

**ADDITIONAL INFORMATION FROM JAPAN
TO THE COMMITTEE ON THE RIGHTS OF THE CHILD
IN RELATION TO THE CONSIDERATION
OF JAPAN'S COMBINED FOURTH AND FIFTH PERIODIC REPORTS
AT THE 80TH SESSION OF THE COMMITTEE**

1. Budget for policies relating to children and its budget management.

As the Government of Japan (GoJ) explained at the time of the consideration, while various measures of the government are related to children, it is difficult to limit the scope to the matters on children for some projects. In addition to our replies to the list of issues, the following are the examples of the budget for FY2018 associated with the issues raised on the budget at the consideration. Furthermore, the GoJ examines policy impacts and projects through methods such as Policy Evaluation and Public Projects Review.

In 2018, the GoJ contributed US\$80.38 million (US\$19.02 million (core budget), US\$61.36 million (supplementary budget)) to UNICEF. This contribution from Japan has supported the most vulnerable children and their families around the world, including projects such as “UNICEF pre-famine integrated response in central and southern regions of Somalia” (Somalia), “Integrated emergency response to conflict-affected children and the communities in DRC” (DRC), and “Improving the quality of life of IDP and returnee children and families in Iraq through education and WASH” (Iraq).

The Cabinet Office (CAO) sets a budget of about 2,471,679 million Japanese yen for children in FY2018.

The abovementioned budget value provides a total of direct and indirect outlays toward support of the development of children and includes many budgets from which the portion just for children is inseparable.

The CAO's budget includes measures against child poverty (about 1,506 million Japanese yen) and for child allowance systems (about 1,379,547 million Japanese yen).

See below for the FY2018 budget for the Ministry of Education, Culture, Sport, Science and Technology (MEXT) in relation to policies on children.

1. Counter bullying	Unit (yen)
Program for comprehensive promoting measures to counter bullying and support non-attendant students at school	6,360,446,000
subtotal	6,360,446,000
2. Special needs education	
Program for development of school support system for kindergartens through high schools	1,599,954,000
Program for support for children who need medical care in school	59,211,000
Program for support for children with developmental disorders	280,328,000
Program for enhancement of the expertise of teachers and staff in special needs education	49,993,000
Revision of the National Curriculum Standards and enhancement of teaching for special needs education	103,872,000
Program for enhancing exchanges and joint collaborative learning to promote understanding of people with disabilities	86,405,000
Program for development of school support system for children in hospital	50,309,000
Program for enhancement of teaching materials using ICT for children with disabilities	20,199,000
Program for promotion of dissemination of special textbooks such as enlarged textbooks	145,530,000
subtotal	2,395,801,000
3. Education on radiation	
Revision/Dissemination of Side Reader on Radiation	178,649,000
Program for Supporting Education on Radiation in school	32,211,000
subtotal	210,860,000
total	8,967,107,000

2. Plan to expand local ombudsperson units to the whole country.

The ombudsperson system is run by each local government at its own discretion in order to protect the rights of citizens by resolving complaints and issues related to local governments. The central government does not plan to expand this system nationwide at the current time.

3. The entities to decide whether to separate children from their parents due to corporal punishment or child abuse.

In general, if the case is considered as an administrative matter, a decision would be made by administrative bodies. Where a case is filed to a court, the court, as necessary for the resolution of the case, makes a judicial decision.

4. Opportunities to express their views by children in government's policy making.

In order to reflect children's views in our policy making, the GoJ holds opportunities to exchange views with children in cooperation with civil society, and encourages involvement of children.

5. The statute of limitations of prosecution for sexual crimes and the statute of limitations for civil actions.

The statutes of limitations for sexual crimes are as follows:

1. Forcible indecency (Article 176 of the Penal Code): 7 years
2. Forcible sexual intercourse (Article 177 of the Penal Code): 10 years
3. Quasi forcible indecency (Article 178, paragraph (1) of the Penal Code): 7 years
4. Quasi forcible sexual intercourse (Article 178, paragraph (2) of the Penal Code): 10 years
5. Indecency by person having custody of person under 18 (Article 179, paragraph (1) of the Penal Code): 7 years
6. Sexual intercourse by person having custody of person under 18 (Article 179, paragraph (2) of the Penal Code): 10 years
7. Forcible indecency causing death or injury (Article 181, paragraph (1) of the Penal Code): 15 years (causing injury), 30 years (causing death)
8. Forcible sexual intercourse causing death or injury (Article 181, paragraph (2) of the Penal Code): 15 years (causing injury), 30 years (causing death)

9. Forcible sexual intercourse at the scene of a robbery (Article 241, paragraph (1) of the Penal Code): 15 years
10. Forcible sexual intercourse at the scene of a robbery causing death (Article 241, paragraph (3) of the Penal Code): No statute of limitations

The statute of limitations for civil actions is as follows:

In the case that the victims of sexual crimes demand compensation for damages in tort based on the Civil Code, the statute of limitations for civil actions is prescribed in Article 724 of the Civil Code. It stipulates that “The right to demand compensation for damages in tort shall be extinguished by the operation of prescription if it is not exercised by the victim or his/her legal representative within three years from the time when he/she comes to know of the damages and the identity of the perpetrator. The same shall apply when twenty years have elapsed from the time of the tortious act.” Moreover, taking into consideration the necessity of the protection of the right, the Act partially amending the Civil Code was enacted in May 2017 to prolong the period of prescription stipulating that the right to seek damages due to torts caused by infringement of life or body will expire due to the statute of limitations if it is not exercised within five years after becoming aware of the damage and the perpetrator, or twenty years after the tortious act (going into force in April 2020).

6. Complaint by children separated from their parents.

Child care facilities are obliged to take measures necessary for receiving complaints from children according to the management standards based on the Child Welfare Law. The GoJ also has facilities for temporary protection at child guidance centers, which the GoJ instructs to adopt the same systems as child care facilities.

On the other hand, taking the suggestions that utilization of such systems is insufficient, the GoJ is currently working on improvement efforts.

For facilities for temporary protection at child guidance centers, the GoJ is conducting research aimed at promoting the utilization of these systems, and next fiscal year the GoJ will conduct a model project utilizing the child welfare council, which is a third party organization.

In April 2018, the GoJ instructed child care facilities to ensure that children understand how to make complaints, providing illustrations of how to inform the children, and continue to improve the operation of relevant systems.

7. The online safety education at schools.

Legal amendments made in 2017 mandate that mobile phone companies and licensed retailers must explain filtering functions to guardians of minor customers under the age of 18. In order to ensure that students use the Internet in an appropriate manner while understanding the so-called darker aspects of digitization; to bolster information morals education; and to help young people develop in a healthy manner; MEXT has also taken the following five actions:

1. prepared and distributed materials for students that includes cases of trouble with smart phones and other devices as well as advice on how to handle such problems;
2. prepared and distributed teacher manuals to improve instruction of information morals at school;
3. held symposia for parents to promote the use of filtering and formulating rules at home;
4. partnered with other ministries/agencies and private sector businesses to invite experts to give lectures; and
5. undertook campaigns to raise awareness about the need for filtering functions on smartphones used by children and to encourage parents to make extensive use of such functions.

Materials available for students can be found through the link below.

http://www.mext.go.jp/component/a_menu/education/micro_detail/_icsFiles/afieldfile/2018/03/14/1369617_2_1.pdf

(for elementary and middle school students)

http://www.mext.go.jp/component/a_menu/education/micro_detail/_icsFiles/afieldfile/2018/03/14/1369617_1_1.pdf

(for high school students)

(END)