

Third UPR Review of Japan
Statement by Government Representative Okamura
(November 14 in Geneva)

Mr. President,
Distinguished representatives of the member states,

(Opening remarks)

- Serious human rights situations are still observed in many regions of the world today. Against such backdrop, we must aim to realize a world in which people can live free from any fear of violence and discrimination and have dignity and hope for the future.

- Japan has consistently placed importance on the fundamental values such as democracy, freedom, human rights, and the rule of law, over more than 70 years since the end of World War II and has continued tireless efforts for protection and improvement of the domestic and overseas human rights situation. As we mark the third UPR review, Japan would like to take this opportunity to reaffirm our determination to cooperate with the international community including the United Nations as well as civil society to continue contributing to the protection and promotion of human rights in the world.

- Japan puts emphasis on the UPR mechanism which upholds basic philosophy of dialogue and cooperation. Following the second review in 2012, Japan **accepted to follow-up** on a total of **125 recommendations** and has made constant efforts. Today, I am very honored to be able to participate in the third review and report on the **progress of the protection and promotion of human rights over the past five years** in Japan on behalf of the Government of Japan.

(Achievements in the past five years, such as the conclusion of conventions, etc.)

- In the last review, we received many recommendations regarding the conclusion of conventions related to human rights. On the occasion of the review today, I am pleased to be able to report the conclusion of four conventions.

- Firstly, in January 2014, we concluded the **Convention on the Rights of Persons with Disabilities** in order to bolster initiatives for realizing the rights of persons with disabilities.
- Furthermore, in the same month of January 2014, we concluded the **Hague Convention** (Convention on the Civil Aspects of International Child Abduction) in order to deal with the wrongful trans-boundary removal of children.
- Moreover, in July 2017, we concluded the **Palermo Convention** (UN Convention against Transnational Organized Crime) and the **Trafficking in Persons Protocol** in order to tackle transnational organized crime, including trafficking in persons, after more than 10 years of

discussions over an implementing legislation,.

(The role of Japan in the international community)

- Many countries showed expectations towards Japan's contribution in the international community in the last review. Turning our eyes to Asia, not only economic development but also progress towards democratization is being observed. Having said that, issues such as oppression of the basic freedoms of their own citizens and democracy, as well as those of human rights defenders, etc. continue to exist in some Asian countries. On the one hand, it is important to urge these countries to make improvements. On the other hand, it is also important to consider in an inclusive and comprehensive manner what kinds of approaches are most effective for bringing about sustainable and genuine improvement.

- With that in mind, as a **member of the Human Rights Council** from Asia, Japan values the principles of “dialogue” and “cooperation” and has been encouraging further human rights protection, through such measures as submission of the **Resolution on the Situation of Human Rights in Cambodia** in the Human Rights Council and implementation of **bilateral human rights dialogues with Myanmar and Iran**. It is an approach that requires sustained and long-term efforts, but we intend to continue our initiatives tenaciously going forward. Meanwhile, in countries and areas that reject meaningful engagement with the international community and continue serious human rights violations, Japan strongly urges them to change the course of action while closely collaborating with countries concerned. **Submission of the Resolution on the Situation of Human Rights in the Democratic People's Republic of Korea (DPRK)** to the Human Rights Council and the United Nations General Assembly is one example of Japan's initiatives.

- Moreover, Japan has extended our support for freedom, democracy, basic human rights, and respect for the rule of law, including the achievement of the Sustainable Development Goals(SDGs) as priority areas. We will continue to **actively promote development cooperation** vis-à-vis countries in Asia, Africa and other regions. Furthermore, we intend to actively contribute to the protection and promotion of the rights of people such as women, children, and persons with disabilities. The **Resolution on the Elimination of Discrimination against Persons Affected by Leprosy and their Family Members** submitted by Japan in June this year was adopted by consensus in the Human Rights Council.

(Domestic and overseas initiatives toward “Realization of a society where all women can shine”)

- Next, I would like to deliver a report on the **progress of the protection and promotion of human rights over the past five years in Japan** taking into account the recommendations of the previous review.

- Protection and reinforcement of the basic rights of women as well as elimination of violence against women and girls are issues the international community should address in a unified manner. In Japan, realization of “**A society in which all women shine,**” in other words a society in which all women can display their personalities and abilities as they wish, has been stated as **one of the most important issues of the Abe administration.** Indeed, we have promoted a variety of initiatives both inside and outside Japan.

- As a part of such initiatives, we have actively worked on initiatives since the last review, such as **formulation of the Fourth Basic Plan for Gender Equality, formulation of the Intensive Policy to Accelerate the Empowerment of Women, enforcement of the Act on Promotion of Women’s Participation and Advancement in the Workplace,** and, based on the Act, addition of evaluation points in public procurements for companies that promote work-life balance. The number of women in workplace has increased by approximately 1,500,000, and the number of female board members in listed companies has more than doubled.

- Japan is willing to continue to bolster initiatives for active recruitment and promotion of women, steady development of female human resources, reform of labor practices predicated on men-oriented working styles, and the eradication of violence against women.

- This month, the Government of Japan **held the fourth World Assembly for Women (WAW!)** in Tokyo. Japan has been leading discussions in the international community for empowerment of women and gender equality. We will continue to be a strong promoter of support for developing countries for achieving “**A society in which all women shine.**”

(Toward the 2020 Tokyo Olympics and Paralympics)

- Japan **will host the Tokyo Olympics and Paralympics** in 2020, 56 years after the last Tokyo Olympics in 1964. Japan hopes for the 2020 Games to be an opportunity to foster an inclusive society based on diversity and harmony in which all kinds of differences are recognized, including race, gender, sexual orientation, and disabilities. Japan is working for the protection and promotion of the human rights of all people, starting with persons with disabilities and children, and is aiming for the realization of a “**society with the Dynamic Engagement of All Citizens**” in which everyone can pursue their own dreams, everyone develops their own ability, and everyone has a place where they belong.

(Persons with disabilities)

- In particular, in the area of persons with disabilities, after the conclusion of the Convention on the

Rights of Persons with Disabilities Japan has implemented a variety of measures. For example, in April 2016, the **Act for Eliminating Discrimination against Persons with Disabilities was enforced**, and prohibitions on unfair discriminatory treatment of persons with disabilities and provision of reasonable accommodation for persons with disabilities are now widely carried out. Japan intends to continue enhancing measures for persons with disabilities in order to realize an inclusive society.

(Children, sexual violence, and trafficking in persons)

- Moreover, Japan has implemented a range of measures in order to eradicate sexual exploitation of children and vigorously tackled sexual offenses and human trafficking.
- Regarding measures against sexual exploitation of children, in addition to the measures to eliminate child pornography to date, we **formulated the Basic Plan on Measures against Child Sexual Exploitation** in April 2017. This is a basic plan at the national level with a broader scope than the previous plan, expanding from child pornography to all aspects of sexual exploitation of children including child prostitution. We will implement measures to raise awareness of citizens, protect and support victimized children, and strengthen law enforcement based on this plan.
- Furthermore, in order to deal with sexual offenses more strictly, we **revised the Penal Code** in June 2017. We strengthened the penal provisions and allowed prosecutors to make indictments of sexual offences without any complaint by victims so as to lessen their burden.
- The government is also committed to work holistically in the fight against trafficking in persons together. As part of this effort, we **revised the Action Plan to Combat Trafficking in Persons in 2014**. Furthermore, we amended **the Act on Punishment of Organized Crimes and Control of Crime Proceeds** in June 2017, and we concluded the **Trafficking in Persons Protocol** in July of the same year. We will continue to take necessary steps for the protection of human trafficking victims, including women and children, and make effort to strictly tackle human trafficking.

(Foreign nationals (hate speech))

- Japan is working on the protection and promotion of the human rights of all people, including foreign nationals. In particular, unfair discriminatory speech and behavior that unilaterally exclude people of specific ethnicities or nationalities should not be tolerated. Regarding so-called hate speech, in June 2016, the Government of Japan enforced the **Hate Speech Elimination Act**. We intend to continue educational activities, development of consultation systems, and efforts to improve the convenience of human rights consultations in foreign languages.

(Criminal justice system/Substitute detention system)

- I would like to take this opportunity to talk about the criminal justice system of Japan.
- Firstly, let us explain about the amendment of the Code of Criminal Procedure last year. All cases pertaining to detained suspects are covered by the court-appointed defense counsel system. In addition, even before the amendment, public prosecutors have made active use of audiovisual recordings when conducting an interrogation of an arrested or detained suspect. However, under the amended Act, it is clearly stipulated that it is mandatory for the police and public prosecutors to make audiovisual recordings of the entire process of interrogation of arrested or detained suspects in cases specified by the Code which include all the cases subject to lay judge trials.
- Regarding the substitute detention system, as I have already stated, the court-appointed defense counsel system is extended to all cases related to detained suspects, and suspects can consult their counsels without the presence of officials. Furthermore, as explained before, making an audiovisual recording of the interrogation becomes a legal requirement. Moreover, the time, duration and manner of interrogations by the police are controlled by a national regulation. This regulation also requires that the interrogation must be supervised by police officials not engaged in the criminal investigation, and these officials shall take necessary measures such as calling for the suspension of the interrogation when it is considered inappropriate. In addition, the basic principle in Japanese criminal investigations is that they should be conducted in a non-compulsory manner. Indeed, it is the judges who decide whether arrested persons should be detained or not and where they should be detained. In the case that there is no longer a reason or need for the detention, judges may terminate the detention. Further, members of Detention Facilities Inspection Committee that include lawyers inspect conditions of detention facilities and interview detainees, and the Prefectural Public Safety Commissions consisted of members appointed by governors directly receive complaints and appeals from detainees and review them objectively and impartially. To summarize what I have mentioned, we are making a wide range of efforts to protect the human rights of suspects.

(Japan-Republic of Korea Agreement)

- Next, I would like to touch upon the recent progress regarding the comfort women issue.
- The comfort women issue was a long-standing matter of concern between Japan and the Republic of Korea (ROK). Against such backdrop, the Foreign Ministers of two countries had a bilateral meeting on December 28, 2015 and confirmed that the issue is “resolved finally and irreversibly” between the two countries. In accordance with this agreement, the Government of the ROK established a foundation for providing support for the former comfort women, and the Government of Japan contributed one billion yen to the foundation. Under the cooperation between Japan and the ROK, projects have been carried out for recovering the honor and dignity and healing the

psychological wounds of former comfort women. So far, among the 47 former comfort women who were alive at the time of the agreement, 36 have already agreed to the projects, of which 34 have actually received such assistance as medical care and welfare support.

- We will engrave in our hearts the past, when the dignity and honor of many women were severely injured during wars in the 20th century. Japan will lead the world in making the 21st century an era in which women's human rights are not infringed upon.

(Conclusion)

- There has been a lot of progress in areas other than those I have presented so far, but due to time constraints unfortunately I cannot tell you about all of it. I would appreciate it if you would refer to the reports submitted by the Government of Japan for the details.

- Every country has room for improvement of its human rights situation, and the UPR mechanism is an important mechanism for contributing to that improvement. Japan intends to continue working for the betterment of its domestic human rights situation as well as to contribute to the protection and promotion of human rights in the international community, including the achievement of the SDGs, in close cooperation with the UN, governments of other countries, civil society, and others.

- In addition to the officials from the Ministry of Foreign Affairs of Japan, those from ministries and agencies concerned are with us in today's review. We look forward to hearing valuable opinions from each country and to having future-oriented and constructive exchanges of views.

(End)