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Japan

Statement by H.E. Ambassador Shigeru ENDO

The Delegation of Japan

on

Agenda Item 9

***Question of the Violation of Human Rights and
Fundamental Freedoms in Any Part of the World***

60th Session of the Commission on Human Rights

Geneva, 25 March 2004

Permanent Mission of Japan in Geneva

Thank you, Mr. Chairman.

Mr. Chairman,

Japan firmly believes that human rights are universal. For over 50 years, the notion of universal human rights has been thoroughly discussed, refined, and adapted to reflect the current situation of countries and regions everywhere. No country today can deny the precepts of good governance, non-discrimination, the rule of law, and democracy. Japan would like to emphasize the vital role of the Commission on Human Rights, especially with Items 9 and 19, in achieving this purpose.

Unfortunately, regardless of the efforts of the CHR, grave human rights violations still exist. The responsibility for the protection and promotion of the human rights of a country's citizens primarily lies with the government of those citizens. At the same time, the international community must maintain interest in the situation. Grave human rights violations, if any, require our voices to be heard.

In doing so, we must not forget the face of the individuals who are the victims of these abuses. Human rights lie first and foremost with the individual – each human being living with his or her family, with love and respect. This Commission should always focus on the individual in our efforts.

Mr. Chairman,

The particular circumstances of a country's history, culture, religion, and tradition bring unique consequences that must be taken into account with the appropriate understanding. However, they must never be used as an excuse for rationalizing the suppression of human rights. There are different approaches to addressing human rights issues. The unique characteristics and details of each situation will manifest themselves in differences in the methods and the time it will take to come to effective solutions.

In order to reach these solutions, tolerance and dialogue, as well as mutual respect, should play key roles. Mere criticism and reproach are counterproductive. Only when we have a clear understanding of the complexities and subtleties of a country's situation can we find the most suitable approach. We believe that without that understanding, real improvement cannot be achieved.

Countries' efforts and accomplishments should be adequately reflected in our discussion. Some countries listen sincerely to the voice of the international community to improve their situation, while others choose to ignore it. As the Commission reacts to a country who abuses human rights, so should it respond to a country that is exerting efforts to improve human rights there.

We find the possible move of some countries' resolutions to Item 19 or removal from the agenda altogether to be an appropriate response when the situation of a country is sufficiently improved, serving as a source of encouragement and a tangible outcome to its efforts for improvement. We should not shy away from considering a strategy for arriving at a meaningful outcome for countries in question. Furthermore, the Commission cannot simply continue to add resolutions or hold resolutions forever merely because a country is not perfect. The review of existing resolutions should be conducted regularly. Japan believes that such efforts can further strengthen the efficiency and credibility of the CHR. They can serve as an incentive for countries to strengthen their efforts and follow the CHR's advice.

On the other hand, a country that adamantly takes no strides toward improvement deserves the reprobation of the international community. In these cases, through positive incentive, the CHR has a duty to at least make the path clearer for bringing such countries back into the international fold.

Mr. Chairman,

I would now like to draw your attention to one such example. Last year, the CHR for the first time adopted a resolution on the situation of human rights in the

Democratic People's Republic of Korea. The resolution specifically calls upon the DPRK to respond to questions concerning the abduction of foreign nationals, and the Government of Japan has also been striving to resolve the issue. These abductions are a grave and flagrant violation of human dignity, human rights and fundamental freedoms. Japan regrets that the DPRK has not been cooperating positively with the relevant international human rights institutions, and that the issue remains unresolved. Japan once again urges North Korea to rectify immediately the current inhumane situation in which the abduction returnees have been separated from their families who still remain in North Korea, and to conduct a full fact-finding investigation on the other victims, for resolving the abduction issue as soon as possible. In this regard, Japan also calls upon North Korea to cooperate fully – without restriction – with the Working Group on Enforced or Involuntary Disappearances and the OHCHR.

Mr. Chairman,

There is still much work to be done. Japan believes that a proper combination of criticism, encouragement, and cooperation is the key to a constructive outcome. I believe that this is the tone all of us would like to see in this Commission.

Thank you, Mr. Chairman.