

**The Second Meeting of the Advisory Committee for the National Action Plan on  
Business and Human Rights (Summary Minutes)**

February 4, 2020 (Tuesday), 15:15–17:15

Ministry of Foreign Affairs, International Conference Room 893

**I. Welcome Speech**

(Mr. YAMANAKA, Osamu Deputy Director-General, Foreign Policy Bureau, Ambassador in charge of UN Affairs, Ministry of Foreign Affairs)

- With respect for human rights in business activities receiving increased attention internationally, it is important for Japan to present its efforts in this field to the international community by formulating and implementing the National Action Plan (NAP) on Business and Human Rights and to work on promoting responsible business conduct.

**II. Discussion Points**

**(1) Explanation of the first draft of the NAP**

The Ministry of Foreign Affairs (in charge of coordinating the formulation of the NAP) gave an overview of the first draft of the NAP (2020–2025) (NAP draft)<sup>1</sup>.

**(2) Views regarding the NAP draft**

Members of the Advisory Committee for the National Action Plan on Business and Human Rights (the Committee) presented their views regarding the NAP draft. The written views of two absent members were read on their behalf by the moderator, and a response from the Ministry of Foreign Affairs and the relevant ministries and agencies followed.

(Mr. ARAI, Masaru, Chair, Japan Sustainable Investment Forum; Senior Engagement Consultant, Hermes EOS)

- The term “investor” appears only twice in the NAP draft. I would like the NAP to incorporate more descriptions related to investors, given the growing importance of

---

<sup>1</sup> The NAP draft consists of the following:

Chapter 1: Toward the Formulation of the NAP (Background and Drafting Process)

Chapter 2: Action Plan

Chapter 3: Government’s Expectations for Business Enterprises

Chapter 4: Framework for Implementation and Review of the NAP

the roles of investors who engage in constructive dialogue with businesses.

- Sustainable investment is on the increase, and, in the past few years, institutional investors have been actively participating in constructive dialogue with businesses in Japan as well. We should send a message to investors, encouraging them to engage with human rights.
- The background explained in Chapter 1 of the NAP draft (“Towards the Formulation of the NAP”) looks as if it may be difficult for the general public to understand.
- The UN Principles for Responsible Banking, launched in September last year, mention the UN Guiding Principles on Business and Human Rights (the “UN Guiding Principles”). I would like the NAP as well to incorporate how indirect financing, including banks, will play an important role in sustainable finance now and in the future. I also hope to see the NAP draft mention the Principles for Sustainable Insurance developed by the UN Environment Programme Finance Initiative in 2012.
- Most of the Ten Principles of the UN Global Compact have deep connections to business and human rights. Therefore, the NAP should make further reference to them.
- (Regarding the overall composition of Chapter 2 “Action Plan”), from what I can see in the NAP draft, regrettably, it is difficult to identify the relevant ministries and agencies that take specific actions. I would like the NAP to indicate them specifically in an appendix to the NAP. It would even be possible to present them at a meeting of the Working Group on the National Action Plan on Business and Human Rights (Working Group) or the Committee.
- Regarding the reference to the Principles of Human-centric AI society under the section “Cross-Cutting Areas, C. Human Rights Associated with the Development of New Technologies” in Chapter 2-2(1), it would be better to further clarify the relationship between the principles and human rights.
- Under the section “Cross-Cutting Areas , E. Equality before the Law” in Chapter 2-2(1), in addition to the cross-cutting areas concerning persons with disabilities, women, sexual orientation, and gender identity, etc., the NAP also needs to list the items of race and belief.
- Regarding the section “Cross-Cutting Areas, F. Acceptance and Coexistence of Foreign Nationals” in Chapter 2-2(1), it is difficult to understand why this subject was set up as an independent, cross-cutting area in the NAP draft. If we want to make this subject into an independent, cross-cutting area, the government needs to explain why this subject is particularly important for the NAP.
- Regarding the sub-section D. “Human Rights Education and Awareness-raising” of the section “State Measures Regarding State Duty to Protect Human Rights” in

Chapter 2-2(3), I would request that the NAP include actions related to education and awareness-raising in cooperation with institutional investors, pension funds, banks, and other financial institutions.

- (In the sub-section A. “State Measures Related to Domestic and International Supply Chains and Promotion of Human Rights Due Diligence Based on the UN Guiding Principles,” under the section “State Measures Promoting Corporate Responsibility to Respect Human Rights” in Chapter 2-2(3)), the NAP draft states that the Stewardship Code and Corporate Governance Code are implemented paying attention to ESG issues. I would like to call for a redrafting of this part to reflect the immense importance of the ESG issues in relation to these codes.
- (Also in Chapter 2-2(3) A) the Guidance for Collaborative Value Creation does not mention each issue, including human rights, in sufficient detail. Therefore, we need to consider how this guidance can be linked to human rights so that it can also incorporate human rights.
- Chapter 4, “Framework for Implementation and Review of the NAP,” should state the goals to be achieved in three years and in five years, like a company’s mid-term management plan would.

(Mr. ARIMA, Toshio, Chairman of the Board, Global Compact Network Japan)

- (In Chapter 1), I would like the NAP to specifically mention that the 10 Principles of the UN Global Compact are based on human rights.
- (Regarding Chapter 4), considering that the government must resolve major problems in Japan within a set time period, the NAP should state themes and issues to be resolved more clearly. By identifying the issues to be resolved, the goals for three years and five years, and the gaps between goals and present conditions, progress will become clear at the time of review.
- While the summary of the NAP draft mentions the term “review” (in Chapter 4), the NAP draft uses the term “exchange of views.” It is important to incorporate a mechanism to measure the progress of the NAP.

(Ms. OMURA, Emi, Former Chair, Committee on International Human Rights, Japan Federation of Bar Associations)

- In Chapter 2-1, “Fundamental Principle of the NAP,” the NAP draft states that “five points are considered particularly important,” but the wording here in a preliminary draft of the NAP was “priority areas.” According to the UN Working Group on Business and Human Rights Guidance on National Action Plans on Business and

Human Rights (UN Working Group Guidance), governments should first identify priority areas. While the question remains as to whether the five points listed in the NAP draft are sufficient as priority areas, another issue is that, once identified, they should be presented as priority areas.

- In the “Specific Measures” listed throughout Chapter 2-2, existing measures are mixed with future measures, which could confuse readers considerably.
- (Also regarding Chapter 2-2 overall), “Specific Measures” should comprise concrete actions and measures, not abstract goals. For example, Chapter 2-2(3) A mentions “providing necessary support for women, and further encouraging women’s participation and advancement in the workplace,” as specific content of “the steady implementation of the Act on the Promotion of Female Participation and Career Advancement in the Workplace.” However, encouraging women’s participation and advancement in the workplace is a goal without concrete actions or measures. Seen from the perspective of the international community, the field of women’s participation and advancement has become a risk for attracting investment. Rather than confounding goals and measures, the NAP should employ concrete statements. For example, Keidanren (the Japan Business Federation) has been drafting “Good Practices of Successful Business Impacts by Women’s Participation and Economic Empowerment.” In the NAP, the government could consider referring to specific actions and measures that can be feasible within the current budget and support such initiatives for sharing good practices.
- In the sub-section “B. Support for Small and Medium Enterprises (SMEs) to Take Actions for Business and Human Rights,” in Chapter 2-2(3), no specific action or measure is mentioned. I would like the NAP to show the future direction of the measures by considering that such existing actions as the Guidelines for the Promotion of Fair Subcontracting Practices and other relevant policies could incorporate the perspective of business and human rights.
- (Regarding the section “Measures regarding Access to Remedy” in Chapter 2-2(4)), the Japan Federation of Bar Associations would like to request again a reference to national human rights institutions.
- (Also in Chapter 2-2(4)), I would like the NAP to state that the government supports initiatives of the private sector. According to the stakeholders’ common request, part of a paper presented at the fourth meeting of the Working Group, the “stakeholders’ common request” is a minimum consensus on views and requests in five identified items of the NAP formulating process. The request thus calls for the government to

“make efforts to support private-sector initiatives as necessary.”<sup>2</sup> The Secretariat document titled “Towards Formulating the National Action Plan (NAP) on Business and Human Rights” in June 2019 states that “in principle, the Secretariat is of the view that subjects on which all members of the Working Group reached a consensus could be reflected in the NAP,” so I would like the NAP to reflect the stakeholders’ common request.

- Regarding Chapter 4, key performance indicators (KPIs) and the relevant ministries and agencies responsible for implementing each measure should be identified and incorporated into the NAP to monitor the progress thereof in accordance with the UN Guiding Principles.
- I would like the government to consider issuing the NAP in both Japanese and English at the same time in order to disseminate it in the international community.

(Ms. KONO, Yasuko, Director, Japan Consumers’ Association)

- As digitization progresses, the increasing use of personal data has enabled consumers to gain benefits from the utilization of AI. Concurrently, it also results in violations of privacy rights and other issues.
- (Relating to the section “Cross-Cutting Areas, D. Rights and Roles of Customers” in Chapter 2-2(1) D), the existing human rights education for consumers is insufficient. Therefore, I would like the government to set up policies in order to achieve respect for consumer rights and improve consumer policies to support respect for these rights.
- The investors who provide financing and the consumers who purchase goods and services are the main key players who have a strong influence on whether human rights are respected in business activities.
- Because most consumers have few opportunities to know, learn, or act on human rights and inequality, it is necessary for them to have such opportunities to gain an understanding of their rights.
- (Regarding Chapter 2-2(3) A), reliable information is essential so that consumers pay attention to human rights in their behavior. Therefore, I would like to call for further disclosure of information to businesses.
- In order to make the NAP transparent, I would like the government to establish a platform for sharing good practices, for example on the website of the Ministry of Foreign Affairs, etc.

---

<sup>2</sup> [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-tokyo/documents/meetingdocument/wcms\\_735159.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-tokyo/documents/meetingdocument/wcms_735159.pdf)

- (Regarding Chapter 4), the NAP should identify specific KPIs, including objective assessment indicators for appropriate examination and assessments. The NAP should also clarify the relevant ministries and agencies that will implement specific measures.

(Ms. TAGUCHI, Akiko, Director, International Labour Organization Office for Japan)

- I appreciate your consideration of our request to place emphasis in Chapter 2-2(3) A on dialogue and cooperation with stakeholders in accordance with the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration).
- The MNE Declaration states that human rights due diligence and dialogue are mutually indispensable, and expresses a concern that human rights due diligence without dialogue and cooperation appears to be unsustainable as it would potentially impose a high burden on suppliers.
- Chapter 1-1 “Introduction: Increasing International Attention to Business and Human Rights and the Need for NAPs” refers to “the unique approach of Japanese businesses, including their labor practices, which enable companies to prevent disputes and improve practices through good labor-management relations.” I would appreciate it if the NAP could emphasize that such practices are supported by dialogue and cooperation.
- The stakeholders’ common request states, “the government promotes corporate initiatives to engage in dialogue with stakeholders, as a mutually complementary initiative together with human rights due diligence.” I would like this request to receive more consideration.
- Dialogue and cooperation should also be emphasized in Chapter 3, “Government’s Expectation for Business Enterprises.”
- While Chapter 2-2(3) A states that the government continues to “increase awareness of the OECD Guidelines for Multinational Enterprises,” I would like the government to add the dissemination of the ILO MNE Declaration as well.
- I would like the government to examine the unratified ILO treaties in the future, although I do not necessarily request that the examination of the ILO treaties be mentioned in the NAP.

(Mr. FUTAMIYA, Masaya, Chair, Committee on Responsible Business Conduct & SDGs Promotion, Keidanren; Director-Chairman, Sompo Japan Nipponkoa Insurance Inc.)

- In the NAP, “business and human rights” should be clearly described as an element of Japan’s national growth strategy. By attracting investments through an emphasis

on Japanese businesses' efforts on human rights, it is essential for the government to achieve national growth as a whole. Through the government's effort to demonstrate its positive stance on "business and human rights," businesses will recognize the importance thereof, and this will also create synergy with initiatives for SDGs and ESG.

- So that investors trust Japan and make Japan their country of choice, the government needs to support initiatives by businesses to implement management practices that respect human rights. In this context, guidance on human rights due diligence needs to be formulated as part of an approach to creating an appropriate environment.
- I would like the government to establish guidance incorporating enterprises' practices in the Japanese context, based on the OECD Due Diligence Guidance for Responsible Business Conduct. A guidebook specifically targeting SMEs will contribute to increasing SMEs further efforts to promote human rights.
- As a governance issue, incorporating the response to human rights risk in the Guidance for Collaborative Value Creation will encourage businesses' efforts in relation to ESG issues.
- I would like Japanese embassies, consulates, the Japan External Trade Organization (JETRO), and the Japan International Cooperation Agency (JICA) to strengthen their support for companies' efforts regarding business and human rights.
- (In Chapter 2-2(2) D), the NAP draft states, "the government continues existing measures on human rights education and awareness-raising." However, I guess that the current measures have focused on the Dowa issue (discrimination against Burakumin) and other discrimination issues, and do not cover a particular perspective of business and human rights.
- Regarding the "Specific Measures" in Chapter 2-2(3) A, I would like the NAP to refer to JETRO and JICA as well under the measures for the "Dissemination of the NAP and awareness-raising about human rights due diligence by Japanese embassies and consulates to Japanese businesses operated overseas."
- In addition to an information web platform, SMEs need further support via the promotion of backup systems, including the development of practical tools and the improvement of consulting functions.

(Mr. WAKABAYASHI, Hideki, Chair, BHR-NAP Platform)

- With the UN advocating the mainstreaming of human rights, it is essential for the government to organize existing measures in accordance with international human rights standards and the UN Guiding Principles, based on the recognition that all

activities of ministries and agencies should be linked to protection of human rights. Addressing the protection of human rights in daily activities in each ministry and agency will ensure policy coherence.

- I would like to have the section “Cross-Cutting Areas , B. Protection and Promotion of Children’s Rights,” in Chapter 2-2(1), make a reference to the Children’s Rights and Business Principles, which have been recognized as the international standard.
- Under the section “State Measures regarding State Duty to Protect Human Rights, A. Public Procurement” in Chapter 2-2(2), the positioning of “the Act on Prevention of Unjust Acts by Organized Crime Group Members” in the context of the UN Guiding Principles is unclear.
- The government should explain its reasoning for deleting a reference to priority areas at the beginning of Chapter 2.
- (In Chapter 1-1), the NAP draft states that the government “ensures consistency among policies on business and human rights,” but what we are actually seeking is “policy coherence.” “Coherence” refers to the existence of a principle governing the basis for all policies, but “consistency” refers to a state where all policies are in harmony. What is required here is the government’s attitude towards “policy coherence.”
- We approve of how the NAP touches upon the SDGs in Chapter 1-2, “Positioning of the NAP.” The government revised the SDGs Implementation Guiding Principles last December, and it would be one feasible idea to use the revised SDGs Implementation Guiding Principles not only as a basis for arranging the items concerning business and human rights in the NAP but also for the entire NAP as a whole.
- Regarding Chapter 4, for the mid-term review in three years, it is necessary to present a follow-up mechanism and a budget in the NAP. The NAP draft states, “the Inter-Ministerial Committee on Japan’s NAP on Business and Human Rights in the third year will organize opportunities to have dialogues with stakeholders about a result of the meeting of the Committee.” However, there needs to be an effort to secure the participation of stakeholders in the process of examining the implementation status of the NAP.
- (Also regarding Chapter 4), it is better to set the KPIs for the NAP review. The process of examining the assessment criteria will identify issues enabling the NAP to identify gaps between the goals and the present conditions.
- Regarding the section “Measures Regarding Access to Remedy” in Chapter 2-2(4), Japan’s biggest weakness is a lack of national human rights institutions. National human rights institutions around the world are developing measures on human rights



for their respective countries. I would suggest that the ministries and agencies pursue considerations of national institutions and a movement towards legislation.

- I would appreciate it if the government could share its response to the upcoming public comments on the website.

(Mr. MINAMI, Shinji, Director, Human Rights and Humanitarian Affairs Division, Foreign Policy Bureau, Ministry of Foreign Affairs)

- The views of two members of this Committee who were absent from today's meeting are as follows.
- (Mr. AIHARA, Yasunobu, General Secretary, JTUC-Rengo)
  - I. (Overview) Stakeholders made a variety of proposals toward formulating the NAP. It is, however, important to note that the NAP draft covers mostly existing measures. Considering the current situation where the activities of Japanese companies impact on a great number of people both inside and outside Japan and the fact that there are large numbers of concerned parties seeking remedies for human rights violations, the NAP is expected to cover areas that existing policies have not fully addressed.
  - II. (Regarding core labor standards) Among the eight fundamental ILO conventions, Japan needs to promptly ratify ILO conventions No. 105 and No. 111. The government's stance on ratifying these treaties should be presented in the NAP as well.
  - III. (Public procurement) The government should promote respect for human rights by businesses and their counterparts in commercial transactions. Maintaining the existing measures is insufficient for guaranteeing workers' rights such as working conditions.
  - IV. (Measures regarding access to remedies) The National Contact Point for the OECD Guidelines for Multinational Enterprises (the Japanese NCP) lags far behind what the NCPs of other countries are doing with respect to the number of cases accepted and the amount of time that NCPs take in resolving cases. The NAP should specifically state proposals for improved management of the NCP.
  - V. (Regarding the review of the NAP) The third year would be appropriate timing for revisions based on radical changes in the environment surrounding business activities, including changes in international circumstances. Holding a dialogue with stakeholders as part of the review is important for securing Japan's international credibility.
- (Dr. HAMAMOTO, Shotaro, Professor, Graduate School of Law, Kyoto University)

- I. I received the materials for this Committee meeting in the early morning of the day of the meeting. That type of timing makes it hard for the Committee members to have meaningful discussions at the Committee. I would like to suggest a reconsideration of the role of the Committee. I ask the government to recognize the fundamental contradiction apparent in the fact that the decent work practices for government officials are not being respected.
- II. The NAP draft presents existing measures first and lists “Specific Measures” thereafter. However, the NAP draft contains no analysis on the existing measures, and it is difficult to understand the reasons why these actions in the “Specific Measures” have been identified.
- III. The government should examine the unratified ILO conventions of Japan and, if Japan has difficulty in becoming a party to the conventions for now, make the corresponding reasons clear in the NAP.
- IV. (Regarding the sub-section “C. Promotion and Expansion of Business and Human Rights in the International Community” of the section “State Measures regarding State Duty to Protect Human Rights in Chapter 2-2(2)”) the NAP should state the government’s proposal for what it will do to disseminate ISO26000 and ISO20400.
- V. (Also regarding Chapter 2-2(2) C) the Japan-EU Economic Partnership Agreement grants a certain role to civil society under the framework of the Committee on Trade and Sustainable Development and the Joint Dialogue. The NAP should note these mechanisms. The NAP should clarify whether Japan will incorporate similar frameworks in future economic partnership agreements and examine the revision of existing economic partnership agreements to introduce such frameworks. If Japan intends to do neither, the NAP should present the reasons.
- VI. In Chapter 2-2(4), the NAP should refer to the individual communications procedures under the United Nations human rights treaties and examine the acceptance of such procedures or present their reasons for the rejection thereof.
- VII. (Also in Chapter 2-2(4)) judges should also be listed in “human rights training for police officers, public prosecutors, etc.” The need for training judges on human rights treaties has been pointed out in Japan’s periodic review under the International Covenant on Civil and Political Rights. If the NAP does not mention judges, the government should explain the reasoning for their non-inclusion.
- VIII. (Also in Chapter 2-2(4)) the NAP draft presents making “procedures more transparent, while securing fairness and impartiality” as a way to improve the operation of the Japanese NCP’s activities and raise public awareness of them based on the OECD Guidelines for Multinational Enterprises, but this statement should

be more specific. OECD Watch notes the accomplishments of tripartite (government, employer, and worker) NCPs, and Japan should examine introducing this framework, which has produced results in other countries. If the government does not adopt the framework, it should disclose the reasons why.

IX. Chapter 4 mentions “providing opportunities for dialogue with stakeholders,” “aiming at around three years (from the issuing of the NAP).” It also mentions “organizing an exchange of views” “towards the revision of the NAP in the fifth year,” and to “revise it” “after five years (from it being issued),” but revising the NAP in one year seems difficult judging from what we have learned from our current experience. It would be better to state that the revision work is to begin in the fourth year.

(Mr. YAMANAKA, Osamu, Ministry of Foreign Affairs)

- I appreciate your comments regarding the NAP draft from diverse viewpoints. Going through the opinions presented, while some points require further consideration, I would like to explain the fundamental way forward regarding what to incorporate in each chapter.
- Regarding the overall composition of the NAP draft, it summarizes the relevant policies/measures of each ministry and agency. While efforts are being made to ensure consistency in the overall wording, we acknowledge that there are areas where it is difficult to distinguish between existing measures and future measures in the NAP draft.
- (In Chapter 1) we would like to examine the wording regarding the UN Global Compact, investors, ESG issues, and labor-management relations in further processes.
- (In Chapter 2-1) we would like to reconsider the wording regarding priority areas of the NAP with a view to making it easier for outside parties to understand.
- (In Chapter 2-2) further consideration is required regarding specifying the ministries and agencies responsible for implementing the policies listed in the NAP; some issues are spread across multiple ministries and agencies.
- (In Chapter 2-2(3) A) in terms of efforts regarding promoting human rights due diligence, there is the issue of the extent to which concrete assistance to Japanese companies—especially in a way that SMEs can easily implement—can be specified by June 2020, when the NAP is to be published. We expect that some issues that companies may face will be raised during the implementation and review of the NAP.
- (Also regarding Chapter 2-2(3) A) we would like to follow up in cases where officials responsible for business support are appointed at Japanese embassies and consulates,

keeping in mind that discussions with the local JETRO and JICA offices, chambers of commerce, etc., are expected.

- (In Chapter 4) there is no specific reasoning behind the removal of the term “review,” which was in the preliminary draft of the NAP.
- (Also in Chapter 4) the NAP draft states that the progress of the NAP’s implementation will be examined by the Inter-Ministerial Committee on Japan’s NAP on Business and Human Rights on a yearly basis, and that opportunities for dialogue with stakeholders regarding the results will be arranged. The description does not mean that the purpose of the dialogue is limited only to presenting the results.
- We would like to release an English version of the NAP in the future. However, the process of translating the document into English takes time. We appreciate your understanding.
- We will consider categorizing the views received through the public comment procedures and presenting a summary of the responses.

(Mr. AKIYAMA, Shinichi, Deputy Assistant Minister for International Affairs, Minister’s Secretariat, Ministry of Health, Labour and Welfare)

- (Responding to Ms. Omura) regarding the steady implementation of the Act on the Promotion of Female Participation and Career Advancement in the Workplace, we note your points that the measures in the NAP should be concrete and the NAP draft is confusing because there is a lack of clear distinction between the goals it seeks to achieve and the means it proposes using to achieve them. In regard to this, we would like to consult with the responsible divisions to consider how to reflect your points to the NAP.
- (Responding to Ms. Taguchi) with respect to your suggestion that the NAP should mention disseminating the ILO MNE Declaration, creating a link to the ILO website could be one option.
- There were multiple views regarding the ratification of the ILO conventions that Japan has not yet ratified, but we note that the Japan Business Federation takes a negative position on including a reference to this point in the NAP. Also, as a procedure for the government, the ratification of conventions must be considered from the standpoint of consistency with domestic legislation. Therefore, it is difficult to refer to this specific point in this NAP.

(Mr. TERAMOTO, Tsunemasa, Director, International Economic Affairs Division, Trade Policy Bureau, Ministry of Economy, Trade and Industry)

- Because the Guidance for Collaborative Value Creation has been compiled at an abstract level in a common language linking companies and investors, it is difficult to position human rights in the guidance specifically.
- In relation to JETRO, there is no budget or personnel to establish offices for individual response in the context of business and human rights. It could be possible to provide information concerning human rights as part of local business information. In addition, information will be disseminated through the Institute of Developing Economies-JETRO.
- While there is the issue of how far, in practice, the Guidelines for the Act against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors and consulting services for SMEs can be expanded and improved, we will take them into consideration.

(Mr. SHIRAKAWA, Shunsuke, Vice Commissioner, Strategy Development and Management Bureau, Financial Services Agency)

- (In response to Mr. Arai) the FSA is also reassured by the spread of sustainable investment by institutional investors and financial institutions. I would like to consider inserting the most recent trends in this area into the background information in Chapter 1-1.
- (In Chapter 2-2(2) A) I would like to consider better wording relating to the Stewardship Code and Corporate Governance Code as well, keeping in mind the engagement of institutional investors.

(Mr. NOI, Yuichi, Director General for International Affairs, National Police Agency)

- (In response to Mr. Wakabayashi) regarding the relations between organized crime groups and the UN Guiding Principles, Operational Principle 6 of the UN Guiding Principles states , “states should promote respect for human rights by business enterprises with which they conduct commercial transactions,” and clarifies the state duty to protect human rights. Companies that have strong relations with organized crime groups are recognized as hotbeds of human rights violations on both an internal basis and an external basis. Our understanding is that companies that have mutual relations with organized crime groups should be excluded in public procurement as well.
- We note that at first sight, links between organized crime groups and the UN Guiding Principles are difficult to understand. Therefore, we would like to collaborate with the Ministry of Foreign Affairs on fine-tuning the wording [in the relevant section]

based on the wording used in the other sections.

(Mr. KANKI, Koji, Attorney, International Affairs Division, Minister's Secretariat, Ministry of Justice)

- (In response to Prof. Hamamoto) you made a point that judges' training on human rights should be added to the NAP. Because the Supreme Court (the judicial branch) already conducts judges' training, it is necessary to consider whether it is appropriate to include this in the action plan of the executive branch of the government.
- Regarding the establishment of Japan's national human rights institution, we would like to consider it carefully due to diverse opinions inside and outside the government transcending business and human rights.

(Ms. OMURA, Emi, Japan Federation of Bar Associations)

- In Chapter 2-1(2), the NAP draft states, "under the recognition that the tools for companies provided by international organizations and diverse stakeholders contribute to efforts by companies." I would, however, sincerely like to ask the government to consider going beyond just "recognition," and include mention of what the government intends to do to support efforts by the private sector.

(Mr. WAKABAYASHI, Hideki, BHR-NAP Platform)

- In Chapter 2-2(2) E, there is no mention of reasonable accommodations to persons with disabilities. I would like the government to consider including a point on those accommodations, which would make it easier for readers to understand.

(Mr. MINAMI, Shinji, Ministry of Foreign Affairs)

- (In response to Ms. Omura) we will take your view into further consideration.
- (In response to Mr. Wakabayashi) there is no mention of reasonable accommodations in the "Specific Measures" in the NAP draft. However, this point is included in the passage where the existing institutional framework is presented.

### **III. Closing Remarks**

(End)

**The Second Meeting of the Advisory Committee for the National Action Plan on  
Business and Human Rights  
List of Participants**

Stakeholders	
Name	Organization/Title
ARAI, Masaru	Chair, Japan Sustainable Investment Forum (JSIF); Senior Engagement Consultant, Hermes Equity Ownership Services
ARIMA, Toshio	Chairman of the Board, Global Compact Network Japan
OMURA, Emi	Former Chair, Committee on International Human Rights, Japan Federation of Bar Associations
KONO, Yasuko	Director, Japan Consumers' Association
TAGUCHI, Akiko	Director, International Labour Organization Office for Japan
FUTAMIYA, Masaya	Chair, Committee on Responsible Business Conduct & SDGs Promotion, Keidanren (Japan Business Federation); Director-Chairman, Sompo Japan Nipponkoa Insurance Inc.
WAKABAYASHI, Hideki	Chair, BHR-NAP Platform (Civil Society Platform for Japan's National Action Plan on Business and Human Rights)

(Absent)

Name	Organization/Title
AIHARA, Yasunobu	General Secretary, JTUC-Rengo (Japanese Trade Union Confederation)
HAMAMOTO, Shotaro	Professor, Graduate School of Law, Kyoto University

\* In Japanese syllabary order, honorifics omitted.

Participating Ministries and Agencies
Director, Policy Coordination Division, Ministers' Secretariat, Cabinet Office
Director General for International Affairs, National Police Agency
Vice Commissioner, Strategy Development and Management Bureau, Financial Services Agency
Deputy Director, Corporate Accounting and Disclosure Division, Policy and Markets Bureau, Financial Services Agency
Director General, Consumer Affairs Agency
Counselor, General Affairs Division, Minister's Secretariat, Ministry of Internal Affairs and Communications
Attorney, International Affairs Division, Minister's Secretariat, Ministry of Justice
Deputy Director-General, Foreign Policy Bureau, Ministry of Foreign Affairs (Ambassador in charge of UN Affairs) (Chair)
Director, Human Rights and Humanitarian Affairs Division, Foreign Policy Bureau, Ministry of Foreign Affairs (Moderator)
Assistant Vice-Minister, Minister's Secretariat, Ministry of Finance
Director, International Affairs Division, Minister's Secretariat, Ministry of Education, Culture, Sports, Science and Technology
Deputy Assistant Minister for International Affairs, Minister's Secretariat, Ministry of Health, Labour and Welfare
Councillor, Deputy Director-General for International Affairs, Minister's Secretariat, Ministry of Agriculture, Forestry and Fisheries
Director, International Economic Affairs Division, Trade Policy Bureau, Ministry of Economy, Trade and Industry
Director, Office of Strategy for Overseas Expansion of Infrastructure Systems, International Policy Division, Policy Bureau, Ministry of Land, Infrastructure, Transport and Tourism
Director, International Strategy Division, Global Environment Bureau, Ministry of the Environment
Director, Procurement Planning Office, Procurement Planning Division, Department of Procurement Management, Acquisition, Technology & Logistics Agency