

Japan's review in the Working Group,
Friday 09 May 2008, Afternoon 2.30 pm– 5.30 pm
Overview of the Working Group session

The Troika

The Troika was composed of representatives from France, Indonesia and Djibouti. Only France took the floor during the interactive dialogue, mentioning its membership in the Troika.

Presentation by Japan

Speaking time: 22 minutes

Speaker: H.E. Mr. Yoshitaka Akimoto, Ambassador in charge of UN Affairs, Ministry of Foreign Affairs of Japan

Recognition of problems and/or concerns: the delegation didn't point out challenges or recognized concerns.

Achievements made: signature of the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearances and is making efforts to ratify them; became party of the Rome Statute in the International Criminal Court (in October 2007); Basic Plan for the Promotion of Human Rights Education and Encouragement (2002); establishment of Human Rights Counseling Offices for Foreign Nationals; submission by the Minister of Justice of the Human Rights Bill to establish a new independent Human Right commission; access to the ICERD in 1995 and domestic laws for racial discrimination; adoption of the Second Basic Plan for gender Equality (2005); laws in 2005 and 2006 for improving the conditions of detainees; the Constitution emphasises respects for fundamental human rights;

Other issues: supports the view that human rights are a legitimate concern of the international community;

Answers to written questions: *cooperation with Special Rapporteurs (Latvia); intention to ratify the Optional Protocol to CAT (UK); adherence to The Hague Convention on Child Abduction of 25 October 1980" and "The Convention Parental Responsibility and Protection of Children of 19 October 1996 (UK); existence and status of National Human Rights Organizations (UK); measures to eliminate racial discrimination; discrimination against women (including marriageable age); conditions of detention; police detention system; death penalty; participation of the civil society for the national report.*

Interactive dialogue

Number of countries that took the floor

42 States took the floor during the interactive dialogue: **26 members States of the Human Rights Council** (*the Philippines, Malaysia, China, Canada, UK, Egypt, France, Slovenia, Mexico, the Netherlands, Brazil, Germany, Republic of Korea, Guatemala, Switzerland, Bangladesh, Ukraine, Azerbaijan, Jordan, Italy, Russian Federation, Qatar, Sri Lanka, Romania, Pakistan, Peru*); **16 non-member States** (*Algeria, Democratic Peoples Republic of Korea, Belgium, Tunisia, Luxemburg, Portugal, Poland, Albany, Islamic Republic of Iran, USA, Mauritania, Latvia, Turkey, Argentina, Slovakia, Vietnam*).

Questions/issues raised

Indigenous Peoples – Algeria, Peru; **Women’s rights** – Portugal, Brazil, Pakistan; *Violence against women* – Algeria, Philippines (trafficking), China, Canada, Iran (domestic violence); *gender equality* – Portugal (stereotypes in labour market and political field), Slovenia, Iran (stereotypes); *Discrimination against women* – France, Slovenia (marriageable age), Germany (women from minorities), Azerbaijan, Romania; **Trafficking in persons** – Philippines, Canada, Netherlands (Slavery practice of comfort women during WWII), Jordan, Iran (prostitution and exploitation), Romania; **Bullying in schools “ijime”** – Philippines; **Japanese Military Sexual Slavery** – North Korea; **Death Penalty** – Belgium, Luxemburg, Mexico, Switzerland (moratorium), Portugal, Netherlands (training for judges), Brazil; **Pre-trial and Detention conditions** – Algeria (police custody), Canada, Iran (health care and torture in prison); **Police stations “daiyo kangoku”** – Algeria, Belgium, Malaysia, United Kingdom; **Training in human rights of law enforcement officials** – Canada, Tunisia; **Rights to development** – Egypt; **Technique cooperation for developing countries** – Tunisia; **International human rights instruments** – Algeria; Luxemburg; Albania, Mexico, Azerbaijan; **Cooperation with Special Procedures** – Latvia; **Violations on the Internet** – Poland; **Rights of the Child** – China (child abuse and child pornography), Mexico, Brazil, Turkey, Azerbaijan, Italy (corporal punishment in school), Sri Lanka (National Youth Policy); **Conscientious objection** – Slovenia; **National Human Rights Institution** – Philippines, Canada, Mexico, Turkey, Qatar; **Migrants** – Philippines, Brazil, USA (immigration detention centres), Azerbaijan (workers); **Racial discrimination** – North Korea (against Koreans), China, Brazil, Iran, South Korea, Guatemala; **Torture** – Brazil; **Human Rights education** – Ukraine; **Old population** – Vietnam, Mauritania (old workers); **Minorities** – Philippines, Peru; **Refugees** – Slovakia; **Asylum seekers** – Slovakia;

Recommendations

Conditions of detention

- Review the monitoring of interrogation of detainees to be in accordance with CAT and humanitarian law (**Algeria, Belgium, UK**)
- Institute procedural measures which protect detainees (**Canada**)
- Respect of the safeguard guaranty, including in death penalty case (**Italy**)

NHRI

- Establishment of a NHRI in accordance with Paris Principles (**Algeria, China, Canada, Qatar**)

Human trafficking

- To take measures to deal with military sexual slavery (**DPRK**)
- To take measures against discrimination against Koreans (unemployment, obligation to change the name) (**DPRK**)
- Continue efforts in this regard (**Canada**)

Racial Discrimination

- Immediate measures (**DPRK**)
- Measures to implement the recommendations made by the SR (**China**)
- Measures for complaints procedures (**France**)

Women's rights

- Continuation of the measures for violence against women, including reparations **(Canada)**
- Measures for gender identity **(Canada)**
- Measures for comfort women during WWII **(France, Republic of Korea)**

Death Penalty

- Moratorium in order to abolish death penalty **(UK, Luxemburg, Portugal, France, Albany, Netherlands, Switzerland, Italy)**

Participation of civil society

- Integration of the civil society in the following of the report **(UK)**

International Instruments

- Ratification of CAT **(UK, Albany)**
- Ratification of OP-CEDAW **(Portugal, Mexico)**
- Ratification of OP-CAT **(Mexico, Brazil)**
- Ratification of Convention on the Rights of Persons with Disabilities **(Mexico)**
- Ratification of International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families **(Peru)**
- Adhere to the complaints procedures of CEDAW and CERD **(Brazil)**
- Visit of SR **(Brazil)**

Migrants

- Permit international monitoring for immigration detention centres **(USA)**

Indigenous People

- Review the land rights and other rights of the Ainu population and harmonize it with the United Nations Declaration on the Rights of Indigenous Peoples **(Algeria)**
- Make a dialogue with indigenous people **(Guatemala)**

Rights to development

- continue development assistance **(Bangladesh)**
- extend the efforts regarding to MDG's **(Bangladesh)**

Minorities

- Establishment of a independent body **(Slovakia)**

Rights of the Child

- Develop a mechanism to ensure the prompt return of children who have been wrongfully removed from or prevented from returning to their habitual place of residence **(Canada)**

Sexual orientation

- Take measures to eliminate discrimination based on sexual orientation **(Canada)**

Answers provided by Japan on questions/issues raised and recommendations

Racial discrimination (Brazil); Trafficking in persons (Philippines, Canada); Bullying of children in schools (Philippines); Women' rights; Relationship between North Korea and Japan (North Korea); Sexual orientation (Canada);
Second Round: Rights of the Child; Indigenous peoples (Guatemala); Monitoring of immigration detention centres; Investigation in penal institutions; Death penalty and moratorium; Refugees; National police agency; Immigration; Corporal punishment in schools (Italy).

Issues for follow-up

The delegation argued that it is ready to cooperate with Special Representatives, in order to visit the country. Besides, the Bill to establish a new Human Rights Commission is currently reviewed by the Ministry of Justice.

Pakistan asks for the measures taken for the inclusion of gender perspective in the following of UPR. Furthermore, Slovenia recommends the State to integrate the gender perspective in the following of the report.

States that made solely welcoming statements

Argentina

Human Rights mentioned during the review but on which the delegation did not give a response

Rights to development (Bangladesh); Torture;

Speaking times

Overall duration of the review: 2 hours and 41 minutes

Of the State under Review

- During its opening statement: *24 minutes*
- Overall speaking time employed to respond to other States' questions during the interactive dialogue: *38 minutes*
- Concluding remarks: *1 minute*

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