

## **NGO Group for CRC/Japan Submission to the Universal Periodic Review of Japan - November 2010**

### **A. Consultation Process**

This submission has been prepared by NGO group for the Convention on the Rights of the Child/Japan, established in 2009 as a coalition of 27 child focused organizations operating in Japan for promoting the new Optional Protocol to the Convention on the Rights of the Child<sup>1</sup>.

### **B. Country Context**

Japan has signed the Convention on the Rights of the Child (CRC) on September 21<sup>st</sup> 1990 and ratified it on April 22<sup>nd</sup> 1994.

Japan has signed the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on May 10<sup>th</sup> 2002 and ratified it on January 24<sup>th</sup> 2005.

Japan has signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on May 10<sup>th</sup> 2002 and ratified it on August 2<sup>nd</sup> 2004.

Japan has also actively participated in the discussion of the open-ended Working Group sessions on the draft new Optional Protocol to the Convention on the Rights of the Child for Communication Procedures under the Committee on the Rights of the Child and supported the resolutions as a co-sponsor state when it was adopted at the 17<sup>th</sup> session Human Rights Council on June 16<sup>th</sup> 2011 and at the UN General Assembly on December 19<sup>th</sup> 2011.

### **C. The issue**

A communications or complaints procedure allows individuals, groups or their representatives who claim that their rights have been violated by a State that is party to an international human rights convention to bring a complaint or communication before the relevant treaty body or committee, provided that the State has recognized the competence of the Committee to receive such complaints and after domestic remedies are exhausted. The Convention on the Rights of the Child was the only core international human rights treaty without a communication procedure.

In Japan, the communications procedure under the Committee on the Rights of the Child is expected to complement the State party reporting process and reinforce the implementation of the Convention on the Rights of the Child and the two Optional Protocols<sup>2</sup>, encourage the state to strengthen/develop appropriate remedies at

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<sup>1</sup> The list of the member organizations is attached as ANNEX.

<sup>2</sup> The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

national level and raise national recognition of children as rights holders. Japan has not joined any of international communication procedures under the international core human rights treaties despite of recommendations by several human rights bodies and the recommendations in the Universal Periodical Review by the Human Rights Council (A/HRC/8/44) dated May 30<sup>th</sup> 2008.

NGO group for CRC/Japan, established in 2009, has actively engaged in lobbying for key parliamentarians and senior officials of the relevant ministries for encouraging the Government of Japan to actively contribute to the discussion on the draft Optional Protocol to the Convention on the Rights of the Child and its early signature and ratification.

Japan, for the first time in its history, has decided to become a co-sponsor state for the resolutions including a draft international legal instrument for communication procedure, the new Optional Protocol to the Convention on the Rights of the Child, but has not indicated its intention to sign and ratify it so far.

However, one parliamentary vice-minister mentioned that the Government of Japan would start reviewing the whole international communication procedures including the one under the Committee on the Rights of the Child once the Government of Japan sign and ratify the Hague Convention on Civil Aspects of International Child Abduction, 1980, probably in June, 2012 and that the major issues are the legislative reforms and the budgetary allocation and staffing necessary for meeting the obligations under the new Optional Protocol to the Convention on the Rights of the Child.

***D. Recommendations:***

- 1) We urge the Government of Japan to sign and ratify the new (third) Optional Protocol to the Convention on the Rights of the Child by the end of 2012.**
- 2) We urge the Government of Japan to review the legislative, administrative and the other measures and revise them if necessary, including the budgetary allocation and staffing, for meeting the obligations under the new (third) Optional Protocol to the Convention on the Rights of the Child by the end of 2012.**

**<ANNEX>****27 member organizations of the NGO group for the Convention on the Rights of the Child/Japan**

1. Asian Women & Children's Network
2. Amnesty International Japan
3. ACE
4. ECPAT/STOP Japan
5. Edogawa Kodomo Ombuds – Edogawa Child Advocacy Network
6. Empowerment Kanagawa
7. CAP Center Japan
8. Good Neighbors Japan
9. Japan International Center for the Rights of the Child (JICRC)
10. Kodomo and Law 21
11. General Research Institute of the Convention on the Rights of the Child
12. Network for the Convention on the Rights of the Child
13. Child Labor Network
14. Okayama Communication Network of the World Conference on Women
15. Save the Children Japan
16. Salt Payatas Foundation Philippines
17. Child Line Japan
18. ChildFund Japan
19. Tenohira ~ Group for combating human trafficking
20. Tokyo Shure
21. Human Rights Watch Japan
22. Human Rights Now
23. Plan Japan
24. Free the Children Japan
25. Flexible
26. Polaris Japan
27. World Vision Japan