

## Recommendations & Pledges

### JAPAN

#### Second Review Session 14

Review in the Working Group: 31 October 2012  
Adoption in the Plenary: 14 March 2013

#### Japan's responses to recommendations (as of 21.05.2013):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No response, all pending	117 recs accepted in full, 8 accepted in part (underlined in blue), 26 rejected, and 23 commented but no clear position was given	Concerning the 23 recs with no clear position, the delegation stated to already have measures in place to address them	Accepted: 125 Rejected: 26 No clear position: 23 Pending: 0 Total: 174

*Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.*

#### **List of recommendations contained in Section II of the Report of the Working Group A/HRC/22/14:**

147. The recommendations formulated during the interactive dialogue/listed below will be examined by Japan which will provide responses in due time, but no later than the 22nd session of the Human Rights Council in March 2013. The responses of Japan will be included in the outcome report to be adopted by the Human Rights Council at its 22nd session in March 2013:

[A - 147.1. Proceed with the ratification of instruments that have not yet been ratified and accelerate the process of withdrawing reservations in order to ensure the fullest enjoyment of human rights for the population \(Benin\);](#)

[A - 147.2. Take further steps to ratify relevant treaties and conventions, keeping in line its priorities](#)

and the domestic legislative process (Cambodia);

A - 147.3. Ratify the optional protocols of the human rights conventions to which Japan is a party (Hungary);

A - 147.4. Recognize the competence of the treaty bodies to receive and examine complaints from individuals, by ratifying the relevant treaties (Republic of Korea);

A - 147.5. Consider taking necessary measures to accept individual complaints about violations of rights enshrined in Human Rights treaties and protocols ratified by Japan that foresee such a procedure (Austria);

R - 147.6. Ratify the second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP 2), aiming at the abolition of the death penalty (Rwanda; Switzerland);

R - 147.7. Consider the possibility of abolishing the death penalty and acceding to the ICCPR-OP 2, while approving a moratorium in the meantime (Uruguay);

A - 147.8. Accede to the ICCPR-OP 2 and also the Optional Protocol to the Convention against Torture (OP-CAT) (Australia);

A - 147.9. Consider the possibility to ratify OP-CAT (Tunisia);

A - 147.10. Accede to the OP-CAT (Czech Republic);

A - 147.11. Sign the Optional Protocol to the International Covenant of Economic, Social and Cultural Rights (OP-ICESCR) (Portugal);

A - 147.12. Consider ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (Brazil);

A - 147.13. Recognize the competence of the Committee on Enforced Disappearances (CPED) to receive and consider communications from or on behalf of victims and other States Parties for violations of the provisions of the Convention (Uruguay);

NC - 147.14. Withdraw its reservation to article 37(c) of the Convention on the Rights of the Child (CRC) regarding the separation of children deprived of liberty from adults (Austria);

A - 147.15. Consider the early ratification of the third Optional Protocol to the CRC on a Communication Procedure (OP-CRC-IC) (Slovakia);

A - 147.16. Ratify the Convention on the Rights of Persons with Disabilities (CRPD) convention and enact legislation to protect persons with disabilities in accordance with CRPD standards (Slovenia);

A - 147.17. Ratify the CRPD (Spain; India; Iraq);

A - 146.18. Ratify the CRPD and adopt discrimination laws to protect persons with disabilities (Kuwait);

A - 147.19. Continue with the efforts to ratify the CRPD and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Argentina);

A - 147.20. Encourage the ratification of the conventions that are still pending, particularly the ICRMW (Chile);

A - 147.21. Consider the ratification of the ICRMW (Rwanda);

A - 147.22. Accelerate the ratification of the ICRMW (Indonesia);

A - 147.23. Consider ratifying the ICRMW as well as the ILO Convention 189 (Philippines);

A - 147.24. Exert utmost efforts in ratifying the Palermo Protocol (Philippines);

A - 147.25. Ratify the Palermo Protocol (India);

A - 147.26. Ratify the Palermo Convention (Convention against Transnational Organized Crime) as well as its Protocol on the Trafficking in Persons (France);

A - 147.27. Continue its efforts to finalize its ratification of the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Hague Convention). Canada acknowledges Japan's progress to date in this regard, notably its development of domestic legislation for Diet approval, and encourages progress towards ratification and implementation to continue in a timely fashion (Canada);

A - 147.28. Consider ratifying the Hague Convention (Slovakia);

NC - 147.29. Promptly complete the ratification of the Hague Convention (Ireland);

A - 147.30. Accelerate the procedure to accede to the Hague Convention (Italy);

A - 147.31. Continue to refine its domestic legislative, institutional and administrative structures to strengthen its work in the field in human rights (Zimbabwe);

A - 147.32. Ensure that economic, social and cultural rights be enjoyed on an equal footing in national legislation (Palestine);

A - 147.33. Ensure the full applicability and incorporation in the domestic legal system of the CEDAW (Bulgaria);

A - 147.34. Consider strengthening legislative protection from racial discrimination and discrimination based on sexual orientation (Canada);

A - 147.35. Implement the recommendation of the Committee on the Elimination of Racial Discrimination (CERD) to adopt specific legislation to outlaw direct and indirect racial discrimination, and guarantee access to effective protection and remedies through competent national courts (South Africa);

A - 147.36. Ensure that the domestic legislation concerning discrimination is consistent with that contained in the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) which deals furthermore with all forms of direct or indirect discrimination based on age, sex, religion and sexual orientation (Switzerland);

A - 147.37. Adopt measures at the legislative level which directly prohibit racist and xenophobic statements and guarantee access to effective protection and measures of legal defence in the appropriate national courts (Uzbekistan);

A - 147.38. Continue the efforts to review existing legislation related to the family, in particular the regime applicable to children born out of wedlock (Chile);

A - 147.39. Take legal measures to adopt a comprehensive law on child rights and fully bring in line the legislation with the Convention, as well as adopt and implement a national plan of action for children to address inequalities in income and living (Iran (Islamic Republic of));

NC - 147.40. Take legal measures to eliminate discrimination against children of ethnic minorities, non-Japanese nationality and children with disabilities (Iran (Islamic Republic of));

A - 147.41. Consider reviewing its legislation with a view to criminalizing the possession of child pornographic materials (Brazil);

A - 147.42. Amend the Civil Code and Family Registration Law in accordance with Japan's international human rights obligations and in this regard make particular efforts to address the concluding observations of CEDAW (Finland)

A - 147.43. Bring the legal age of marriage to 18 for women as for men (France);

NC - 147.44. Adopt legislative and other measures to ensure that detainees are not questioned without the presence of a lawyer and that they have prompt and unhindered access to legal counsel (Czech Republic);

A - 147.45. Ensure full alignment of its national legislation with all obligations under the Rome Statute of the International Criminal Court (ICC), acceding also to its Agreement on Privileges and Immunities (Slovakia);

A - 147.46. Consider amending the Immigration Control Act to introduce a maximum period of detention pending deportation (South Africa);

A - 147.47. Complete the process of establishing the national human rights commission (Nepal);

A - 147.48. Speed up the process of establishment of a human rights commission ensuring its independence and full compliance with the Paris principles (Spain);

A - 147.49. Continue to promote the establishment of a national human rights institution in accordance with the Paris Principles (Nicaragua);

A - 147.50. Swiftly conclude the process of setting up a national human rights institution in compliance with the Paris Principles (Tunisia);

A - 147.51. Establish a national independent human rights institution, in compliance with the Paris Principles (Ukraine);

NC - 147.52. Update the Council by December 2013 on the progress of the launch of its national human rights institution, with specific reference to its adherence to the Paris Principles (United Kingdom of Great Britain and Northern Ireland);

A - 147.53. Accelerate the process of creating a Human Rights Institution in conformity with the Paris Principles (Benin);

A - 147.54. Continue its process of implementation for a national human rights commission in conformity with the Paris Principles (Burkina Faso);

A - 147.55. Take steps to ensure that the National Human Rights Institution, which Japan is to create, is consistent with the Paris Principles (France);

A - 147.56. Accelerate the process to establish a human rights commission in accordance with the Paris Principles (Indonesia);

A - 147.57. Continue working on establishing a national human rights institution, in accordance with the Paris Principles (Jordan);

A - 147.58. Continue its efforts to establish a national human rights institution in accordance with the Paris Principles (Malaysia);

A - 147.59. Establish an independent National Human Rights Commission in conformity with the Paris Principles (Mexico);

A - 147.60. Continue its policies on improving the rights of the child (Jordan);

A - 147.61. Consider adopting the National action plan for children to address inequalities in living standards and disparities by gender, ethnic origin and disabilities (South Africa);

A - 147.62. Continue to further enhance its dialogue with civil societies and implement policies and measures in order to enhance the promotion and protection of the rights of women, children and persons with disabilities (Bhutan);

- A - 147.63. Continue the efforts to combat and prevent discrimination under any ground (Cuba);
- A - 147.64. Continue prohibiting all forms of direct or indirect discrimination including discrimination based on language, gender, race, religion or nationality (Palestine);
- A - 147.65. Review its national legislation with a view to eliminating discriminatory provisions based on a comprehensive list of grounds, including social status, gender and sexual orientation (Czech Republic);
- A - 147.66. Take further concrete steps to raise public awareness of, and to eliminate gender stereotypes against women (Thailand);
- A - 147.67. Keep on encouraging the third basic plan for gender equality and implementing it continuously (Nicaragua);
- A - 147.68. Strengthen the Third Basic Plan for Gender Equality and raise related measures to combat violence against women, treating the problems of women belonging to minorities in an effective way (Libyan Arab Jamahiriya);
- A - 147.69. Continue its efforts in the advancement for the promotion and protection of the rights of women by implementing its "Third Basic Plan for Gender Equality" and its "Action Plan to Promote Economic Revival through Women's Active Participation" (Malaysia);
- A - 147.70. Continue effective implementation of the national plan on Gender equality to raise the awareness in order to eliminate discrimination and prejudice (Armenia);
- A - 147.71. Take urgent measures to promote gender equality and effectively protect women and children's rights (China);
- A - 147.72. Continue to implement measures to ensure gender equality, including women belonging to minorities (Cuba);
- A - 147.73. Strengthen the promotion of gender and the fight against violence against women (Senegal);
- A - 147.74. Implement legal reforms and measures necessary to eliminate all forms of discrimination against women, particularly regarding the age of marriage and the possibility of keeping the maiden's name (Spain);
- A - 147.75. Further advance all efforts to realise Japan as a gender-equal society (Trinidad and Tobago);
- A - 147.76. Foster its holistic approach on gender equality, in particular empowering women's social and economic rights and fighting domestic violence (Viet Nam);
- A - 147.77. Continue the empowerment of women and given them a bigger role in society (Kuwait);
- A - 147.78. Ensure equality and non-discrimination of children born out of wedlock in issues related to the acquisition of nationality, inheritance rights and birth registration (Slovenia);
- A - 147.79. Adopt comprehensive measures against discrimination towards children and repeal all legislation that discriminates against children born out of wedlock. Promote awareness campaigns and education programs about the human rights of all boys, girls and adolescents, particularly in relation to the acquisition of nationality, inheritance rights and the right to identity (Uruguay);
- A - 147.80. In line with requests by CEDAW and the CRC, review the situation of children born out of wedlock who do not enjoy nationality, inheritance and birth registration rights (Botswana);
- A - 147.81. Take the necessary measures to ensure universal birth registration, including for children born out of wedlock and regardless of the parents' immigration status (Mexico);

A - 147.82. Address those situations (in protecting children's rights) that still raise concern, such as the lack of criminalization for the possession of pornographic material regarding children (Italy);

A - 147.83. Share with other countries, through the UPR process, its experiences and best practices gained from creating a gender-equal society (Myanmar);

A - 147.84. Continue to strengthen its anti-racist and anti-discrimination measures (Namibia);

NC - 147.85. Define discrimination in national legislation in line with the ICERD, and prohibit all forms of direct and indirect discrimination, including on the basis of age, gender, religion, sexual orientation, ethnicity, or nationality (Norway);

A - 147.86. Continue the effective implementation of the CRPD (Armenia);

A - 147.87. Lobby for and implement a comprehensive anti-discrimination law that provides effective protection against discrimination against persons with disabilities (United States of America);

A - 147.88. Take the necessary measures to eliminate all discriminatory treatment towards persons with disabilities (Argentina);

A - 147.89. Consider further measures for the protection and integration of LGBT individuals, and for the elimination of all discriminatory treatment on the grounds of sexual orientation or gender identity (Argentina);

NC - 147.90. Lobby for and implement comprehensive anti-discrimination legislation to provide protection for the rights of LGBT persons (United States of America);

NC - 147.91. Take measures to eliminate all forms of discrimination against Koreans (Democratic People's Republic of Korea);

A - 147.92. Step up its efforts to combat discrimination and intolerance, particularly towards migrants, foreigners, asylum seekers and refugees (Tunisia);

R - 147.93. Encourage a deep nationwide dialogue on the death penalty, open to all stakeholders and views (Italy);

R - 147.94. Abolish the death penalty or establish a moratorium on its use (Namibia);

R - 147.95. Consider seriously an immediate moratorium on executions as a first step to the abolition of the death penalty and add the possibility of a life sentence without parole to the range of penalties for vicious crimes (Netherlands);

NC - 147.96. Take immediate measures to abolish the death penalty for persons that were under-age at the time of the crime, as well as for those convicted individuals having significantly impaired mental ability or mental illness (Norway);

R - 147.97. Evaluate the possibility of abrogating the death penalty from its legal regime (Argentina);

R - 147.98. Establish a moratorium on the use of the death penalty, as a first step towards the complete abolition of this practice (Australia);

R - 147.99. Consider undertaking a national debate with a view to assessing the possibility of establishing a moratorium on the application of the death penalty (Mexico);

R - 147.100. Establish a moratorium on executions with a view to abolishing the death penalty (Italy);

R - 147.101. Seriously consider an immediate moratorium on executions to allow a comprehensive public debate on this issue to take place (Ireland);

R - 147.102. Establish a moratorium on executions and initiate a broad public debate on the question of the death penalty with a view to its final abolition (Germany);

R - 147.103. Establish an official moratorium with a view to the final abolition of the death penalty and facilitate a national dialogue on the abolition (France);

R - 147.104. Establish a moratorium on executions with a view to proceeding towards the abolition of the death penalty (Finland);

R - 147.105. Introduce a formal moratorium on executions and take concrete steps toward the abolition of the death penalty (Norway);

R - 147.106. Establish a moratorium on the death penalty with a view to its abolition and sign and ratify the ICCPR-OP 2 (Portugal);

R - 147.107. Introduce an immediate formal moratorium on the death penalty as a first step towards its abolition, while commuting the existing sentences to life imprisonment terms (Slovakia);

R - 147.108. Apply a moratorium on the death penalty with a view to abolishing capital punishment (Slovenia);

R - 147.109. Apply a new moratorium against the death penalty with a view to its definitive abolition (Spain);

R - 147.110. Establish without any delay an official moratorium on executions (Switzerland);

R - 147.111. Reconsider introducing a moratorium on executions with a view to abolishing the death penalty (Turkey);

R - 147.112. Announce an immediate moratorium and initiate a policy review with the intention of abolishing the death penalty by December 2013 and then ratify the ICCPR-OP 2 by December 2014 (United Kingdom of Great Britain and Northern Ireland);

R - 147.113. Adopt a moratorium on executions to allow a comprehensive public debate on the issue and to consider establishing an official death penalty review body to make public recommendations for its reform (Austria);

A - 147.114. Strengthen the human rights education of the law-enforcement agencies, public servants, especially on the rights of women and children (Azerbaijan);

A - 147.115. Continue human rights training of public officials (Senegal);

NC - 146.116. Review the Daiyo Kangoku system of detention and, according to the International Covenant on Civil and Political Rights (ICCPR), ensure that all persons deprived of liberty are brought to justice without delay (Spain);

NC - 147.117. Abolish the daiyo kangoku system or reform it so that it is consistent with the international law (Switzerland);

NC - 147.118. Reform the detention system to bring it in line with international standards, including by implementing safeguards such as electronic recordings of the entire interrogation process, and ensuring that detainees are not questioned without the presence of a lawyer and have prompt and unhindered access to legal counsel (Norway)

NC - 147.119. Reform the substitute detention system in order to be consistent with the international human rights standards, including those on the right to assistance from a lawyer in custody (France);

NC - 147.120. Ensure full compliance of the substitute detention system (Daiyo Kangoku) with all guarantees contained in article 14 of ICCPR (Germany);

NC - 147.121. Improve conditions of detention for condemned prisoners regarding communication with the outside world (Belgium);

NC - 147.122. Improve prison conditions to bring them in line with international standards and

guidelines for the treatment of prisoners by providing warmer clothes to prisoners in winter, providing foreign prisoners with timely medical and dental treatment, and increasing the amount and nutritional quality of the food (United States of America);

NC - 147.123. If no legal moratorium is given, provide all necessary guarantees to ensure that the rights of persons condemned to death are respected (Belgium);

NC - 147.124. Ensure that the rights of detainees sentenced to death be duly respected (Italy);

NC - 147.125. Ensure that conditions of detention of death row inmates comply with international standards (Hungary);

A - 147.126. Expressly prohibit corporal punishment in all settings (Hungary);

A - 147.127. Further efficiently address violence against women, through facilitation of the reporting of domestic and sexual violence and providing support services to victims (Republic of Moldova);

A - 147.128. Continue implementing measures against gender violence and giving care for victims (Spain);

A - 147.129. Adopt the Special Rapporteur's (regarding trafficking in persons) recommendation to intensify efforts to eliminate all forms of violence against women and girls, and to bring perpetrators to account (Trinidad and Tobago);

A - 147.130. Continue to strengthen its legislation and implementation regarding discrimination and violence against women and to pursue its efforts to promote gender equality, address violence against women, including domestic violence and provide support to the victims of gender-based violence (Turkey);

A - 147.131. Continue measures for improving access by women victims of trafficking and sexual violence to complaints mechanisms and protection services (Azerbaijan);

A - 147.132. Step up efforts to combat trafficking in persons including by defining trafficking in persons in accordance with the Palermo Protocol and invite the Special Rapporteur on the sale of children, child prostitution and child pornography (Belarus);

A - 147.133. Continue with all its endeavours to ensure further success in the implementation of the recently established programs/policies, including the revised national action plan against trafficking in persons (Cambodia);

A - 147.134. Strengthen measures to fight human trafficking, especially of women and children, in line with international legal standards in this area (Libyan Arab Jamahiriya);

A - 147.135. Most complexly address the root causes of trafficking and effectively protect and support victims (Republic of Moldova);

A - 147.136. Continue with concerted action towards combating trafficking in persons, and strengthen relevant frameworks in this regard (Sri Lanka);

A - 147.137. Further advance efforts to address the root cause of trafficking and to protect and support victims of trafficking (Trinidad and Tobago);

A - 147.138. Ensure effective protection from violence and sexual exploitation for women, particularly women who are migrants or from minority groups (Belarus);

A - 147.139. Adopt a plan of action to combat sexual exploitation of children, child pornography and prostitution and provide assistance to victims of sexual exploitation (Republic of Moldova);

A - 147.140. Further increase its efforts to prevent the sexual exploitation of children and to prosecute the authors of such acts (Algeria);

A - 147.141. Take measures, at the national level, against the sexual exploitation of minors (Costa Rica);

A - 147.142. Ensure provision and adequate and timely assistance, including judiciary assistance and interpreters, to victims of sexual exploitation, both women and children, or other gender-based violence, regardless of their nationality, race or origins (Thailand);

NC - 147.143. Consider the introduction of a systematic appeal system with suspensive effect following a death penalty conviction in first instance (Belgium);

NC - 147.144. Introduce a mandatory appeal system in capital cases and to ensure that inmates themselves, their families and their legal representatives are provided with adequate information about a pending execution and to allow a last family visit or communication with the convicted person (Austria);

R - 147.145. Recognize its legal responsibility for the issue of the so-called „comfort women“ and take appropriate measures acceptable to the victims, as recommended by the relevant international community (Republic of Korea);

R - 147.146. Face up to and reflect on its past and present a responsible interface to the international community by making apologies on the issue of comfort women and giving compensation to its victims (China);

R - 147.147. Acknowledge its responsibility for the issue of "comfort women" used during World War II, and take steps to restore the dignity of victims and compensate them adequately (Costa Rica);

R - 147.148. Accept legal responsibility for and address, once and for all, the Japanese military sexual slavery and other violations committed in the past in other Asian countries including Korea (Democratic People's Republic of Korea);

A - 147.149. Continue its protection measures in response to infringements of human rights of other persons, such as defamation and invasion of privacy committed through the internet (Bangladesh);

A - 147.150. Take measures to guarantee freedom of religion (Iraq);

A - 147.151. Take effective measures to ensure a greater political representation and participation of women in public life as well as to address the issue of wage gap between men and women (Algeria);

A - 147.152. Continue promoting the rights of women and their inclusion in decision making processes (Armenia);

A - 147.153. Take all necessary measures to ensure adequate access to water and sanitation by children with disabilities in all Japanese schools (Portugal);

A - 147.154. Promote reproductive and sexual health education for adolescents in view of importance of preventive measures to fight increase sexually transmitted diseases including HIV/AIDS (Ukraine);

A - 147.155. Take all necessary measures to protect the right to health and life of residents living in the area of Fukushima from radioactive hazards and ensure that the Special Rapporteur on the Right to Health can meet with affected and evacuated people and civil society groups (Austria);

A - 147.156. Pay more attention to the needs of persons with disabilities, particularly by covering their medical expenses (Bahrain);

A - 147.157. Take further measures in order to lower or abolish education fees at the University level as well as granting scholarships in order to alleviate the financial burdens further (Bahrain);

NC - 147.158. Ensure that future generations continue to be informed of all aspects of their history, by taking measures such as the introduction of the topic of comfort women in textbooks for school children (Netherlands);

NC - 147.159. Put an end to the distortion of past history and raise awareness of historical facts by amending educational curricula to reflect historical realities, including its past crimes and atrocities (Democratic People's Republic of Korea);

A - 147.160. Implement the recommendation given by the Committee on the Elimination of Discrimination against Women (CEDAW) to conduct a comprehensive study on the situation of minority women and develop a national strategy to improve the living conditions for minority women (Germany);

A - 147.161. Promote and implement programmes and policies to improve the situation of minorities and to support them at the linguistic, cultural and social levels (Libyan Arab Jamahiriya);

A - 147.162. Reinforce its efforts to protect the rights of migrant workers and prepare favourable working conditions (Iran (Islamic Republic of));

A - 147.163. Further strengthen the public awareness about the human rights of migrant workers and other minority groups (Myanmar);

A - 147.164. Continue efforts for the protection and promotion of the rights of migrants (Nepal);

A - 147.165. Ensure the access of all migrants, without discrimination and irrespective of their legal status, to health and education (Portugal);

A - 147.166. Continue its efforts to protect the human rights of foreigners – including refugees– and prevent discrimination against them in both law and practice (Sudan);

A - 147.167. Review the admission regulations for foreigners to its territory (Chad);

A - 147.168. Play an effective role to operationalize the right to development at the international level (Pakistan);

A - 147.169. Implement seriously and immediately the recommendations of the UPR (China);

A - 147.170. Increase its un-earmarked contribution to the OHCHR (Bangladesh);

A - 147.171. Increase its Official Development Aid to 0.5 percent of its gross national income with a view to reaching the United Nations target of 0.7 percent (Namibia);

A - 147.172. Continue to provide Official Development Assistance (ODA) in the areas of socio-economic development (Bangladesh);

A - 147.173. Continue actions that support, in the context of the international cooperation, the strengthening of the concept of "disaster reduction" as an issue to be considered in decision-making at the national, local and community levels, to ensure the human safety of vulnerable populations (Paraguay);

A - 147.174. Continue playing a positive international role in the field of human rights by maintaining its financial contributions and continue its bilateral human rights dialogue (Sudan).

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