

In July 2008 a proposition was made on the “Act on Payment of Relief Benefit for Victims, etc. of Crimes Committed by Aum Shinrikyo” in which the content concerned the State paying benefits to victims and bereaved families of crimes committed by Aum Shinrikyo, such as the Sarin gas attack in the Tokyo subway, that then was submitted to the 169th ordinary Diet session for legislation by House members. It was adopted and unanimously approved by the House of Representatives and House of Councilors and came into effect in December 18<sup>th</sup> 2008.

The outline of the Act is as follows:

## I Outline

### 1 Purpose

This act concerns:

- Acts of indiscriminate large-scale murder such as the Sarin gas attack in the Tokyo subway are evil and serious acts of terrorism with the disaster caused to the general public being unprecedented.
- The situation that anyone confronted by the process of Aum Shinrikyo forming the capacity to carry out terrorist acts and with their families having been killed or hurt because they retarded development of the sect has resulted in the State paying benefits to those victims in clarifying the State’s attitude to fight terrorism by attempting to aid the victims.

### 2 Benefits for victims, etc. of crimes committed by Aum Shinrikyo

The State pays benefits to the following victims suffering from objective criminal acts committed by Aum Shinrikyo (following list) (clause 1 of Chapter 2 and clause 2 of Chapter 3 of the Act)

- Bereaved families of the deceased
- Persons with remaining handicaps (in case they died because of any other reason than the criminal act, their bereaved families)
- Persons with bearing injury or sickness (idem)

(Objective criminal acts)

- Evil and serious terrorism used to undermine the government of the State etc
  - Matsumoto Sarin gas attack (occurred during June 27<sup>th</sup> to 28<sup>th</sup> 1994)
  - Sarin gas attack in the Tokyo subway (occurred on March 20<sup>th</sup> 1995)
- Acts that persons who confronted the process of Aum Shinrikyo forming the capacity to carry out terrorist acts and thus sacrificed themselves
  - Murder of a attorney and his wife and child (occurred on November 4th 1989)
  - Attempted murder of a attorney with Sarin gas (occurred on May 9th 1994)
  - Attempted murder using VX (occurred on December 2nd 1994)
  - Murder using VX (occurred on December 12th 1994)
  - Attempted murder using VX (occurred on January 4th 1995)
  - Affair of being confined to a house and death of a notary public office head (Occurred during February 28th to March 1st 1995)

### 3 Amount of benefits

The following amounts will be paid according to the type of damage suffered (Clause 1 of Article 5 of the Act)

①	Death	20,000,000 yen
②	Disability: (refer to note)	
	A :Any disability resulting in care being needed (Disability Grade 1 and 2 with a need for always or occasional nursing care)	30,000,000 yen
	B :Severe disabilities (Grade 1 to 3, except for cases applicable to A)	20,000,000 yen
	C :Other disabilities (Grade 4 to 14)	5,000,000 yen
③	Injury and illness (except for mortality or resulting in disability)	
	A: Serious injury or illness (injury or illness requiring care at a hospital for more than 1 month)	1,000,000 yen
	B: Injury and illness except if very serious (injury or illness requiring care at a hospital for more than 1 day but less than 1 month)	100,000 yen

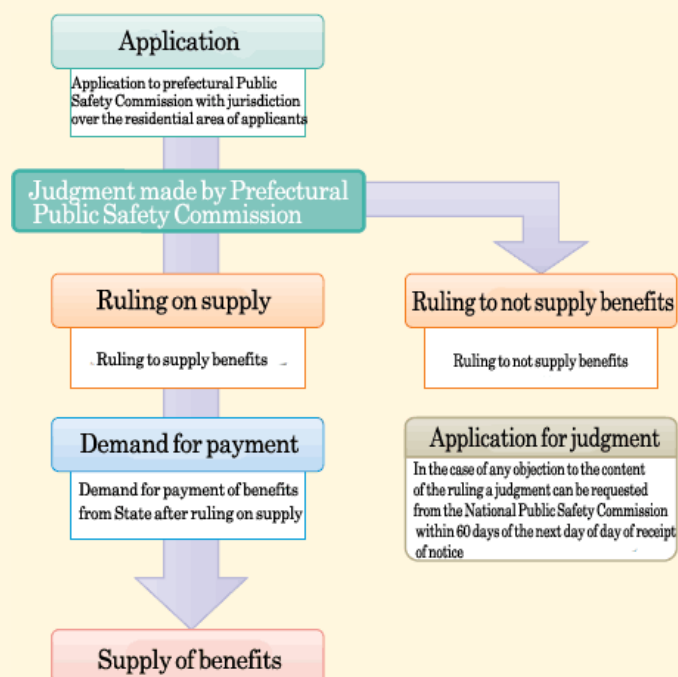
(Note) The disability grades have been defined in another table of rules used to enact the Act supplying benefits to aid victims of crimes committed by Aum Shinrikyo (Rule number 20 of the National Public Safety Commission 2008)

### 4 Applying for benefits

Anyone wishing to receive a benefit must apply to the Prefectural Public Safety Commission with jurisdiction in their residential area and the Commission in question will then follow the applicable ruling (Clause 1 of Article 6 of the Act). The head offices of the prefectural police and police station will also receive applications.

After a ruling by the Prefectural Public Safety Commission (clause 1 of Article 7 of the Act) the State will supply benefits to victims through application being made for the payment of a benefit from a victim to the State and a procedure of supply by the State.

#### Flow of supply of benefits



### 5 Period of application

Applications can only be made from December 18th 2008 for a period of 2 years (clause 2 of Article 6 of the Act and Article 1 of supplementary provision) However, if it proved impossible to apply during this period for some inevitable reason applications can be made for additional 6 months of the day the abovementioned reason ceases to exist (clause 3 of Article 6).

## II Status of implementation of the Act

### 1 Arrangement of documents concerning victims

It has now been more than 10 years since the criminal acts committed by Aum Shinrikyo, such as the Sarin gas attack in the Tokyo subway, took place and to take into consideration the many victims who do not have the necessary documents for rulings to be made on benefits the Prefectural Public Safety Commission will lighten the load concerning applications through to rulings for victims through utilizing documents on victims possessed by public offices or bankruptcy trustees. Clause 1 of Article 9 of the Act enables the National Public Safety Commission to receive the following information:

- Records on pleas for bankruptcy aimed at Aum Shinrikyo held by bankruptcy trustees of pleas for bankruptcy aimed at Aum Shinrikyo
- Documents on criminal case suits such as indictments and investigative documents held by the Ministry of Justice, the National Police Agency and Nagano prefecture police headquarters
- Records concerning provision through insurance for compensation for industrial accidents suffered by victims and other acts held by the Ministry of Health, Labor and Welfare, Tokyo Fire Department, Metropolitan Police Department and the Ministry of Defense etc

The National Police Agency shall classify them by victim and provide the applicable documents to the Prefectural Public Safety Commission in conformance with Clause 2 of Article 9.

### 2 Measure for publicity

#### (1) Utilization of posters and brochures in publicity

The system of supplying benefits will be made known using publicity posters made by the National Police Agency in city halls, public facilities of municipal halls, private facilities working in cooperation, and also the headquarters of prefectural police and police stations, police facilities etc.

#### (2) Implementation of individual notifications

The National Police Agency shall mail documents of presentation and publicity brochures concerning the system of supplying victims and bereaved families with benefits using the documents on victims mentioned above in 1.

#### (3) Appeal for application to prefectural police

The prefectural police shall appeals to victims to make applications through visiting individually bereaved families of deceased or victims with disabilities because of the criminal acts

mentioned in the document concerning the victims in 1 in order to explain the system of benefit supply and to request that anyone that has not applied yet etc to do so to enable even more victims to receive aid through this Act.

Poster for publicity



### 3 Status of application, rulings, and supply of benefits classified by type of damage (as of March 17th 2009)

Type of damage (amount of supply)		Application	Ruling	Supply
Death (20,000,000 yen)		25 case	24 case	23 case
Disability	Requiring care (30,000,000 yen)	4 case	4 case	2 case
	Serious (20,000,000 yen)	1 case	0 case	0 case
	Others (5,000,000 yen)	30 case	9 case	6 case
Injury or illness	Serious injury or illness (1,000,000 yen)	873 case	601 case	238 case
	Others (100,000 yen)	2292 case	1543 case	546 case
Total		3225 case	2181 case	815 case Total amount : 842,600,000 yen

[The gap between the numbers of cases of application, ruling and supply is because of procedures still being underway]