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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review

Japan

Addendum

Conclusions and/or recommendations*

* The present document was not edited before being sent to the United Nations translation services.

Conclusions and/or recommendations

Japan accepts to follow up the recommendations which are compiled in the following Subparagraphs of the Paragraph 60, in the Draft Report of the Universal Periodic Review (A/HRC/WG.6/2/L.10):

Subparagraphs 2 and 3 (to establish a human rights institution), Subparagraph 7 (to repeal all legal provisions that discriminate against women and continue to take measures relating to discrimination against women), Subparagraph 8 (to address the problems faced by women belonging to minorities), Subparagraph 11 (to take measures to eliminate discrimination based on sexual orientation and gender identity), Subparagraph 14 (to continue to take measures to reduce the incidence of violence against women and children), Subparagraph 15 (to continue the efforts to combat trafficking in persons with a special emphasis on women and children), Subparagraph 16 (to develop a mechanism to ensure prompt return of children), Subparagraph 17 (to prohibit corporal punishment of children), Subparagraph 20 (to harmonize the procedures for reviewing asylum decisions with the Convention against Torture and other relevant human rights treaties and provide legal aid for migrants who need it), Subparagraph 24 (to continue to provide financial assistance and extend support for the Millennium Development Goals), Subparagraph 25 (to share experience with other States on protecting human rights on the Internet), and Subparagraph 26 (to involve civil society in the follow-up to the UPR process).

Japan will consider concluding the human rights treaties listed in Subparagraph 1 except for the Second Optional Protocol to the International Covenant on Civil and Political Rights, issuing “standing invitation” mentioned in Subparagraph 4 (The date/duration of the visit will be arranged at the working level) and the possibility to permit “international monitors” mentioned in Subparagraph 21 with further clarification of its definition.

Taking note of the interests in dialogue and support for the Ainu people expressed in Subparagraph 19 of the Draft Report of the Universal Periodic Review (A/HRC/WG.6/2/L.10), we would like to explain our latest developments on this issue.

On June 6, 2008, the Japanese Diet unanimously adopted the resolution concerning the Ainu people. Responding to this resolution, the Government of Japan issued the Statement by the Chief Cabinet Secretary. The Government of Japan will plan policies in accordance with the Statement by the Chief Cabinet Secretary.

With regard to the other recommendations which are contained in the following Subparagraphs of the Paragraph 60, in the Draft Report of the Universal Periodic Review (A/HRC/WG.6/2/L.10), Japan provides the following comments:

Subparagraph 5.

Japan continues to promote understanding in the international community with regard to sympathy of the Japanese people represented by the Asian Women’s Fund (AWF). Japan also continues to have a dialogue with the treaty bodies on this issue.

Subparagraph 6.

The Constitution of Japan stipulates that all of the people are equal under the law. Based on its Constitution and relevant domestic laws, Japan has been thriving to realize a society without any form of racial or ethnic discrimination.

Subparagraph 9.

Japan's position is stated in the interactive dialogue as recorded in the Draft Report of the Universal Periodic Review (A/HRC/WG.6/2/L.10).

Subparagraph 10.

Japan's position is stated in the interactive dialogue as recorded in the Draft Report of the Universal Periodic Review (A/HRC/WG.6/2/L.10).

Subparagraph 12.

Japan's position is stated in the interactive dialogue as recorded in the Draft Report of the Universal Periodic Review (A/HRC/WG.6/2/L.10). Japan is not in a position either to consider granting a moratorium on executions or to abolish death penalty.

Subparagraph 13.

At the police detention facilities, the police treat the detainees appropriately bearing in mind their human rights. Japan continues its efforts to ensure appropriate treatment under the substitute detention system. Although a careful consideration is needed to introduce mandated recording or video-taping of all interrogations, Japan continues its efforts to ensure appropriate interrogations.

Subparagraph 18.

Japan's position is stated in the interactive dialogue as recorded in the Draft Report of the Universal Periodic Review (A/HRC/WG.6/2/L.10).

Subparagraph 22.

Refugee examination counselors are appointed from among experts specializing in a broad range of fields and in place as a neutral, third-party institution to inspect refugee applications on a secondary basis being operated in ways to respect sufficiently the counselors' opinions.

Subparagraph 23.

Japan does not have any intention to incite racial or ethnic discrimination and careful attention is paid in the operation of the system not to incite such discrimination. It is necessary for the purpose of strict law enforcement aimed at illegal immigration. Various information provided by people is valuable in performing the Immigration Bureau's task.