessary, to ensure the safe return of the child? *See Article 7(2)* h)	Please explain: The Japan Central Authority notifies the Central Authority of the requesting State when a decision is made to return the child. It also works with the parents to facilitate cooperation and, if necessary, coordinates with the police, border authorities, airline companies, and other relevant organizations.
Requested State	
e) Where a judge or administrative authority in your State is ordering the return of the child, what can the authority do to create conditions for a safe return? *Please explain where necessary* *Please tick all boxes which apply*	☐ Make a protective order or other order designed to prevent harm occurring to the child ☐ Accept undertakings from either party designed to prevent harm occurring to the child Please specify the subject-matter of, and any limitations on, the undertakings the authority can accept: ☒ Other (*please specify*): See d).
f) Where a judge or administrative authority in your State takes measures to create conditions for a safe return, what can the authority do to ensure compliance with those measures?	*Please specify*:

Requesting State	
g) Can judicial or administrative authorities in your State: i. Recognise and enforce protective orders or other orders made in the requested State designed to prevent harm occurring to the child? ii. Insist upon undertakings given in the requested State being carried out? iii. Make any "mirror orders" necessary as a result of protective measures taken in the requested State?	☒ Yes ☐ No Please explain where necessary: A final and binding judgment rendered by a foreign court shall be effective only where it meets all of the following requirements: (i) The jurisdiction of the foreign court is recognized under laws or regulations or conventions or treaties. (ii) The defeated defendant has received a service (excluding a service by publication or any other service similar thereto) of a summons or order necessary for the commencement of the suit, or has appeared without receiving such service. (iii) The content of the judgment and the court proceedings are not contrary to public policy in Japan. (iv) A mutual guarantee exists. (Article 118 of Code of Civil Procedure) ☐ Yes ☒ No ☐ It depends upon the subject-matter of the undertakings given Please explain where necessary: ☐ Yes ☒ No Please explain where necessary:
11.3 Criminal law and the return of the child	
a) Is the wrongful *removal* of a child by a parent from your State a criminal offence? *See Article 3* *Please specify the relevant legislation and provisions and indicate how the legislation may be accessed,* e.g.*, website, or provide a copy of the legislation*	☐ Yes ☒ It depends upon the circumstances of the case, please specify: Article 224 (Kidnapping of Minors) of Penal Code may apply to a case of wrongful removal of a child. Article 224 stipulates that "A person who kidnaps a minor by force or enticement shall be punished by imprisonment with work for not less than 3 months but not more than 7 years". ☐ No
b) Is the wrongful *retention* of a child by a parent outside your State a criminal offence? *See Article 3* *Please specify the relevant legislation and provisions and indicate how the legislation may be accessed,* e.g.*, website, or provide a copy of the legislation*	☐ Yes ☒ It depends upon the circumstances of the case, please specify: Article 220 (Unlawful Capture and Confinement) along with Article 3 (Exterritorial Jurisdiction when offender is Japanese national) and 3-2 (Exterritorial Jurisdiction when victim is Japanese national) of Penal Code may apply to a case of wrongful retention of a child outside State. Article 220 stipulates that "A person who unlawfully captures or confines another shall be punished by imprisonment with work for not less than 3 months but not more than 7 years". ☐ No **If the answer to both question 11.3 a) and b) is "no", go to section 12**

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

c) What penalties are available for the wrongful removal or wrongful retention of a child by a parent?	☐ (1) Pecuniary measures ☒ (2) Imprisonment ☐ (3) Other (*please specify*):
d) Please indicate which of the penalties listed above are mandatory	N/A
e) Can criminal proceedings in your State proceed without a complaint being presented (*e.g.*, by the applicant to the return proceedings or any other concerned person / body)?	☒ Yes ☒ No, please specify: As for Kidnapping of Minors, the indictment will not be brought without a complaint (Article 229 of Penal Code). On the other hand, the complaint is unnecessary to indict the offender of Unlawful Capture and Confinement.
f) Once initiated, can criminal proceedings in your State be withdrawn or suspended to facilitate the return of a child?	☒ Yes, please specify: Criminal proceedings will NOT be withdrawn or suspended to facilitate the return of a child. However, a complaint may be withdrawn at any time before the institution of indictment by the complainant according to the Code of Criminal Procedure (Paragraph 1 of Article 237). Consequently, once a complaint is withdrawn, no indictment will be brought in case of Kidnapping of Minors. For reference, prosecuting authority may defer to dispose the case until the return of the child. ☒ No, **go to section 12**
g) Who is able to initiate the withdrawal or suspension of criminal proceedings relating to the wrongful removal or wrongful retention of a child?	☒ Prosecuting authority ☐ Police ☒ The person / body / institution alleging a wrongful removal or retention ☐ Judicial or administrative authority ☐ Other (*please specify*):
h) Who will determine whether the criminal proceedings are to be withdrawn or suspended?	☒ Prosecuting authority ☐ Police ☐ The person / body / institution alleging a wrongful removal or retention ☐ Judicial or administrative authority ☐ Other (*please specify*):
i) What assistance can the Central Authority provide regarding the suspension or withdrawal of criminal proceedings?	☐ None ☐ Refer the matter to prosecuting authority ☒ Other (*please specify*): Refer the matter to LBP and/or relevant authority.

12 Enforcement of return orders

For best practice in relation to the enforcement of return orders, see the Guide to Good Practice, Part IV – Enforcement available at < www.hcch.net >under "Child Abduction Section" then "Guides to Good Practice".

a) What procedure may be used to enforce a return order?	☐ Directions by a judicial or administrative authority to make arrangements for return ☐ Measures for the immediate execution of final orders ☐ Issue of a warrant for the apprehension or detention of the child ☐ Authority for coercive detention or use of force ☒ Other (*please specify*): Indirect complusory execution (the method in which the execution court orders the obligor to pay a certain amount of money) and execution by substitute of the return of child

	(the method in which a court execution officer and a "return implementer" carry out the release and return of the child).
b) Who is generally responsible for exercising supervision over the process of enforcement?	☐ The applicant ☐ Central Authority ☐ Public Prosecutor ☒ The court / administrative authority ☐ Police ☐ No one body has general responsibility ☐ Other (*please specify*):
c) Where parties do not voluntarily comply with a return order, is it necessary to commence additional proceedings to enforce the order?	☒ Yes, go to question d) ☐ It depends on the circumstances (*please specify*): Go to question d) ☐ No, **go to Part IV: Applications relating to access**
d) What is the procedure to commence enforcement proceedings?	☐ The Central Authority will apply for enforcement ☒ The applicant must apply for enforcement ☐ Other (*please specify*):
e) Can the merits of the proceedings for return be reviewed in enforcement proceedings?	☐ Yes ☒ No
f) What coercive measures, if any, are available to enforce a return order?	☐ Intervention by government agency (e.g.*, police, social welfare*) ☐ Removal of the child from the abducting party ☐ Removal of the child from the State ☐ Criminal charges ☐ Imprisonment ☐ Pecuniary measures ☐ An order placing the child under supervision ☒ Other (*please specify*): See a).

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

Part IV: Applications relating to access

13 Applications through Central Authorities

13.1 Outgoing applications (requesting State)

a) What assistance is available to applicants in your State in the preparation of outgoing access applications? *See Articles 7 and 21*	☒ Assistance from the Central Authority to apply under Article 21 ☐ Assistance from another authority or body to apply under Article 21 ☐ Referral to a legal representative for assistance to apply under Article 21 ☐ Other (*please specify*):

13.2 Incoming applications (requested State)

a) Has your State developed a specific form for access applications under the Convention?	☒ Yes Please specify how this form can be accessed (*e.g.*, website) or attach a copy: The applicant can obtain form on website of the Central Authority of Japan <https://www.mofa.go.jp/fp/hr_ha/page22e_000249.html> Go to question c) ☐ No, go to question b)
b) If your State does not require a particular form for access applications, what information or documents are requested?	☐ Information concerning the identity of the child: ☐ Name and previous name/s ☐ Date of birth, where available ☐ Address ☐ Telephone number ☐ Nationality / nationalities ☐ Passport number(s) ☐ Physical description (height, eye and hair colour) ☐ Photograph (as recent as possible) ☐ Information identifying the child's parents *e.g.*, nationalities – where a parent is not the applicant or respondent to proceedings (*please specify*): ☐ Other *(please specify*): ☐ Information concerning the identity of the applicant: ☐ Name and previous name/s ☐ Date of birth ☐ Address ☐ Telephone number ☐ Nationality / Nationalities ☐ Passport number(s) ☐ Relationship of the applicant to the child ☐ Name(s) of legal adviser, if any ☐ Other *(please specify*): ☐ Information concerning the identity of the person with whom the child is presumed to be (the proposed respondent to the application): ☐ Name and previous name/s ☐ Date of birth ☐ Address ☐ Telephone number ☐ Nationality / nationalities

	☐ Passport number(s) ☐ Physical description (height, eye and hair colour) ☐ Photograph (as recent as possible) ☐ Relationship of the person to the child ☐ Other (*please specify*): ☐ The grounds upon which the applicant's claim for access to the child is based ☐ Evidence of the applicant's rights of access (whether obtained by operation of law, or otherwise) ☐ An authenticated copy of any relevant decision or agreement ☐ A certificate or an affidavit emanating from the Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State ☐ Other (*please specify*): ☐ All available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be ☐ Any other relevant document / information ☐ Concerning any child protection issues ☐ Marriage certificate (if applicable) ☐ Divorce decree (if applicable) ☐ Civil and / or criminal proceedings in progress (if applicable) ☐ Other (*please specify*):
c) Does your Central Authority accept an application and accompanying documentation transmitted by electronic means?	☒ Yes, please specify any requirements for electronically transmitted applications / documentation: E-mail with up tp 10MB files ☐ Yes, but any documentation sent electronically is not accepted by the court / administrative authority (*please specify*): ☐ No
d) Does the Central Authority require a written authorisation empowering it or a designated representative (e.g., *lawyer*) to act on behalf of the applicant? *See Article 28*	☐ Yes, the authorisation should be provided: ☐ On the application form ☐ In a signed statement or declaration ☐ Other (*please specify*): ☒ No
e) Does the Central Authority acknowledge receipt of the application?	☒ Yes, acknowledgment generally is provided by: ☒ E-mail ☐ Facsimile ☐ Post ☐ Other (*please specify*): ☐ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

f) Can the Central Authority proceed with an application where the information provided is incomplete?	☐ Yes, the Central Authority will begin processing the application and will immediately inform the requesting Central Authority of what additional information is required to complete the request ☒ No: ☐ The Central Authority will not process an application without all of the necessary supporting documentation ☒ The Central Authority is unable to process the application but will immediately inform the requesting Central Authority of what additional information is required before further action can be taken ☐ It depends upon what type of information is missing (*please specify*): ☐ Other (*please explain*):
g) Who does the Central Authority prefer to communicate with in incoming applications?	☒ The requesting Central Authority ☐ The applicant ☐ The applicant's legal representative ☐ All of the above ☐ Other (*please specify*):
h) What measures are taken by the Central Authority (directly, or through an intermediary) to attempt to secure agreement between parties in international access cases? *See Article 21* *See* ***Part V: Mediation and other forms of alternative dispute resolution***	☒ Contact is made with the respondent to the application ☒ Mediation and / or other forms of alternative dispute resolution are offered to the parties (see **Part V: Mediation and other forms of alternative dispute resolution**) ☐ Other (*please specify*):
i) How is it ensured that no undue delay results from the measures taken, or attempted, to secure an agreement between parties in international access cases (see question h) above)?	*Please explain: The Central Authority sends the person who lives toghether with the child/children pertaining to the Hague Convention application a letter stating that the application has been filed and requests the person to contact the Central Authority. Meanwhile, the applicant may be able to file a petition with a family court any time.*
j) What general assistance can be provided by the Central Authority in respect of arrangements for rights of access? *See Article 21*	☒ The Central Authority can facilitate contact with the parties: ☒ Directly through the Central Authority ☐ Through intermediaries ☒ The Central Authority can provide information to the applicant on services available, *e.g.*, mediation, legal services, social welfare services (*please specify*): ☐ Other (*please specify*):
k) Will the Central Authority's assistance depend on: *See paragraph 4.6 of the General Principles and Guide to Good Practice on Transfrontier Contact Concerning Children (available at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice") recommending that Central Authorities should make their services available in* all *cases where cross-frontier contact rights of parents and children are in issue*	☐ Existence of a judicial or administrative order establishing or confirming rights of access ☒ Other (*please specify*): Act for Implementation

l) Can an applicant commence proceedings in your State with respect to access without using the Central Authority channel?	☒ Yes; if so, please explain: Where an applicant can obtain information about commencing proceedings: The applicant can obtain information on website of the Central Authority <https://www.mofa.go.jp/mofaj/gaiko/hague/index.htm>. The applicant may obtain some information from local bar associations or family courts with jurisdiction, in which case, however, only in Japanese. What role, if any, the Central Authority has in these proceedings: The Central Authority cannot assist the applicant other than providing general information if the application to the Central Authority is not filed. ☐ No

14 Locating a child and preventing removal

a) Are the responses to the questions in this section the same as for applications for return (see section 7)?	☒ **Yes, go to section 15** ☐ **No, continue to question b)**
b) What evidence / information does your State require regarding the child's whereabouts to begin to assist with locating the child? *Please explain where necessary*	☐ Evidence that the child entered your State (*e.g.*, evidence that the child boarded an aeroplane bound for your State): ☐ Information from the applicant as to why he / she believes the child is in your State: ☐ No information or evidence is required; searches for the child can begin upon request: ☐ Other (*please explain*):
c) What mechanisms or sources of information are available in your State to discover the whereabouts of a child who is the subject of an access application? *Please indicate in the space provided any associated costs for the applicant or any other necessary information*	☐ (1) Private location services: ☐ (2) Population register: ☐ (3) Employment register: ☐ (4) Information maintained by other government agencies (e.g., *immigration, social welfare*): ☐ (5) Police: ☐ (6) INTERPOL: ☐ (7) Court orders to compel the production of information on the whereabouts of the child: ☐ (8) Other (*please specify*):
d) Please indicate who is responsible for arranging the measures indicated above in question c) by listing the relevant number next to the responsible person or authority *E.g.*, Central Authority: 2, 3 The applicant's representative: 6	Central Authority: The applicant: The applicant's representative: Other (*please specify*):
e) Please indicate by listing numbers which of the measures above in question c) need an order from a competent authority?	

15 Legal representation and assistance

15.1 General

a) Are the responses to the questions in this section the same as for applications for return (see section 8)?	☒ **Yes, go to section 15.2** ☐ **No, continue to question b)**

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

b) Does the Central Authority provide legal advice regarding access applications?	☐ Yes ☐ No ☐ No, however: ☐ The Central Authority will refer the applicant to the appropriate person or authority to obtain legal advice ☐ The Central Authority will provide information that is of a general nature about laws and procedures ☐ Other (*please specify*):
c) Is legal representation needed in access proceedings? *Please explain where necessary*	☐ Yes ☐ No, but advisable ☐ No
d) What is the role of the Central Authority in making arrangements to progress the application? *See Article 7(2)* g)	☐ The applicant is required to make his / her own arrangements for legal representation, but the Central Authority will: ☐ Provide the applicant with a list of lawyers ☐ Provide the applicant with a list of free or reduced rate lawyers ☐ Other (*please specify*): ☐ Legal representation is not required. The Central Authority ensures the application is forwarded to the competent authority for action. Please provide additional information if necessary: ☐ Legal representation is arranged by the Central Authority. Representation is provided by: ☐ Central Authority lawyers ☐ Private lawyers ☐ Public prosecutor ☐ Other (*please specify*): ☐ Other (*please specify*):
15.2 Free or reduced rate legal assistance	
a) Are the responses to the questions in this section the same as for applications for return (see section 8.2)?	☒ **Yes, go to section 16** ☐ **No, go to question b)**
b) Is free or reduced rate legal assistance for access applications available for applicants located in another Contracting State?	☐ Yes, free legal assistance; go to question d) ☐ Yes, reduced rate legal assistance; go to question d) ☐ No; go to question c)
c) If free or reduced rate legal assistance is <u>not</u> available, in what other ways can your State assist an applicant financially?	☐ There is a system of costs ordering the respondent to pay ☐ *Pro bono* legal assistance ☐ Other (*please specify*): ☐ Not at all **Go to section 16**
d) Is the applicant required to complete an application form for free or reduced rate legal assistance?	☐ Yes. Please specify how application forms can be obtained (*e.g.*, website) or attach a copy: ☐ No

e) Please indicate on what basis free or reduced rate legal assistance may be available *Please explain where necessary*	☐ Income of the applicant ☐ Assets of the applicant ☐ Country of residence of the applicant ☐ Likelihood of success of the proceedings ☐ Other (*please specify*):
f) Which costs are covered by free or reduced rate legal assistance? *Please explain where necessary*	☐ (1) Mediation ☐ (2) Translation ☐ (3) Interpreters ☐ (4) Service of documents ☐ (5) Costs associated with locating the child ☐ (6) Court fees ☐ (7) Travel costs for the return of the child (see question 11.1 c)) ☐ (8) Other (*please specify*):
g) Please list the corresponding numbers of the costs, if any, listed in question f) which are covered by the Central Authority?	
h) Is free or reduced rate legal assistance available for the appeal of decisions?	☐ No, go to question j) ☐ Yes, free legal assistance ☐ Yes, reduced rate legal assistance
i) Is a new application for free or reduced rate legal assistance needed for appeals?	☐ Yes ☐ No
j) Is free or reduced rate legal assistance available for proceedings needed to enforce an access order?	☐ No, **go to section 16** ☐ Yes, free legal assistance ☐ Yes, reduced rate legal assistance
k) Is a new application for free or reduced rate legal assistance needed for enforcement applications?	☐ Yes ☐ No

16 Rights of access

16.1 Determining rights of access

a) Which legislation in your State governs the establishment and exercise of rights of access? *See Article 5*	Please specify how legislation can be accessed (*e.g.*, website) or attach a copy: Civil Code
b) Which judicial and / or administrative authorities can make decisions with respect to rights of access?	Court
c) In your State, who may seek rights of access in respect of a child?	☒ Parent ☐ Step-parent ☒ Grandparent ☒ Other family member (*please specify*): Siblings, and other relatives who previously cared for the child ☒ Other (*please specify*): Grandparents, siblings, and other relatives who previously cared for the child may file a petition with the family court to seek contact with the child, provided that there is no other suitable method to determine contact between the relative and the child. The family court may determine contact between the relatives and the child when deemed of particular necessity and in the best interests of the child.

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

d) Are the best interests of the child a primary consideration in access proceedings? *See Articles 3 and 9 of the United Nations Convention on the Rights of the Child* *Please explain, if necessary*	☒ Yes ☐ No, please specify what are the primary considerations:
16.2 Exercising rights of access	
a) Where necessary, what guarantees and safeguards do your courts or administrative authorities have to enable them to secure rights of access for children and applicants?	☐ Surrender of passport or travel documents ☐ Applicant to regularly report to police or other authority ☐ Deposit of a monetary bond or surety ☒ Supervised contact ☒ Placing restrictions on how contact is exercised ☐ Signing an affidavit or religious oath ☐ Provision of a detailed itinerary with contact details ☐ Requesting foreign consulates / embassies should not issues new passports / travel documents for the child ☐ Other:
16.3 Supervised access	
a) Do facilities exist in your State for the exercise of rights of access in a supervised environment?	☒ Yes, please explain if necessary: If the parties agree, they may seek assistance for supervised access including "Online Mimamori Contact" (Monitored Online Contact Assisted by the Experts) from the visitaiton supporting institutions commissioned by the Ministry of Foreign Affairs. ☐ No, **go to section 17**
b) Under what circumstances is access supervised?	☒ Where it is agreed between the parties ☐ Where it is requested by one party ☐ As a result of a decision by a social welfare agency ☒ By order of a judicial or administrative authority ☐ Other (*please specify*):
c) Which authorities provide supervised access?	☐ Government social / welfare agency: ☒ Non-government organisations: ☐ Central Authority: ☐ Police: ☐ Courts: ☐ Other (*please specify*):
d) Who will pay the costs associated with exercising supervised access?	☒ The applicant ☒ The person(s) with day to day care of the child ☒ The Central Authority ☒ It depends upon the order of the judicial or administrative authority ☒ Other (*please specify*): Note: If the parties choose to use the visitation support institutions commissioned by the Ministry of Foreign Affaires(The Central Authority), the parties can receive financial support from the Ministry under certain conditions.

17 Proceedings for access / contact

17.1 Organisation of competent authorities

a) Does your State limit the judicial or administrative authorities who can hear access applications under the Convention? (*i.e.*, has your State "concentrated jurisdiction" in respect of access applications under the Convention?)	☐ Yes ☒ No
b) If possible, please state exactly how many courts or administrative authorities and how many judges or relevant decision-makers can hear access applications under the Convention?	Courts / administrative authorities: If a person who has received a decision for assistance in child's return to foreign state or a decision for assistance in access with a child in Japan or a person who has filed the petition for return of child files a petition for access with child, the access petition shall be subject to the jurisdiction of the Tokyo Family Court or the Osaka Family Court depending on the domicile of the child, in addition to the family court which has jurisdiction over domicile of the child. Judges / decision-makers: A certain number of judges who belong to the above family courts.
c) Which courts or administrative authorities can make decisions in applications relating to access under the Convention?	See b).
d) Are the judges or administrative authorities who decide access applications in your State specialists in family law? *See also section 22 on Training below*	☒ Yes ☐ No ☐ Other (*please specify*):

17.2 Procedures

a) Is a special procedure applied by judicial or administrative authorities to access applications made under Article 21 of the Convention? *Please explain where necessary*	☐ Yes: ☒ No:
b) Does documentation submitted to the court / administrative authority have to be translated into the official language(s) of your State? *See question 2 a) for the official language(s) of the State*	☒ Yes, please state who is responsible for the organisation and cost of the translation: The parties are responsible for the translation. However, a translation service is available at no charge for documents submitted to the court, through a service commissioned by the Central Authority, subject to budget availability. ☐ No ☐ It depends upon the type of documentation submitted (*please specify*):
c) Generally, how long are proceedings relating to access from commencement to final order (excluding appeals)?	☐ Up to 6 weeks ☐ 6 to 12 weeks ☐ 3 to 6 months ☐ Longer than 6 months
d) Is the applicant generally required to participate in proceedings relating to access? *Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)*	☐ Yes, please specify in what circumstances: ☒ No, but advisable ☐ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

e) Are facilities available to enable an applicant to participate in access proceedings from outside your State?	☒ Yes, please specify: ☐ Video-conference ☐ Telephone ☒ Through a legal representative ☐ Other (*please specify*): ☐ No
f) If the applicant does participate in access proceedings in your State, is simultaneous interpretation available, where necessary?	☒ Yes ☐ No
g) Where the facilities set out in questions e) and f) above are required, who is responsible for the cost of providing such facilities?	☐ The applicant ☐ The requesting Central Authority ☐ The requested Central Authority ☐ The court / administrative authority ☐ It depends upon the facility used (*please specify*): ☒ Other (*please specify*): The court decides whether the applicant or the respondant to the case is responsible for the cost.
h) Can special immigration arrangements (*e.g.,* visas) be made to enable the applicant to attend access proceedings in person if he / she so wishes?	☒ Yes (*please specify*): We do not make "special immigration arrangements," but if the person wishes to enter Japan for the purpose of attending access proceedings, entry into Japan is generally permitted under status of residence "Temporary Visitor." ☐ No
17.3 Participation of the child	
a) Are the responses to the questions in this section the same as for applications for return (see section 10.4)?	☒ **Yes, go to section 17.4** ☐ **No, continue to question b)**
b) Does the child have an opportunity to be heard in access proceedings under the Convention in your State?	☐ Yes, always; go to question c) ☐ It depends upon the particular case and is always at the discretion of the judge / authority hearing the case. *Please explain if necessary:* Go to question c) ☐ Other (*please specify*): Go to question c) ☐ No, never; **go to section 17.4**
c) How can the child be heard in access proceedings?	☐ Direct interview with judge ☐ Report prepared for court by independent expert ☐ Child's own legal representative ☐ Other (*please specify*):
d) How does your State ensure that no undue delay results from hearing the child in the course of access proceedings?	Please explain:
e) Can judicial or administrative authorities appoint a legal representative (attorney or *guardian ad litem*) to represent the child's best interests?	☐ Yes, please specify under what circumstances: ☐ No

17.4 Appeals	
a) Can a decision in applications relating to access be appealed?	☒ Yes ☐ Only in certain circumstances (*please specify*): If either of the boxes above are ticked, please specify how many levels of appeal exist and to which courts / authorities an appeal may be made: Two levels of appeal. The first level of appeal (immediate appeal) may be filed to a high court. The second level of appeal (special appeal or appeal with permission) may be filed to the Supreme Court. ☐ No, **go to section 18**
b) Is there an expedited procedure or special process of appeal for Hague access cases? *Please specify the legislation and / or rules which provide for this and how they can be obtained (*e.g., *website) or attach a copy*	☐ Yes, please specify: ☒ No
c) Who can initiate the appeal process?	☒ Either party to the proceedings ☐ Central Authority ☐ Public Prosecutor ☐ Other (*please specify*):
d) Is leave to appeal required?	☐ Yes ☐ No ☒ In certain circumstances (*please specify*): Permission by the high court is required to file AN APPEAL WITH PERMISSION.
e) If an access order is made, can it be suspended (*i.e.*, "stayed") pending an appeal?	☒ Yes, an access order is *automatically* suspended pending an appeal ☐ Yes, an access order can be suspended pending an appeal at the request of either party ☒ Yes, an access order can be suspended pending an appeal at the request of either party and after determination by the relevant judge / authority ☐ No
f) Is there a time limit by which an appeal must be filed in access proceedings?	☒ Yes, please specify: The time limit: i) 2 weeks for immediate appeal ii) 5days for special appeal iii) 5days for appeal with permission From when the time limit starts to run (*e.g.*, from the date of judgment, from the date of the order, from the date the decision is notified to the parties *etc.*): i) Immediate appeal; for the parents of the child and the person having custody of the child, it shall commence to run from the time when they are notified of the final order. ii) Special appeal; the appeal against a final order made by high court shall be filed within an unextendable period of five days from the day on which a notice of the judicial decision is received. iii) Appeal with permission; same as the special appeal ☐ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

g) Generally, what is the expected time within which appeals are filed and decided?	☐ Up to 3 months ☐ 3 to 6 months ☐ Longer than 6 months
h) Is the applicant generally required to participate in appeal proceedings? *Please note that attendance in person is not required under the Convention (see paragraph 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)*	☐ Yes, please specify in what circumstances: ☒ No

i) Is the applicant able to participate in proceedings without being physically present?	☒ Yes, please specify: ☐ Video-conference ☐ Telephone ☒ Through a legal representative ☐ Other (please specify): ☐ No
j) If the applicant does participate in appeal proceedings in your State, is simultaneous interpretation available, where necessary?	☒ Yes ☐ No
k) Where the facilities set out in questions i) and j) above are required, who is responsible for the cost of providing such facilities?	☐ The applicant ☐ The requesting Central Authority ☐ The requested Central Authority ☐ The court / administrative authority ☐ It depends upon the facility used (*please specify*): ☒ Other (*please specify*): The court decides whether the applicant or the respondant to the case is responsible for the cost.
l) Can special immigration arrangements (*e.g.,* visas) be made to enable the applicant to attend appeal proceedings in person if he / she so wishes?	☒ Yes, please specify: We do not make "special immigration arrangements," but if the person wishes to enter Japan for the purpose of attending judical proceedings, entry into and residence in Japan is usually permitted as long as it is necessary. ☐ No

18 Enforcement of rights of access

a) Can an **order** relating to rights of access made in another State be registered for enforcement or be declared enforceable in your State?	☐ Yes, all orders made in another State are recognised and are enforceable. Please explain or specify how relevant legislation can be accessed (*e.g.*, website) or attach a copy: ☐ Yes, if there is an international agreement in place with the foreign State. Please specify: ☐ Brussels II a (Council Regulation (EC) 2201/2003 of 27 November 2003) ☐ 1996 Hague Child Protection Convention ☐ Other (*please specify*): ☒ Yes, subject to conditions. Please explain or specify how relevant legislation can be accessed (*e.g.*, website) or attach a copy: Article 24 of Civil Execution Act stipulates over Execution Judgment for a Judgment of a Foreign Court, which is accessible on the website below. https://www.japaneselawtranslation.go.jp/ja/laws/view/70#je_ch2sc1at3 ☐ No, however the party can seek to have "mirror orders" made by the judicial or administrative authorities ☐ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

b) Can an **agreement** relating to rights of access made in another State be registered for enforcement or be declared enforceable in your State?	☐ Yes, if there is an international agreement in place with the foreign State. Please specify: ☐ Brussels II a (Council Regulation (EC) 2201/2003 of 27 November 2003) ☐ Other (*please specify*): ☒ Yes, subject to conditions. Please explain: An execution judgment for a judgment of a foreign court shall be made when it is proved that the judgment of a foreign court has become final and binding and such judgment satisfies the requirements listed in the items of Article 118 of Code of Civil Procedure. ☐ No, however the party can seek to have "mirror orders" made by the judicial or administrative authorities ☐ No
c) Can a party seek to have orders made in your State in respect of a decision from another State on rights of access?	☒ Yes, the party must apply to the judicial or administrative authorities ☐ Yes, the Central Authority will apply to the judicial or administrative authorities on behalf of the party ☐ No
d) What is the procedure for the applicant to commence enforcement proceedings?	☐ The Central Authority can apply for enforcement on behalf of the applicant ☒ The applicant must seek enforcement ☐ Other (*please specify*):
e) What coercive measures, if any, are available to enforce an order relating to access and contact?	☐ Intervention by government agency (e.g., *police, social welfare, etc.*) ☐ Removal of the child from the custodial person(s) ☐ Criminal charges ☐ Imprisonment ☐ Pecuniary measures ☐ An order placing the child under supervision ☒ Other (*please specify*): Indirect compulsory execution.
f) Does the application of coercive measures require a separate order from judicial or administrative authorities?	☒ Yes. If so, who must apply for the order: ☒ The applicant ☐ Public Prosecutor ☐ Police ☐ Other (*please specify*): ☐ No

Part V: Mediation and other forms of alternative dispute resolution

19 Mediation

For best practice in relation to mediation in the context of the 1980 Hague Child Abduction Convention see the forthcoming Guide to Good Practice on Mediation under the 1980 Hague Child Abduction Convention. When published, the Guide will be available to download at < www.hcch.net >under "Child Abduction Section" then "Guides to Good Practice".

19.1 Mediation services

a) What family matters can be dealt with by mediation in your State?	☒ Return / non-return of a child following an alleged wrongful removal / retention ☒ Custody ☒ Access / contact ☒ Relocation ☒ Child support ☒ Property disputes on relationship breakdown ☐ Other (*please specify*):
b) What mediation services / structures exist in your State where an incoming application has been received for the return of a child? *See Articles 7(2)* c) *and 10*	☒ Private mediation services / structures (*please specify*): ☒ Mediation services / structures within the judicial or administrative system (*please explain*): The conciliation of domestic relations conciliated by the conciliation committee including a judge within the court. The answers of 19.2 a), b) 19.4 c), d), e), f), g), h), i) are related to the conciliation of domestic relations only. ☒ Mediation services / structures provided by NGOs (*please specify the NGO and give brief details of the service they provide)*: ☐ Other (*please explain*): ☐ There are no mediation services / structures available
c) What mediation services / structures exist in your State where an incoming application has been received for access / contact with a child? *See Article 21*	☒ Private mediation services / structures (*please specify*): ☒ Mediation services / structures within the judicial or administrative system (*please explain*): The conciliation of domestic relations conciliated by the conciliation committee including a judge within the court. The answers of 19.2 a), b) 19.4 c), d), e), f), g), h), i) are related to the conciliation of domestic relations only. ☒ Mediation services / structures provided by NGOs (*please specify the NGO and give brief details of the service they provide)*: ☐ Other (*please explain*): ☐ There are no mediation services / structures available **If you answered that there are no mediation services / structures available in your State in response to both questions b) and c) above, go to section 20**
d) Is co-mediation (*i.e.* mediation involving two mediators – one from each State) available in your State for the mediation of international	☐ Yes (*please provide brief details of any available scheme* e.g.*, bi-national mediation programmes*): ☒ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

family disputes which are within the scope of the Convention?	

19.2 Legislation and / or rules on mediation

a) Is mediation in family matters regulated in your State?

Please tick all boxes which apply

EU Member States, excluding Denmark, should note that Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters will apply from May 2011. EU Member States, excluding Denmark, should reference the laws, regulations and administrative provisions brought into force to comply with this Directive if known at the time of completion of this Country Profile

- ☐ Yes, there is general legislation relating to mediation which also applies to mediation in family matters. Please specify how the legislation can be accessed (*e.g.*, website) or attach a copy:
- ☒ Yes, there is specific legislation relating to mediation in family matters. Please specify how the legislation can be accessed (*e.g.*, website) or attach a copy: Mediation within the judicial system (the conciliation of domestic relations) is regulated by a special Act which has not yet been translated into English and Rules of the Supreme Court No.9 of 2012.
- ☐ Yes, there is specific legislation relating to mediation in international family matters within the scope of the Convention. Please specify how the legislation can be accessed (e.g., website) or attach a copy:
- ☐ Yes, mediation in family matters is regulated in another way (*please specify*):
- ☐ No, **go to section 19.3**

b) Please indicate which matters are regulated by the legislation / rules in relation to mediation in your State

Please explain where necessary

- ☒ Formal accreditation of mediators
- ☒ Necessary qualifications / experience of mediators
- ☒ Process of mediation
- ☒ Confidentiality of mediation :Materials used in mediation within the judicial system (the conciliation of domestic relations) may be used in proceedings of a case seeking the return of child or of an adjudication case of visitation or contacts.
- ☒ Status and enforceability of mediated agreements
- ☒ Taking into consideration the child's views in the mediation of disputes relating to him / her
- ☒ Availability of mediation in disputes involving allegations of domestic violence or other forms of abuse
- ☒ Other (*please explain*): Above are regulated for mediation within the judicial system (the conciliation of domestic relations).

19.3 Access to mediation

a) How can individuals obtain information identifying suitable mediators in your State?

- ☒ Lists of mediators are available:
  - ☒ Through the Central Authority (*see also question 19.3 b) below*)
  - ☐ Via accrediting bodies (*please provide details*):
  - ☒ Through other sources (*please specify*): There are NGOs and associations of the mediators that could provide the list of mediators
- ☐ Other methods of accessing information are available (*please specify*):
- ☐ No general information is available. Individuals must carry out research themselves

b) What role, if any, does the Central Authority play in facilitating mediation where an incoming application has been received for the return of a child?

See Articles 7(2) c) *and 10*

Please explain where necessary

- ☒ Provides information about mediation to the parties
- ☒ Refers parties to accredited professionals to undertake mediation
- ☐ Seeks orders from judicial or administrative authorities for mediation between the parties
- ☐ Other (*please explain*)

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

c) What role, if any, does the Central Authority play in facilitating mediation where an incoming application has been received for access / contact with a child? *See Article 21* *Please explain where necessary*	☒ Provides information about mediation to the parties ☒ Refers parties to accredited professionals to undertake mediation ☐ Seeks orders from judicial or administrative authorities for mediation between the parties ☐ Other (*please explain*)
d) How are the costs of mediation met in disputes where an incoming application has been received for the return of a child? *Please explain if necessary*	☐ If an individual qualifies for free or reduced rate legal assistance, this will *always* include the cost of mediation (see question 8.2 e) above) ☐ If an individual qualifies for free or reduced rate legal assistance, this *may* cover the cost of mediation (see question 8.2 e) above) (*please specify*) ☒ The Central Authority will meet the costs associated with mediation : As for private mediation or mediation by NGOs, if the parties choose the mediation institutions that the Ministry of Foreign Affaires commissions, the parties can receive financial support from ministry under certain conditions. ☐ Other sources of funding are available (*please specify*) ☐ The costs of mediation must be borne by the parties ☒ Other (*please explain*) : As for mediation within the judicial system (the conciliation of domestic relations), the parties bear the costs which are stipulated by law (e.g. they do not share daily allowance of conciliators).
e) How are the costs of mediation met where an incoming application has been received for access / contact with a child? *Please explain if necessary*	☐ If an individual qualifies for free or reduced rate legal assistance, this will *always* include the cost of mediation (see question 15.2 f) above) ☐ If an individual qualifies for free or reduced rate legal assistance, this *may* cover the cost of mediation (see question 15.2 f) above) (*please specify*) ☒ The Central Authority will meet the costs associated with mediation : As for private mediation or mediation by NGOs, if the parties choose the mediation institutions that the Ministry of Foreign Affaires commissions, the parties can receive financial support from ministry under certain conditions. ☐ Other sources of funding are available (*please specify*) ☐ The costs of mediation must be borne by the parties ☒ Other (*please explain*) : As for mediation within the judicial system (the conciliation of domestic relations), the parties bear the costs which are stipulated by law (e.g. they do not share daily allowance of conciliators).
19.4 The mediation process	
a) At what stage of a **return** application is mediation available?	☒ At all stages, including prior to any application and as a preventive measure where necessary (*provide an explanation if necessary*) ☐ Only **before** an application has been made to the relevant Central Authority ☐ Only **after** an application has been made to the relevant Central Authority ☐ Only **before** an application has been filed in the relevant court or administrative authority

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

	☐ Only **after** an application has been filed in the relevant court or administrative authority ☐ Other (*please explain*)

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

b) At what stage of an **access / contact** application is mediation available?	☒ At all stages, including prior to any application and as a preventive measure where necessary (*provide an explanation if necessary*) ☐ Only **before** an application has been made to the relevant Central Authority ☐ Only **after** an application has been made to the relevant Central Authority ☐ Only **before** an application has been filed in the relevant court or administrative authority ☐ Only **after** an application has been filed in the relevant court or administrative authority ☐ Other (*please explain*)
c) Are cases assessed to determine their suitability for mediation?	☒ Yes, always; go to question d) ☐ No, never; go to question e) ☒ Other (*please explain*) When the court refers a case seeking the return of child to mediation within the judicial system (the conciliation of domestic relations), the consent of the parties is required.; go to question d) or e) as appropriate
d) Who carries out the assessment of cases to determine whether they are suitable for mediation?	☐ Mediator(s) ☒ Other (*please explain*) The judge carries out the assessment of the case to determine whether it is suitable to refer the case to mediation within the judicial system (the conciliation of domestic relations).
e) Where legal proceedings have commenced, can such proceedings be suspended while mediation is undertaken?	☒ Yes, provide additional information if necessary: Under certain circumstances, the court may suspend court proceedings, domestic-relations adjudication proceedings or proceedings for return of child under Act for Implementation while mediation within the judicial system (the conciliation of domestic relations) is undertaken. ☐ No
f) How, if at all, are the views of the subject child(ren) taken into account in mediation in your State? *See also question 19.2 b) above*	☐ Rules / legislation require that, if the child is of a sufficient age / maturity, the child must be seen by the mediator (*see also question 19.2 b) above*) ☐ Rules / legislation require that, if the child is of a sufficient age / maturity, the views of the child must be communicated to the mediator but this need not be directly (*see also question 19.2 b) above*). Please explain the method(s) used ☐ It is within the discretion of the particular mediator ☐ The child's views play no part in the mediation ☒ Other (*please explain*) Depending on the case, the mediator may ask the views of the children directly or through report from Family Court Probation Officer or child's representative.
g) What safeguards are available in your State where allegations of domestic violence and / or other forms of abuse are made in a dispute which goes to mediation?	☒ (1) Address and other contact details of the alleged victim are kept confidential ☐ (2) Other safeguards (*please specify*)
h) Please specify which, if any, of the safeguards set out in question 19.4 g) above are required by rules / legislation in your State and which safeguards are left to the discretion of the mediator? *See also question 19.2 b) above*	Required by legislation / rules of State: As for mediation within the judicial system (the conciliation of domestic relations), permission of the court is required for the party to inspect or copy the record of the case. The court may grant permission when it finds it appropriate. Left to the discretion of the mediator:

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

i) Can judicial or administrative authorities take provisional or interim measures to enable an applicant to exercise contact or access in respect of a child while mediation is ongoing?	☒ Yes ☐ No
19.5 The enforceability of mediated agreements	
a) Are there legal restrictions on the content of mediated agreements regarding family law matters in your State?	☒ Yes, please specify: ☐ No
b) Which additional formalities, if any, are required in your State to make mediated agreements in a family dispute involving children enforceable?	☐ (1) Notarisation of the mediated agreement ☐ (2) Court approval of the mediated agreement Please specify competent court: ☐ (3) Registration of the mediated agreement with the court. Please specify competent court: ☒ (4) Other (*please specify*) As for mediation within the judicial system (the conciliation of domestic relations), the conciliation of domestic relations which was concluded between the parties is enforceable without any additional formalities being required. As for private mediation or mediation by NGOs, the mediated agreement is NOT immediately enforceable. In order to obtain an enforceable agreement, the parties need to conclude conciliation of domestic relations based on the mediated agreement. ☐ (5) No additional formalities are required. Mediated agreements in family disputes involving children are immediately enforceable *without* any additional formalities being required **If you ticked one or both of options (2) or (3) above, please go to question 19.5 c). If not, please proceed to question 19.5 d)**
c) Is the mediated agreement, once approved by or registered with a court, treated as an order of that court? *Please explain where necessary*	☐ Yes, Go to question 19.5 e) ☐ No, Go to question 19.5 d)
d) Is it possible to turn a mediated agreement into a court order?	☐ Yes, please briefly explain what steps are required and which court would be competent: ☒ No
e) Who bears the cost of rendering the mediated agreement enforceable? Please list the number from question 19.5 b) next to the relevant answer	The parties must pay: The cost is covered by any free or reduced rate legal assistance provided to one / both parties: Central Authority: There are no costs:
19.6 Agreements mediated in another State	
a) Can an agreement mediated in another State in a family dispute involving children be approved by a court or otherwise formalised in your State in the same manner as an agreement mediated in your State (see question 19.5 b) above)?	☐ Yes ☐ No, a different method for formalising the agreement must be used. Please specify: ☒ No, it is not possible to formalise an agreement mediated in another State ☐ Other (*please specify*):

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

20 Other forms of alternative dispute resolution ("ADR")	
a) What other forms of ADR are available in your State for the resolution of international family disputes falling within the scope of the Convention? *See Articles 7(2)* c) *and 10*	☒ (1) In-court conciliation ☐ (2) Out-of-court conciliation ☐ (3) Collaborative law ☐ (4) Early Neutral Evaluation ☐ (5) Other (*please specify*): ☐ (6) No other forms of ADR are available, **go to Part VI: Direct judicial communications**
b) What services / structures exist in respect of the other forms of ADR available in your State? Please list the relevant number(s) from question 20 a) above next to the service / structure which is available in respect of that method of ADR	Private ADR services / structures (*please specify*): ADR services / structures within the judicial or administrative system (*please explain*): ADR services / structures provided by NGOs (*please specify the NGO and give brief details of the service they provide)*: Other (*please explain*):
c) In relation to: • legislation on ADR • access to ADR • the ADR process • the enforceability of agreements reached as a result of ADR; and • the enforceability of agreements reached as a result of ADR in another State are the responses the same as for the section on mediation above – see sections 19.2 to 19.6?	☐ Yes, **go to Part VI: Direct judicial communications** ☐ Some of the responses are the same, go to question d) ☐ No, go to question d)
d) Please briefly specify in what way the answers to the questions in sections 19.2 to 19.6 above are different in relation to other forms of ADR in your State	

Part VI: Direct judicial communications

21 Direct judicial communications	
a) Has a member of the International Hague Network of Judges been designated for your State? For more information, go to < www.hcch.net > under "Child Abduction Section" then "Judicial Communications"	☒ Yes Name/s: Judge KITAJIMA Noriko, Judge ENDOU Keiichirou *Please do not list the contact details of the judge(s) here. Instead, please ensure that the name, position, court and contact details have been provided to the Permanent Bureau* ☐ No
b) Is there a legislative basis upon which judges in your State can engage in direct judicial communications?	☐ Yes, please specify how the legislation can be accessed (*e.g.*, website) or attach a copy: **Go to Part VII: Other information** ☒ No, go to question c)
c) In the absence of legislation, can judges in your State engage in direct judicial communications?	☐ Yes ☒ No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*

Part VII: Other information

22 Training	
a) What measures are being taken to ensure that persons responsible for implementing the Convention (e.g., *judges, lawyers and Central Authority personnel*) have received appropriate information and training? *Please contact the Permanent Bureau for information in relation to forms of assistance which may be available for this purpose*	☒ Training as required for Central Authority staff ☒ Training as required for responsible authorities ☒ Updates as required on legal developments related to the Convention provided to staff responsible for its implementation ☒ Training as required for lawyers ☒ Training as required for law enforcement ☐ Other (*please specify*): Specifically in respect of judges: ☒ Sending a basic package of information on the 1980 Convention to judges ☐ Training through a dedicated judicial studies board ☐ Participation in judicial training seminars ☐ Participation in the International Hague Network of Judges ☒ Accessing *The Judges' Newsletter on International Child Protection* (available at < www.hcch.net > under "Child Abduction Section" then "Judges' Newsletter on International Child Protection") ☐ Other (*please specify*):
b) Is your Central Authority willing to participate in a "twinning arrangement" with another Central Authority? *A "twinning arrangement" is where two Central Authorities engage in discussions and / or visits to exchange information with the view to improving operations in both Central Authorities*	☒ Yes ☐ No

23 Other implementing measures	
a) Does your State use iChild? For more information, go to < www.hcch.net under "Child Abduction Section" then "iChild"	☐ Yes ☒ No
b) Does your State use another electronic case management system other than iChild?	☐ Yes, please specify: ☒ No
c) Does your State use INCASTAT? For more information, go to < www.hcch.net > under "Child Abduction Section" then "INCASTAT"	☒ Yes ☐ No
d) Does your State use INCADAT? For more information, go to < www.incadat.com >	☒ Yes ☐ No

e) Are statistics related to applications under the Convention in your State publicly available?	☒ Yes, please specify how the statistics can be accessed *(*e.g.*, website, annual report):* We start gathering such statistics from April 1, 2014. ☐ No

24 Other services

a) What general services / resources are available in your State to assist those involved in international child abduction cases? *Please indicate, where available, contact details, websites and costs for such services*	☐ International Social Service (ISS) (*please provide contact information*): ☐ Specific NGOs dealing with child abduction: ☐ Financial assistance: ☐ Social / welfare assistance: ☐ Immigration services: ☒ Other (*please specify*): Website of the Central Authority.

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g.*, website, or provide a copy of the legislation.*