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**Universal Periodic Review**

## **Report of the Working Group on the Universal Periodic Review\***

**Japan**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fourteenth session from 22 October to 5 November 2012. The review of Japan was held at the 14th meeting on 31 October 2012. The delegation of Japan was headed by Hideaki Ueda, Ambassador in charge of Human Rights and Humanitarian Affairs, Ministry of Foreign Affairs. At its 17th meeting, held on 2 November 2012, the Working Group adopted the report on Japan.
2. On 3 May 2012, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Japan: Libya, Peru, and Bangladesh.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Japan:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/14/JPN/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/14/JPN/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/14/JPN/3).
4. A list of questions prepared in advance by Spain, Mexico, the United Kingdom of Great Britain and Northern Ireland, the Czech Republic, Hungary and Slovenia was transmitted to Japan through the troika. These questions are available on the extranet of the universal periodic review (UPR).

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. Japan believes that the UPR was a useful mechanism to promote human rights through dialogue and cooperation with the international community.
6. Japan voluntarily published its follow-up status report in 2011, having given serious consideration to the outcomes of its UPR review in 2008. Japan recognizes the important role played by the civil society in promoting respect for human rights.
7. In 2009, Japan ratified the International Convention for the Protection of All Persons from Enforced Disappearance (CPED). Japan recognized the individual communications procedures as a noteworthy mechanism for effectively guaranteeing the implementation of human rights treaties. Japan would continue to seriously consider whether to accept the procedures, while taking into account opinions from various quarters.
8. The Government submitted to the Diet the Convention on the Civil Aspects of International Child Abduction, also known as the Hague Convention, and its domestic legislation, in view of its significance for the interests of children. It will continue its efforts toward the earliest conclusion of the Convention.
9. In September 2012, Japan withdrew its reservation to the International Covenant on Economic, Social, and Cultural Rights (ICESCR) provision that reads “in particular by the

progressive introduction of free education” referred to in sub-paragraphs (b) and (c) of paragraph 2, article 13.

10. Japan issued a standing invitation to the special procedures of the Human Rights Council in 2011, and a visit by Special Rapporteur on the right to health was scheduled for November.

11. The sovereignty of the people and respect for fundamental human rights were considered as fundamental principles in the Constitution. Japan has been making continuous efforts to improve its domestic human rights situation.

12. The Human Rights Organs of the Ministry of Justice are carrying out human rights protection activities. In September 2012, the Cabinet adopted a decision confirming the content of a bill to establish an independent Human Rights Commission, compliant with the Paris Principles, and a bill to partially amend the Human Rights Volunteers Act, in order to submit them to the next Diet session. The Government of Japan would make further efforts in making necessary preparations for its establishment.

13. Japan recognized the merits of the audiovisual recording of interrogations in that it facilitated an accurate judgment of whether a confession was made voluntarily. Japan had been conducting recordings of suspect interrogations under certain conditions and has been gradually expanding its scope, on an experimental basis. Advisory boards of the Minister of Justice were currently exploring and deliberating on the structuring of a new and up-to-date, broad criminal-justice system, including the institutionalization of its audiovisual recording. Japan is hoping to receive a report from its boards as soon as possible and realize its institutionalization.

14. Japan had a system that guaranteed human rights and appropriate treatment in detention facilities. The detention of suspects in police facilities played an important role in criminal justice proceedings as it facilitates the efficient conduct of proper investigations. The police detention facilities were usually located in areas accessible to the detainee’s family members and lawyers, allowing them easy contact with detainees. The Act on Penal Detention Facilities stipulated the principle of the “separation between investigation and detention,” which clearly states that a police officer working in detention affairs shall not engage in criminal investigations against a detainee. A Committee that functions independently from the police, whose members include lawyers, also inspected detention facilities. Detainees could further file complaints with the Prefectural Public Safety Commission, which exercised administrative supervision over the police.

15. Japan’s basic position on the issue of retention or abolition of the death penalty was that this should be examined carefully based on domestic public opinion, the crime situation, the criminal policy and other factors. The decision on this issue should be made by each country of its own accord. The majority of the Japanese people considered the death penalty to be unavoidable in the case of extremely vicious crimes, and there seems to be no end to such crimes. Therefore, Japan considered that an immediate abolition of the death penalty was not appropriate.

16. Japan was working to realize a gender-equal society based on the Third Basic Plan for Gender Equality, formulated in 2010, and an Action Plan for Economic Revival through Women’s Active Participation, formulated in 2012.

17. Japan had drawn up a new “Japan’s 2009 Action Plan to Combat Trafficking in Persons”, through which agencies are working together. The Government compiled in 2011 guidelines outlining the measures to be taken by the concerned ministries and agencies engaged in combating trafficking in persons. Through these efforts, Japan was working to identify and protect victims of human trafficking.

18. Japan was carrying out intensive institutional reforms concerning persons with disabilities and is moving steadily toward an early conclusion of the Convention on the Rights of Persons with Disabilities, which Japan had already signed.
19. Japan continued its active efforts toward building a rich and cohesive society in which Ainu people could live with a sense of pride. In 2008, the Diet adopted a resolution calling for the recognition of the Ainu as an indigenous people. Since 2010, the Council for Ainu Policy Promotion, with Ainu representation, has been promoting Ainu policies comprehensively and effectively.
20. In 2009, Japan amended the Immigration Control and Refugee Recognition Act to specify that, in cases of deportations, the destination shall not include the countries proscribed in the Convention against Torture or in CPED. Further, Japan established an expert committee to ensure transparency of treatment and improve management at immigration detention facilities. Free legal counselling is also being provided by Attorneys to detainees under an agreement with the Japan Federation of Bar Associations.
21. Nineteen months had passed since the Great East Japan Earthquake. Japan expressed its heartfelt appreciation for the generous assistance extended to it by many countries. Japan is committed to alleviating the continuing hardship of affected people and carrying out reconstruction projects.
22. Japan continued its work for the improvement of its domestic human rights situation as well as to contribute to the protection and promotion of human rights at the international level, in close cooperation with the United Nations, Governments of other countries, civil society and others.
23. Japan looked forward to engaging in a constructive exchange of opinions in the course of the interactive dialogue.
24. Responding to advance questions, Japan referred to the issue of direct and indirect discrimination. It noted that article 14 of the Constitution of Japan provides that all people are equal under the law.
25. Japan indicated that in 2010, it had submitted a resolution to the United Nations calling for sufficient attention to the principles and guidelines for the elimination of discrimination against persons affected by leprosy, which was unanimously adopted by the General Assembly. Japan would continue to support the work of the Goodwill Ambassador on the persons affected by leprosy.
26. In response to questions on the rights of children born out of wedlock, it noted that as long as the birth of a child is notified in accordance with the law and the information is correct, children are registered in the family register. There were no discriminatory provisions regarding nationality. Under the Civil Code, shares of inheritance for a child born out of wedlock are one half of that of a child born in wedlock. This was an attempt to respect the status of a child born from the legal spouse while giving consideration for the child born out of wedlock. Japan is however continuing to address revising the civil code.
27. Regarding corporal punishment of children, information had been provided in the national report. Corporal punishment at schools and at home is prohibited. Furthermore, the civil code was revised in 2011, with a view to preventing child abuse and protecting children. Corporal punishment in penal institutions, juvenile training schools and other correctional facilities was deemed to be in violation the Constitution and other legislation.
28. Japan provided information on human rights education activities offered in the schools, as well as on human rights education research promotion projects.
29. Regarding efforts to address violence against women, Japan referred to coordinated efforts undertaken to enhance support services, including protection actions.

30. On the procedures and treatment of applicants for refugee status, Japan indicated that refugee recognition was conducted in a fair and transparent manner, taking due consideration to the language, race and sex of the applicants, in particular during the interview. Furthermore, permission to stay in Japan is granted to applicants who were not recognized as refugees, when there was a reason for their protection due to the situation in their country. In filing objections, decisions are made upon listening to the opinions of Refugee Examination Counsellors appointed by the Ministry of Justice, upon the recommendation of UNCHR, the Japan Federation of Bar Associations and other organizations.

31. On the issue of Defense Counsel, Japan indicated that because of the limited means to obtain evidence, interrogation of suspects was the most important investigation method to bring out the truth. Therefore, Japan noted that the issue of the presence of Defense Counsel requires a cautious consideration. Japan also noted there are currently no limitations for detainees to access Defense Counsel in police detention facilities.

32. Japan reported that a study group on the death penalty, which had been set up by the Minister of Justice, published the report in March 2012; it has been subsequently dissolved. Japan believes that there should be a broader discussion on this issue. Japan has taken seriously the recommendations from treaty bodies regarding the treatment of inmates sentenced to death and will also continue its effort to treat them appropriately.

## **B. Interactive dialogue and responses by the State under review**

33. During the interactive dialogue, 79 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

34. Morocco asked about measures envisaged by Japan in the fight against discrimination towards persons with leprosy, and about measures to ensure the independence of the National Human Rights Commission.

35. Myanmar noted efforts to create a gender-equality society and initiatives to prevent violence against women. Myanmar also noted Japan's bilateral human rights dialogue with other countries. Myanmar made recommendations.

36. Namibia noted the advancement of the rights of persons with disabilities with a view to ratifying the Convention. It acknowledged Japan's acceptance of the recommendation to provide free secondary education for all. Namibia made recommendations.

37. Nepal noted that Japan would submit a bill establishing a human rights commission. It commended the Third Plan for Gender Equality and initiatives to prevent violence against women and expand their participation in decision-making processes. Nepal made recommendations.

38. The Netherlands regretted that the issue of "comfort women" during the Second World War was no longer part of the school curriculum. This eliminated an instrument to raise awareness on past atrocities and a discussion of the relevant rights involved. It made recommendations.

39. Nicaragua highlighted efforts to empower women through the Third Plan for Gender Equality. It commended the reforms in the administration of justice, particularly those aimed at ensuring fair and transparent interrogation procedures. Nicaragua made recommendations.

40. Norway was concerned about Japan's continued application of the death penalty, widespread use of solitary confinement and incarceration conditions prior to execution, as well as by the lack of legislation regarding discrimination. It made recommendations.

41. Pakistan noted Japan's measures to address human rights challenges involving the Internet and asked about the guidance criteria for removing information from the Internet. It recognized Japan's commitment to promoting development in developing countries. It made a recommendation.
42. Palestine acknowledged that since its first UPR, Japan had taken measures to guarantee the promotion and protection of human rights in several areas despite challenges it was facing. Palestine made recommendations.
43. Paraguay commended Japan's efforts in enabling states to achieve the Millennium Development Goals and recognized its work to promote disaster reduction policies. It made a recommendation.
44. The Philippines appreciated Japan's reception of the Special Rapporteur on migrant workers in 2010. It acknowledged Japan's concern for the victims of human trafficking. It made recommendations.
45. Portugal welcomed Japan's decision to withdraw its reservation regarding progressive introduction of free education in the ICESCR. It regretted that Japan had resumed executions. It made recommendations.
46. The Republic of Korea commended Japan for its adoption of the Third Plan for Gender Equality. It noted treaty body and stakeholder concerns that Japan had not taken effective measures to address the issue of "comfort women" victims during the Second World War. It made recommendations.
47. The Republic of Moldova commended Japan for involving civil society in following up the UPR process. It recognized Japan's commitment to eradicating child pornography and to fighting human trafficking and domestic violence. It made recommendations.
48. Rwanda commended Japan on its contributions to ensure worldwide fundamental freedoms. It recognized Japan's measures to continue promoting and protecting the human rights of women and children. It made recommendations.
49. Senegal welcomed the provisions made to ratify a number of international conventions on human rights as well as the project to create a National Human Rights Institution. Senegal made recommendations.
50. Slovakia noted, inter alia, Japan's ratification of CPED, its standing invitation to Human Rights Council special procedures, its cooperation with human rights mechanisms and its regular financial contribution to OHCHR. It made recommendations.
51. Slovenia welcomed Japan's active, constructive role in the Council, its standing invitation to special-procedures mandate holders, its cooperation with civil society and its human rights training for public servants. It made recommendations.
52. South Africa recognized Japan's contribution to development efforts. It noted remaining areas of concern, particularly the treatment of migrants, persistent racist and xenophobic attitudes, and protection of children's rights. It made recommendations.
53. Spain congratulated Japan on ratifying the CPED and on its standing invitation to all special procedures. It made recommendations.
54. Sri Lanka noted Japan's plans for a national human rights commission, its promotion and protection of women's rights, children and migrant workers. It took note of Japan's Action Plan of Measures to Combat Trafficking in Persons. It made a recommendation.

55. The Sudan highlighted Japan's importance as a donor country. It commended Japan for establishing bilateral conditions for a dialogue, its cooperation and legislative efforts to protect foreigners. It made a recommendation.

56. Switzerland remained concerned at the resumption of the executions as well as by the detention system of *daiyo kangoku*. Switzerland made recommendations.

57. Thailand welcomed Japan's adoption of its gender equality plan and its national/international measures to combat child prostitution and child pornography. It appreciated Japan's invitation to special-procedure mandate holders and its consideration of the CRPD. It made recommendations.

58. Timor-Leste appreciated Japan's commitment to United Nations human rights mechanisms. It encouraged Japan to pursue its dialogue with the international community to reach understanding, possibly entailing direct, genuine communication with survivors of past atrocities.

59. The Government of Japan recognizes that the issue of "comfort women" was a grave affront to the honour and dignity of a large number of women, and has extended its sincere apologies and remorse to all those known as "comfort women" who suffered immeasurable pain and incurable physical and psychological wounds.

60. The issue of reparations, property and claims concerning the Second World War has been legally settled with the countries that are parties to the San Francisco Peace Treaty, bilateral treaties, agreements and instruments.

61. In 1995, the Government of Japan, together with the people of Japan, jointly established the Asian Women's Fund to facilitate support for former comfort women who had by then reached an advanced age. The Government of Japan has extended its maximum support to the activities of the Fund, including health and welfare assistance projects as well as the provision of "atonement money" to former comfort women. The Government of Japan will continue its utmost efforts to widen further recognition of the earnest feelings of the people of Japan as reflected through the activities of the Fund, and will continue to follow up on the activities of the Fund.

62. Regarding the education curricula, Japan indicated that the Courses of Study refers to the Second World War, mentioning in the commentary of it that Japan has inflicted tremendous losses, especially to those in Asia. Respect for the opposite sex and respect of human rights is also part of the Courses of Study.

63. Japan indicated that the Basic Act for Persons with Disabilities was revised and the General Support for Persons with Disabilities Act was passed by the Diet, and that it intends to ratify the Convention on the Rights of Persons with Disabilities as early as possible.

64. Japan reported that, in 2005, the Diet gave its approval for the ratification of the Palermo Protocol but it has not been concluded yet, since the United Nations Convention against Transnational Organized Crime needs to be ratified before the Protocol.

65. Japan reported that it was also studying the legal implications of the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

66. In 2010 Japan established comprehensive measures to eliminate child pornography. Legislation on sexual exploitation and abuse of children had been enacted, and producing and providing child pornography was a crime. The Diet was studying the possibility of widening the scope of penalizing child pornography. Among the police, enhanced enforcement and filtering was being promoted. Internet providers have voluntarily begun since April 2011 to adopt measures to block images of child pornography on the Internet.

67. On calls for the introduction of a moratorium of the death penalty, Japan indicated that the majority of the Japanese people consider the death penalty to be unavoidable for heinous crimes and that, in a constitutional State, the sentence by the court should be executed impartially. Japan considers that its introduction is not appropriate.
68. On the question of life sentence without parole, Japan noted that there is an opinion that such sentence can be crucial because it can cause despair to the inmate as there is no chance to reduce the sentence and that it can destroy the personality of the inmate.
69. Regarding inmates sentenced to death, Japan believes that confinement in a single room all day and night as the law stipulates is not in violation of their human rights. This was done with a view to ensuring emotional stability of inmates. Inmates on death row had access to chaplains and voluntary visitors, and the law permitted contact with other inmates on death row if necessary and where deemed advantageous.
70. Addressing violence against women is an important issue to overcome to form a gender equal society. Japan referred to new challenges, such as the Internet and mobile phones and indicated that there was close collaboration between the public and the private sector in this regard. Japan mentioned that it had distributed a start-up manual for supporting victims' self-efficiency to local governments. Japan is strengthening efforts, including through awareness campaigns and activities related to the International Day for the Elimination of Violence Against Women on 25 November.
71. Regarding individual communications procedures, Japan reiterated its aforementioned position.
72. Japan further noted that it had already ratified the CPED.
73. Trinidad and Tobago praised Japan's commitment following the earthquake there and the partnerships developed to achieve the. It applauded the Third Basic Plan for Gender Equality. It made recommendations.
74. Tunisia commended Japan for its antidiscrimination efforts and its contribution to achieve the Millennium Development Goals. It encouraged Japan to continue efforts to increase its official development assistance (ODA) to the international standard of 0.7 per cent. It made recommendations.
75. Turkey referred to concerns regarding discrimination and violence towards women, despite Japan's adoption of the Third Basic Plan for Gender Equality. Turkey regretted Japan's continued application of the death penalty. It made recommendations.
76. Ukraine recognized Japan's promotion and protection of human rights and its invitation to special procedures. It commended Japan's gender equality plan. It made recommendations.
77. The United Kingdom of Great Britain and Northern Ireland requested Japan to review urgently its death penalty policy and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights. It welcomed Japan's decision to establish a National Human Rights Institution. It made recommendations.
78. The United States of America commended Japan efforts to protect human rights during the 2011 tsunami and earthquake reconstruction. It will provide Japan with its full comments in writing on its Mission and State Department websites. It made recommendations.
79. Uruguay underscored Japan's progress including its standing invitation to the special procedures, the Third Basic Plan for Gender Equality, legislative measures on ill-treatment of children. It made recommendations.

80. Uzbekistan noted concern over the number of death-penalty offenses and increases in executions, the low minimum age of sexual consent, limitations on freedom of expression and discrimination against migrants. It made a recommendation.
81. Viet Nam noted that Japan has made contributions to global human rights work. It applauded Japan's steps in combatting human trafficking, and MDG implementation. It made a recommendation.
82. Zimbabwe commended Japan's cooperation with United Nations human rights institutions and mechanisms, referring to visits by the Special Rapporteur on the rights of migrants and the Independent Expert on access to safe drinking water and sanitation. It made a recommendation.
83. Algeria welcomed Japan's commitment to ratify the Convention on the Rights of Persons with Disabilities and measures to protect women's and children's rights. It made recommendations.
84. Argentina congratulated Japan for ratifying CPED and for enacting the Free High School Education Act. It made recommendations.
85. Armenia noted Japan's efforts to promote gender equality and children's rights, to combat human trafficking and protect the rights of persons with disabilities. It made recommendations.
86. Australia encouraged early ratification of the Hague Convention and Palermo Protocol. It welcomed the announced establishment of a national human rights commission. Japan's continued implementation of the death penalty remained a concern. It made recommendations.
87. Austria praised Japan's cooperation with United Nations treaty bodies and special procedures, but expressed concern about recent executions. Austria suggested an open and inclusive death penalty debate. It made recommendations.
88. Azerbaijan welcomed the accession of Japan to core treaties and withdrawal of reservations. It encouraged the establishment of an independent human rights institution. It made recommendations.
89. Bahrain expressed appreciation for Japan's adoption of the free secondary education bill and praised Japan's assistance to persons with disabilities. It made recommendations.
90. Bangladesh praised Japan's actions in favour of persons with disabilities, gender equality, protection of human rights on the Internet and international cooperation. It made recommendations.
91. Belarus noted Japan's cooperation with special procedures, but highlighted problems of trafficking in persons, violence against women, discrimination against migrants, sexual exploitation of children and child pornography. It made recommendations.
92. Belgium welcomed ratification of CPED. It encouraged broader application of the programme of promotion of enquiry and interrogation methods. Belgium supported a public debate on capital punishment and asked if Japan intended to introduce a new de facto moratorium. It made recommendations.
93. Benin welcomed human rights training for all State officials. It recognized actions to promote the role of women, children's rights, combat human trafficking and the rights of persons with disabilities and migrant workers. It made recommendations.
94. Bhutan commended Japan's active engagement with the Human Rights Council and commended domestic mechanisms for protecting women and children's rights. It

highlighted adoption of the Third Basic Plan for Gender Equality. It made a recommendation.

95. Botswana commended Japan's legislative initiatives incorporating human rights instruments. Botswana noted the absence of rights for children born out of wedlock. It made a recommendation.

96. Brazil encouraged Japan to ratify CRPD, and to pursue gender equality. Brazil made recommendations.

97. Bulgaria commended Japan's active engagement on the Human Rights Council and noted the Third Basic Plan for Gender Equality. It made a recommendation.

98. Burkina Faso noted ratification of international human rights instruments and the withdrawal of certain reservations. It highlighted the need for further progress in children's rights, human-trafficking and rights for foreigners. It made a recommendation.

99. Japan responded to additional questions on the capital punishment and mandatory appeals. Japan has a trial system in which appeals were already broadly recognized under the three-trial system. Appeals can be made by Defence Attorneys. Japan further clarified that persons under 18 years at the moment of committing crimes could not be sentenced to the death penalty.

100. Regarding conditions and treatment in penal institutions, Japan indicated that the necessary supplies were provided to inmates, including sufficient drinking water, food, clothing, bedding and other daily supplies, not to mention additional warm winter clothing

101. Adjustments were made with due consideration for those with special needs including foreigners. Medical and hygiene services were provided on a regular basis, and treatment was given when required, as appropriate.

102. On the independence of the national human rights commission to be established, Japan reiterated that the institution would be independent and not subject to the control of the Government.

103. On the revision of the civil code, to address issues including universal marriageable age between men and women and equalizing shares of inheritance between children born in and out of wedlock, Japan reported on steps taken in this regard. Japan noted that the Third Basic Plan for Gender Equality states that the Government of Japan would continue to examine the revision.

104. Referring to comments on the substitute detention system, Japan noted that under the criminal justice system this detention system played an important role. In accordance with the Penal Detention Facilities Act of 2007, Japan would continue to ensure the proper services to the detainees.

105. Regarding the detention of persons for the distribution of flyers with political statements. Japan noted that the police did not act based on the content of the flyers but fair-mindedly, based on other acts of infringing the law. Thus, it was not an act of censorship limiting the freedom of expression.

106. On women rights in the labour market, Japan indicated that equal wages for men and women were guaranteed in the law. Wage gaps were mainly related to the number of years and position of work. The Equal Employment Opportunity Act banned discrimination in terms of recruitment or allocation, and dismissal due to pregnancy was also banned. Japan noted that the 2010 revised Child Care Leave Act also provided for both parents to be able to have paternal leave and shortened working hours.

107. Burundi welcomed creation of a division in the prosecutor's office to combat illegal conduct during criminal interrogations. It noted recognition of the Ainu people. It

encouraged Japan to form a National Human Rights Commission compliant with the Paris Principles.

108. Cambodia noted Japan's activity in the Human Rights Council. It welcomed adoption of the Third Basic Plan for Gender Equality and efforts to revise the Action Plan of Measures to Combat Trafficking in Persons. It made recommendations.

109. Canada praised Japan for its human-rights training and services for victims of violence. Canada asked Japan to describe improvements to services for victims of violence. Canada made recommendations.

110. Cape Verde noted measures for raising awareness of public officials regarding criminal procedures, rights of women and children, human-trafficking, rights of persons with disabilities, foreigners and indigenous peoples. It encouraged Japan to establish a moratorium on the death penalty.

111. Chad highlighted that Japan was party to core human rights instruments and its withdrawal of reservations. It referred to the ratification of CPED and plans to ratify CRPD. Chad made a recommendation.

112. Chile welcomed legal initiatives to establish a new human rights institution in line with the Paris Principles, the Third Basic Plan for Gender Equality, the protection of persons with disabilities and human rights training for public officials. It made recommendations.

113. China noted Japan's gender equality plan and campaign to eliminate violence against women, but expressed concern over inadequate measures implementing earlier UPR recommendations. It raised concerns over comfort women. China made recommendations.

114. Costa Rica noted the standing invitation to special procedures. It commended human rights training programmes, human rights protection in criminal cases and measures to combat child pornography. It made recommendations.

115. Cuba recognized actions to promote gender equality, to protect rights of children and persons with disabilities and to combat discrimination. Cuba requested elaboration on identified human rights challenges. Cuba made recommendations.

116. Cyprus recognized efforts to protect the human rights of women and the Third Basic Plan for Gender Equality. Cyprus asked about envisaged measures to assist the recovery and integration in society of female victims of violence.

117. The Czech Republic commented on the issues of protection against discrimination, on the need to strengthen the protection of detainees and on the prevention of torture and made related recommendations.

118. The Democratic People's Republic of Korea was concerned at the persistent denial of State legal responsibility for Japan's past crimes, and the continued distortion of history in Japan. It referred to reported discrimination against Koreans in Japan in employment, housing, health care and education. It made recommendations.

119. Finland asked about measures countering discrimination against women in law and practice. Finland regretted Japan's decision to resume executions and requested more information on the public debate on the death penalty. It made recommendations.

120. France regretted that the death penalty was still applied and was concerned by the still important number of women coming from abroad who were victims of trafficking for purposes of forced prostitution. France made recommendations.

121. Germany commended Japan's commitment to implement most of the recommendations from the first UPR cycle. Germany made recommendations.

122. Hungary welcomed Japan's planned establishment of a Human Rights Commission and requested further information on this. It encouraged Japan to address child pornography and prostitution by ratifying the Hague Convention on Child Abduction and hoped that Japan would introduce a moratorium on the death penalty. It made recommendations.

123. India noted the human rights curriculum for public servants. It called for the criminalization of all aspects of child pornography and for an open debate on the issue of the status of the *Burakumin* and urged the undertaking of stronger anti-trafficking measures. It made recommendations.

124. Indonesia noted the contribution of migrant workers to the Japanese economy and recent engagements with the Special Rapporteurs on trafficking in persons and the rights of migrants. It noted preparations for establishing a national human rights institution. Indonesia made recommendations.

125. The Islamic Republic of Iran commended Japan's efforts to promote human rights education, particularly in the national school system. It made recommendations.

126. Iraq commended initiatives for human rights training of public officials, and for gender equality, rights of women, children and persons with disabilities, combating human trafficking as well as for good governance in development and the elimination of poverty. It made recommendations.

127. Ireland welcomed Japan's standing invitation to special procedures and its efforts in furthering gender equality and protecting women's rights. It regretted Japan's execution of seven death-row inmates this year. Ireland made recommendations.

128. Italy welcomed Japan's progress in protecting children's rights and its Third Basic Plan for Gender Equality. Italy encouraged Japan to strengthen its endeavours to prevent abuses against women. It made recommendations.

129. Jordan was encouraged by the responsibilities of the Human Rights Organs of the Ministry of Justice. It appreciated adoption of the Third Basic Plan for Gender Equality and the laws to prevent child abuse and protect children's rights. It made recommendations.

130. Kuwait commended human rights training for public officials and Japan's work to combat discrimination and violence against women and human-trafficking. It welcomed the aims of the Third Plan of Action for Gender Equality. It noted Japan's signature of CRPD. Kuwait made recommendations.

131. The Lao People's Democratic Republic congratulated Japan for its achievements in socio-economic development and support for the Millennium Development Goals. It noted that Japan was a party to core human rights instruments.

132. Libya commended the withdrawal of the reservation on providing education free of charge. It welcomed awareness-raising for public officials and adoption of the Third Basic Plan on Gender Equality. Libya made recommendations.

133. Malaysia welcomed progress on the rights of persons with disabilities, women and children. It noted challenges, such as establishing a new national human rights institution, and hoped that Japan would allow its younger generation to learn from its past history. It made recommendations.

134. Mexico expressed hope for the timely approval of the bill for a national human rights institution. It noted measures adopted in the area of criminal justice to limit detention periods and strengthen the rule of law in Japan. Mexico made recommendations.

135. Responding to additional questions, Japan reiterated its aforementioned position on the comfort women.

136. Concerning the Second World War, the Government of Japan indicated that it had expressed deep remorse for having caused tremendous damage and suffering to the people of many countries, particularly those of Asian nations in the past, and expressed its determination to never repeat such a calamitous history at every opportunity including in the “Statements by the Prime Minister”.

137. With regard to discrimination against foreigners in Japan, through the Human Rights Organs of the Ministry of Justice various human rights promotion activities as well as consultation services were being provided. With regard to cases of suspected human rights infringements, investigations are made and appropriate measures taken.

138. Japan reiterated information regarding the submission of the Hague Convention on Civil Aspects of International Child Abduction and the domestic legislation to the Diet.

139. Japan noted that with declining birth rates and an ageing society, its focus is on realizing a gender-equal society. The Third Basic Plan for Gender Equality highlighted, inter alia, elimination of all forms of violence against women, issues affecting women in difficult positions, including foreign women and women with disabilities.

140. Regarding the standards for removal of images on the Internet, Japan indicated that the Human Rights Organs of the Ministry of Justice were in principle asking providers to remove the images, when there was an action which infringed human rights of a specific individual.

141. Japan indicated that spousal violence could constitute a crime such as rape, assault and intimidation under the penal code and such conduct had been punished accordingly.

142. With regard to adolescents’ education on sexually transmitted diseases and HIV, sexual education is provided from third grade of primary up to the third year of high school on the basis of the Courses of Study. The instruction is given also through seminars and guidance to teachers, and educational materials are distributed.

143. On immigration detention, the immigration laws are such that when there is any person detained to a written deportation orders, they had to be sent back immediately. When that was not possible, either for health or other reasons, they might flexibly be released by provisional release. In 2010, the Ministry of Justice and the Bar Association reached an agreement on detention issues to consider more favourable conditions. Japan is making efforts to reduce cases of prolonged detention.

144. With regard to human rights training for public servants, Japan had deepened the awareness and understanding of public servants through regular training sessions.

145. Referring again to the issue of children born out of wedlock, Japan further indicated that all children born from Japanese mothers obtained Japanese nationality. Related to the way of obtaining the Japanese nationality for children born from non-marital Japanese men and foreign women, the Nationality Act was revised in 2008. Even when there was no marital relationship between the mother and father, it was now possible for children up to the age of 20 years to obtain Japanese nationality if the Japanese father acknowledged the child.

146. In concluding, Japan thanked delegations for the questions and constructive comments made during its review. Japan has been actively promoting human rights at the international and national level. At the domestic level, Japan had taken important measures to improve the promotion and protection of human rights, as explained during the review, including by ratifying additional international human rights instruments and working towards the establishment of an independent national human rights institution.

## II. Conclusions and/or recommendations\*\*

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:

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);

147.2. Take further steps to ratify relevant treaties and conventions, keeping in line its priorities and the domestic legislative process (Cambodia);

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

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

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);

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);

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);

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

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

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

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

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

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);

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);

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\*\* Conclusions and recommendations have not been edited.

- 147.15. Consider the early ratification of the third Optional Protocol to the CRC on a Communication Procedure (OP-CRC-IC) (Slovakia);
- 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);
- 147.17. Ratify the CRPD (Spain; India; Iraq);
- 146.18. Ratify the CRPD and adopt discrimination laws to protect persons with disabilities (Kuwait);
- 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);
- 147.20. Encourage the ratification of the conventions that are still pending, particularly the ICRMW (Chile);
- 147.21. Consider the ratification of the ICRMW (Rwanda);
- 147.22. Accelerate the ratification of the ICRMW (Indonesia);
- 147.23. Consider ratifying the ICRMW as well as the ILO Convention 189 (Philippines);
- 147.24. Exert utmost efforts in ratifying the Palermo Protocol (Philippines);
- 147.25. Ratify the Palermo Protocol (India);
- 147.26. Ratify the Palermo Convention (Convention against Transnational Organized Crime) as well as its Protocol on the Trafficking in Persons (France);
- 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);
- 147.28. Consider ratifying the Hague Convention (Slovakia);
- 147.29. Promptly complete the ratification of the Hague Convention (Ireland);
- 147.30. Accelerate the procedure to accede to the Hague Convention (Italy);
- 147.31. Continue to refine its domestic legislative, institutional and administrative structures to strengthen its work in the field in human rights (Zimbabwe);
- 147.32. Ensure that economic, social and cultural rights be enjoyed on an equal footing in national legislation (Palestine);
- 147.33. Ensure the full applicability and incorporation in the domestic legal system of the CEDAW (Bulgaria);
- 147.34. Consider strengthening legislative protection from racial discrimination and discrimination based on sexual orientation (Canada);
- 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);

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);

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);

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);

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));

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

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

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)

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

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);

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);

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

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

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

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

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

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

- 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);
- 147.53. Accelerate the process of creating a Human Rights Institution in conformity with the Paris Principles (Benin);
- 147.54. Continue its process of implementation for a national human rights commission in conformity with the Paris Principles (Burkina Faso);
- 147.55. Take steps to ensure that the National Human Rights Institution, which Japan is to create, is consistent with the Paris Principles (France);
- 147.56. Accelerate the process to establish a human rights commission in accordance with the Paris Principles (Indonesia);
- 147.57. Continue working on establishing a national human rights institution, in accordance with the Paris Principles (Jordan);
- 147.58. Continue its efforts to establish a national human rights institution in accordance with the Paris Principles (Malaysia);
- 147.59. Establish an independent National Human Rights Commission in conformity with the Paris Principles (Mexico);
- 147.60. Continue its policies on improving the rights of the child (Jordan);
- 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);
- 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);
- 147.63. Continue the efforts to combat and prevent discrimination under any ground (Cuba);
- 147.64. Continue prohibiting all forms of direct or indirect discrimination including discrimination based on language, gender, race, religion or nationality (Palestine);
- 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);
- 147.66. Take further concrete steps to raise public awareness of, and to eliminate gender stereotypes against women (Thailand);
- 147.67. Keep on encouraging the third basic plan for gender equality and implementing it continuously (Nicaragua);
- 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);
- 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);

- 147.70. Continue effective implementation of the national plan on Gender equality to raise the awareness in order to eliminate discrimination and prejudice (Armenia);
- 147.71. Take urgent measures to promote gender equality and effectively protect women and children's rights (China);
- 147.72. Continue to implement measures to ensure gender equality, including women belonging to minorities (Cuba);
- 147.73. Strengthen the promotion of gender and the fight against violence against women (Senegal);
- 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);
- 147.75. Further advance all efforts to realise Japan as a gender-equal society (Trinidad and Tobago);
- 147.76. Foster its holistic approach on gender equality, in particular empowering women's social and economic rights and fighting domestic violence (Viet Nam);
- 147.77. Continue the empowerment of women and given them a bigger role in society (Kuwait);
- 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);
- 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);
- 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);
- 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);
- 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);
- 147.83. Share with other countries, through the UPR process, its experiences and best practices gained from creating a gender-equal society (Myanmar);
- 147.84. Continue to strengthen its anti-racist and anti-discrimination measures (Namibia);
- 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);

- 147.86. Continue the effective implementation of the CRPD (Armenia);
- 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);
- 147.88. Take the necessary measures to eliminate all discriminatory treatment towards persons with disabilities (Argentina);
- 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);
- 147.90. Lobby for and implement comprehensive anti-discrimination legislation to provide protection for the rights of LGBT persons (United States of America);
- 147.91. Take measures to eliminate all forms of discrimination against Koreans (Democratic People's Republic of Korea);
- 147.92. Step up its efforts to combat discrimination and intolerance, particularly towards migrants, foreigners, asylum seekers and refugees (Tunisia);
- 147.93. Encourage a deep nationwide dialogue on the death penalty, open to all stakeholders and views (Italy);
- 147.94. Abolish the death penalty or establish a moratorium on its use (Namibia);
- 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);
- 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);
- 147.97. Evaluate the possibility of abrogating the death penalty from its legal regime (Argentina);
- 147.98. Establish a moratorium on the use of the death penalty, as a first step towards the complete abolition of this practice (Australia);
- 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);
- 147.100. Establish a moratorium on executions with a view to abolishing the death penalty (Italy);
- 147.101. Seriously consider an immediate moratorium on executions to allow a comprehensive public debate on this issue to take place (Ireland);
- 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);
- 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);

- 147.104. Establish a moratorium on executions with a view to proceeding towards the abolition of the death penalty (Finland);
- 147.105. Introduce a formal moratorium on executions and take concrete steps toward the abolition of the death penalty (Norway);
- 147.106. Establish a moratorium on the death penalty with a view to its abolition and sign and ratify the ICCPR-OP 2 (Portugal);
- 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);
- 147.108. Apply a moratorium on the death penalty with a view to abolishing capital punishment (Slovenia);
- 147.109. Apply a new moratorium against the death penalty with a view to its definitive abolition (Spain);
- 147.110. Establish without any delay an official moratorium on executions (Switzerland);
- 147.111. Reconsider introducing a moratorium on executions with a view to abolishing the death penalty (Turkey);
- 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);
- 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);
- 147.114. Strengthen the human rights education of the law-enforcement agencies, public servants, especially on the rights of women and children (Azerbaijan);
- 147.115. Continue human rights training of public officials (Senegal);
- 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);
- 147.117. Abolish the *daiyo kangoku* system or reform it so that it is consistent with the international law (Switzerland);
- 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)
- 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);
- 147.120. Ensure full compliance of the substitute detention system (*Daiyo Kangoku*) with all guarantees contained in article 14 of ICCPR (Germany);
- 147.121. Improve conditions of detention for condemned prisoners regarding communication with the outside world (Belgium);

- 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);
- 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);
- 147.124. Ensure that the rights of detainees sentenced to death be duly respected (Italy);
- 147.125. Ensure that conditions of detention of death row inmates comply with international standards (Hungary);
- 147.126. Expressly prohibit corporal punishment in all settings (Hungary);
- 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);
- 147.128. Continue implementing measures against gender violence and giving care for victims (Spain);
- 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);
- 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);
- 147.131. Continue measures for improving access by women victims of trafficking and sexual violence to complaints mechanisms and protection services (Azerbaijan);
- 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);
- 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);
- 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);
- 147.135. Most complexly address the root causes of trafficking and effectively protect and support victims (Republic of Moldova);
- 147.136. Continue with concerted action towards combating trafficking in persons, and strengthen relevant frameworks in this regard (Sri Lanka);
- 147.137. Further advance efforts to address the root cause of trafficking and to protect and support victims of trafficking (Trinidad and Tobago);

- 147.138. Ensure effective protection from violence and sexual exploitation for women, particularly women who are migrants or from minority groups (Belarus);
- 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);
- 147.140. Further increase its efforts to prevent the sexual exploitation of children and to prosecute the authors of such acts (Algeria);
- 147.141. Take measures, at the national level, against the sexual exploitation of minors (Costa Rica);
- 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);
- 147.143. Consider the introduction of a systematic appeal system with suspensive effect following a death penalty conviction in first instance (Belgium);
- 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);
- 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);
- 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);
- 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);
- 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);
- 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);
- 147.150. Take measures to guarantee freedom of religion (Iraq);
- 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);
- 147.152. Continue promoting the rights of women and their inclusion in decision making processes (Armenia);
- 147.153. Take all necessary measures to ensure adequate access to water and sanitation by children with disabilities in all Japanese schools (Portugal);

- 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);
- 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);
- 147.156. Pay more attention to the needs of persons with disabilities, particularly by covering their medical expenses (Bahrain);
- 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);
- 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);
- 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);
- 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);
- 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);
- 147.162. Reinforce its efforts to protect the rights of migrant workers and prepare favourable working conditions (Iran (Islamic Republic of));
- 147.163. Further strengthen the public awareness about the human rights of migrant workers and other minority groups (Myanmar);
- 147.164. Continue efforts for the protection and promotion of the rights of migrants (Nepal);
- 147.165. Ensure the access of all migrants, without discrimination and irrespective of their legal status, to health and education (Portugal);
- 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);
- 147.167. Review the admission regulations for foreigners to its territory (Chad);
- 147.168. Play an effective role to operationalize the right to development at the international level (Pakistan);
- 147.169. Implement seriously and immediately the recommendations of the UPR (China);
- 147.170. Increase its un-earmarked contribution to the OHCHR (Bangladesh);

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);

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

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);

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).

148. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

*[English only]*

### Composition of the delegation

The delegation of Japan was headed by H. E. Mr. Hideaki UEDA, Ambassador in charge of Human Rights and Humanitarian Affairs Ministry of Foreign Affairs, and composed of the following members:

- Mr. Kouji ABE, Director, Human Rights and Humanitarian Affairs Division, Foreign Policy Bureau, Ministry of Foreign Affairs;
- Ms. Miho IKEDA, Attorney, Human Rights and Humanitarian Affairs Division, Foreign Policy Bureau, Ministry of Foreign Affairs;
- Ms. Sayaka UEDA, Officer, Human Rights and Humanitarian Affairs Division, Foreign Policy Bureau, Ministry of Foreign Affairs;
- Mr. Masaki OITA, Deputy Director, Comprehensive Ainu Policy Office, Cabinet Secretariat;
- Mr. Akiteru MIKAMI, Director of Research Division, Gender Equality Bureau, Cabinet Office;
- Ms. Sachiyo ONISHI, Chief, General Affairs Division, Gender Equality Bureau, Cabinet Office;
- Mr. Shoichi IWAMOTO, Deputy Director, Commissioner General's Secretariat, General Affairs Division, National Police Agency;
- Mr. Akihiro KATO, Chief, Commissioner General's Secretariat, General Affairs Division, National Police Agency;
- Mr. Minao ISHIWATARI, Deputy Director, Criminal Investigation Bureau, Investigative Planning Division, National Police Agency;
- Mr. Takuma SATO, Chief, Criminal Investigation Bureau, Investigative Planning Division, National Police Agency;
- Mr. Ryo TAKEDA, Deputy Director, Commissioner General's Secretariat, International Affairs Division, National Police Agency;
- Mr. Shigeru TAKENAKA, Director, Office of International Affairs, Secretarial Division, Minister's Secretariat, Ministry of Justice;
- Ms. Miki KAWASHIRI, Section chief, Office of International Affairs, Secretarial Division, Ministers' Secretariat, Ministry of Justice;
- Ms. Ayaka SATO, Attorney, Civil Affairs Bureau, Ministry of Justice;
- Mr. Tomohiro KUSUNOKI, Attorney, Criminal Affairs Bureau, Ministry of Justice;
- Ms. Nozomi HIRAI, Official, International Affairs Division, Criminal Affairs Bureau, Ministry of Justice;
- Mr. Kunio OYAMA, Attorney, Human Rights Bureau, Ministry of Justice;
- Mr. Hirofumi HANAMURA, Coordinator, Prison Service Division, Correction Bureau, Ministry of Justice;

- Mr. Toyotaka KAWABATA, Deputy Director, Immigration Policy Planner's Office, Immigration Bureau, Ministry of Justice;
  - Mr. Takeshi TOKUTOME, Unit Chief, International Affairs Division, Minister's Secretariat, Ministry of Education, Culture, Sports, Science and Technology;
  - Ms. Kumiko MORIZANE, Vice Director, General Affairs Division, Equal Employment, Children and Families Bureau, Ministry of Health, Labour and Welfare;
  - Mr. Hirotaka FURUKAWA, Deputy Director, International Affairs Division, Ministry of Health, Labour and Welfare;
  - H.E. Mr. Yoichi OTABE, Ambassador Permanent Representative, Permanent Mission of Japan to the International Organizations in Geneva;
  - H.E. Mr. Takashi OKADA, Ambassador, Deputy Permanent Representative Permanent Mission of Japan to the International Organizations in Geneva;
  - Mr. Osamu SAKASHITA, Minister, Permanent Mission of Japan to the International Organizations in Geneva;
  - Mr. Junichiro OTAKA, Counsellor, Permanent Mission of Japan to the International Organizations in Geneva;
  - Mr. Junichiro OTANI, First Secretary, Permanent Mission of Japan to the International Organizations in Geneva;
  - Ms. Eri MAEDA, First Secretary, Permanent Mission of Japan to the International Organizations in Geneva;
  - Mr. Masataka NAGOSHI, Attaché, Permanent Mission of Japan to the International Organizations in Geneva.
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