

Opening Statement by H.E. Mr. Hideaki Ueda, Ambassador in Charge of Human Rights and Humanitarian Affairs, on the occasion of the Examination of the Third to Sixth Periodic Reports of the Government of Japan for the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

24 February, 2010

Mr. Chairperson and distinguished members of the Committee on the International Convention on the Elimination of All Forms of Racial Discrimination,

It is a great honor to be engaged in constructive dialogue today with the Committee.

I would like to extend opening remarks on behalf of the Japanese delegation at the beginning of the examination by the Committee on the Third to Sixth Periodic Reports of the Government of Japan in relation to the International Convention on the Elimination of All Forms of Racial Discrimination.

In September 2009, Prime Minister Yukio Hatoyama, shortly after he took office, addressed the 64th session of the United Nations General Assembly and advocated the concept of *yu-ai*, or "*fraternity*" as Japan's new principle for dealing with domestic and diplomatic issues. This principle is a way of thinking that respects one's own freedom and individual dignity, while also respecting the freedom and individual dignity of others. The Government of Japan will implement this convention based on this principle. Furthermore, Prime Minister Hatoyama, in January this year, made a policy speech at the Diet under the main theme of 'protecting people's lives'. The Prime Minister stated as follows: *'In order to prevent individuals from becoming isolated, and to create an environment in which everyone, the young, women, the elderly and those "challenged" by disabilities, can use their talents to play a full part in society with a sense of purpose and pride, we will work to obtain an accurate understanding of the employment situation and work to rectify the systems and practices that currently act as barriers.'*

Japan believes that all human rights and fundamental freedoms are universal values and are a legitimate concern of the international community. It is with this belief that Japan is actively engaged in efforts to protect and promote human rights with the attitude of “dialogue” and “cooperation”. As part of such efforts, in August 2008, Japan compiled and submitted to the Committee the third to sixth periodic reports on Japan’s achievements and efforts with regard to human rights guaranteed by the International Convention on the Elimination of All Forms of Racial Discrimination. In addition to the periodic reports, we made maximum efforts in compiling and submitting answers to the List of Issues to the Committee.

The International Convention on the Elimination of All Forms of Racial Discrimination is the main mechanism for dealing with racial discrimination and all other forms of discrimination. And universal implementation of the convention is important for creating a society without racial discrimination. It is needless to say that, after ratification of international conventions, it is important to see to what extent the rights stipulated in them are protected and promoted by each State party. In this respect, we are glad to have the opportunity to be examined by the Committee, through which we can review the status of Japan’s implementation of the Convention from an international standpoint and reflect the findings in our domestic policies. We are looking forward to listening to various views from the members of the committee in order to improve the human rights situation in Japan.

Mr. Chairperson and distinguished members of the Committee,

I would like to take this opportunity to explain some of the major steps the Government of Japan has taken in relation to the International Convention on the Elimination of All Forms of Racial Discrimination.

First, Japan is working actively to establish comprehensive policies for respecting the human rights of the Ainu people. Following the adoption of

the Declaration on the Rights of Indigenous Peoples at the United Nations General Assembly in 2007, the Japanese Diet unanimously adopted a ‘Resolution Calling for the Recognition of the Ainu People’ as an Indigenous People in June 2008. In response to this resolution, the Government of Japan recognized the Ainu people as an indigenous people who live in the northern part of the Japanese islands, especially Hokkaido, and established the ‘Advisory Panel of Eminent Persons on Policies for the Ainu People’ with a representative of the Ainu people participating as member. The Panel members visited regions where many Ainu people reside and exchanged views with the Ainu People. In 2009, the Panel compiled a report and submitted it to the Government of Japan.

In this report, the panel expressed its view that the Government of Japan should listen sincerely to the opinions of the Ainu people and make efforts to establish Ainu policy reflecting the situations of Japan as well as the Ainu people. This view is based on the recognition that the Ainu people are an indigenous people and the Government of Japan has strong responsibility for the rehabilitation of their culture. The report identified three basic principles on implementing the Ainu-related policies, that is, (1) respect for the Ainu people’s identity, (2) respect for diverse cultures and ethnic harmony, and (3) nation-wide implementation of the Ainu-related policy. The report also made recommendations on concrete policy measures including promoting education and public awareness about the history and culture of the Ainu, constructing parks as a symbolic space for ethnic harmony, and promoting the Ainu culture including the Ainu language. Furthermore, the report advised the Government of Japan to conduct research on the living conditions of the Ainu people outside Hokkaido and to implement measures for improving their living conditions throughout Japan.

In August 2009, the Government of Japan established the ‘Comprehensive Ainu Policy Department’ to develop an all-encompassing Ainu policy, and in December 2009 decided to set up the ‘Meeting for Promotion of the Ainu Policy’ with the participation of representatives of the Ainu people. The first session of the Meeting took place last month followed by the first working group next month, and the meeting is scheduled to be held

regularly. The Government of Japan will materialize policies and also follow up on the implementation of policy.

Mr. Chairperson and distinguished members of the Committee,

Prime Minister Hatoyama, in his policy speech at the Diet in October last year, committed “ *to promote cultural diversity to enable everyone to live with dignity, by respecting the history and culture of the Ainu people, who are indigenous to Japan*”. In this direction, the Government of Japan will create an environment which will enable the Ainu people to be proud of their identities and inherit their culture.

Mr. Chairperson and distinguished members of the Committee,

Secondly, let me explain our efforts to promote human rights education and enlightenment. The Government of Japan believes that everyone is entitled to human rights, should correctly understand other people’s human rights and respect each other. Under this belief, the Government of Japan places importance on human rights education and enlightenment. In December 2000, the Government of Japan enacted the ‘Act for Promotion of Human Rights Education and Encouragement’, which led to the formation of the Basic Plan for Promotion of Human Rights Education and Encouragement in March 2002. According to the Basic Plan, the human rights organs of the Ministry of Justice expand and strengthen awareness-raising activities to disseminate and enhance the idea of respect for human rights. Various activities are conducted by the organs, with a view to fostering human rights awareness as appropriate in the age of globalization, for eliminating prejudice and discrimination against foreigners, as well as for promoting an attitude of tolerance and respect for diverse cultures, religions, lifestyles and customs of different origins.

Human rights organs of the Ministry of Justice also have been endeavoring to protect human rights through other activities such as human rights counseling, investigation and disposition of human rights infringement

cases. In particular, in April 2004, the Government of Japan fully revised the ‘Regulations of Human Rights Infringement Incidents Treatment’ to ensure quick, flexible and appropriate enforcement of investigation and relief activities. Based on this revision, when the human rights organs recognize the facts of a human rights abuse case, including acts of racial discrimination, they commence relief activities immediately and carry out the necessary investigation in cooperation with the administrative organs concerned. If it becomes clear, as a result of the investigation, that a human rights abuse, including acts of racial discrimination, has occurred, the human rights organs take various steps to relieve individual victims. For instance, they admonish and order the perpetrator to stop such acts of racial discrimination and request that those parties authorized to substantially respond to the case take necessary measures for the relief of the victims and prevention of reoccurrence. The human rights organs also endeavor to prevent reoccurrence of acts of racial discrimination by educating the persons concerned with regard to respect for human rights.

Furthermore, from the perspective of remedying human rights issues, Japan is currently working on studies aimed at the establishment of a national human rights institution, which, independent of the government, would deal with human rights infringements and remedy the situation as quickly as possible. The ‘Human Rights Protection Bill’ which the Government of Japan submitted to the Diet in 2002 provided that a human rights commission, to be independent of the government, take measures to remedy human rights infringements in a simple, quick and flexible manner. However, the bill did not pass due to the dissolution of the House of Representatives in October 2003. Currently, a bill on a new human rights remedy system is under review.

Mr. Chairperson and distinguished members of the Committee,

I would like to avail myself of this occasion to announce Japan’s new initiative with regard to refugee-related policies. As part of its efforts to make international contributions and provide humanitarian assistance, the Government of Japan decided to start a pilot resettlement program and

admit Myanmarese refugees staying in the Mae La camp in Thailand. More specifically, Japan will admit approximately 30 people once a year for 3 consecutive years from this year, in total approximately 90 people. For this purpose, three weeks ago we dispatched a mission to the camp to interview candidate refugees.

Japan is proud that it will become the first Asian country to introduce a resettlement program. Japan will make the utmost efforts in order to live up to expectations from the international community. The Government of Japan, in cooperation with relevant organizations and NGOs, will provide refugees substantial support for resettlement such as guidance for adjusting to Japanese society, Japanese language training, and employment consultation and job referral.

Mr. Chairperson and distinguished members of the Committee,

Japan, on the basis of the spirit declared in the Constitution and the preamble of the Convention, will disallow any discrimination against race and ethnicity, and continue to make tireless efforts to improve the human rights situation in Japan. The Japanese delegation is ready to most sincerely provide answers on any matters of concern you may have during this important examination.

It is my hope that we will have constructive discussions.

Thank you very much.