

Joint NGO submission
by Japan International Human Rights NGO Network
and 28 signatory organizations
Related to Japan for the Human Rights Committee Task Force,
92nd session, scheduled 17 March - 4 April 2008

Signatory organizations:

- Aomori Residents Concerned about the Sayama Case
- Association for Elimination of Pension Discrimination against Korean Residents
- Association for Returnees from China
- Association for the Support of Children out of Wedlock
- Buraku Liberation League Central Headquarters
- Buraku Liberation and Human Rights Research Institute
- Educators Association for Foreign Residents in Japan
- Japan Association for the Lesbian and Gay Movement
- Japan Forum for Survivor or Consumer of Psychiatry
- Japan International Human Rights NGO Network
- Japan's All Solidarity Network for the Settlement of the "Comfort Women" Issue
- Kanagawa Council For combating Discrimination Against Ethnic People in Japan
- Korea NGO Center
- Network Addressing the Problem of Non-Inclusion in the National Pension Plan
- Network against Discrimination and for Research on Human Rights
- Organization of United Korean Youth in Japan
- Shimin Gaikou Centre (Citizens' Diplomatic Centre for the Rights of Indigenous Peoples)
- Support Network for State Redress Lawsuits
- The Ainu Association of Hokkaido
- the Association of Korean Human Rights in Japan
- The association of supporting the trial for just pension system for people from former colonies in Japan
- The association of working for the abolishment of nationality clause from the pension system in Japan
- The International Movement Against All Forms of Discrimination and Racism (IMADR)
- The International Movement Against All Forms of Discrimination and Racism- Japan Committee (IMADR-JC)
- "The Japan Citizens' Coalition for the UN International Decade of the World's Indigenous Peoples (INDEC) "
- The pension lawsuit and plaintiff group for foreign resident with disabilities in Japan
- "The Service for War-displaced Japanese in China, Returnees to Japan and the Families"
- Women's Active Museum on War and Peace(WAM)
- yuimaaru ryukyuu no jichi

Contact:

The International Movement Against all forms of Discrimination and Racism - Japan Committee (IMADR-JC)
3-5-11, Roppongi, Minato-ku, Tokyo 106-0032
Tel: +81-3-3586-7447 Fax: +81-03-3586-7462 Email: imadrjc@imadr.org

NGO proposal of issues to raise in the consideration of Japan's Fifth ICCPR Periodic Report

This document (public statement) is issued jointly by the Japan International Human Rights NGO Network and 28 signatory organizations. The Japan International Human Rights Network was officially established in 1993 to promote cooperation between the Government of Japan ("the government") and NGOs. This document lists questions for the government about both general and multi-faceted problems in its efforts to deal with its obligations under the International Covenant on Civil and Political Rights, and to provide related information.

1. Status of the Covenant and conformity of laws with it (art.2)

a) Are there any future prospects for the creation of a national human rights institution that is independent from the government? If so, please specify.

Background:

There is no national human rights institution in Japan that is independent from the government, despite the strong recommendation from the committee. All that exists is the Human Rights Bureau of the Ministry of Justice, which deals with administrative matters. It employs only about 250 people, including officers in the Legal Affairs Bureaus and District Legal Affairs Bureaus. The Civil Liberties Commission, a body to supplement the Human Rights administration of the Ministry of Justice, is composed of volunteers from the private sector, and their mandates deal mainly with mediation after the fact and are insufficient in remedying human rights violations.

Managerial positions are held by public prosecutors. There are, therefore, limitations to the remedies available for human rights violations made by the state and bureaucracy, which are not uncommon. Also seeking a remedy for human rights violations in the justice system takes time and money, and places a big burden on the victims. To provide quick, simple and effective remedy, a national human rights institution, created in line with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) must be established.

The Human Rights Protection Bill was approved by the Cabinet and submitted to the Diet in March 2002, but was rejected in October 2003. The National Human Rights Committee, which the bill proposes to create, is insufficient in terms of independence, effectiveness or plurality. The bill also contains a regulatory provision for the media that was problematic. It can be predicted that the government will defend itself by raising the fact that this bill is being considered for resubmission to the Diet, and maintaining that there is a continuous effort towards the creation of a national human rights body. We hope that the committee will make a recommendation to the government, urging the Human Rights Committee to be created under this bill to be an independent, effective and pluralistic body, in line with the Paris Principles.

b) Are there any future prospects of adopting a domestic law to prohibit discrimination? If so, please specify.

Background:

Japan acceded to CERD in 1995, which charged it with the responsibility of prohibiting and ending racial discrimination by private individuals and organizations, yet nothing has been done to equip domestic law to make this possible. There is still no comprehensive law that prohibits discrimination between private individuals, and this has resulted in it being very easy to discriminate on the basis of race, ethnicity, descent and so on, in spheres such as employment, housing, customer service and marriage. There are precedents where the court has judged an individual's discriminatory actions as wrongful conduct and ordered the payment of damages, but this is ultimately relief after the fact. Further, because there is no law specifically prohibiting discrimination, such court precedent is a weak measure in preventing potential discrimination. Even if the victim approaches the courts seeking remedy, many give up because of the time and money it takes. There is also no quick and simple remedial body, such as a national human rights institution, to deal with this type of discrimination.

- c) After consideration of Japan's fourth periodic report in 1998, the Committee recommended that the State Party ratify the First Optional Protocol to the Covenant. Please provide information about whether there are any developments in this matter.**

Background:

Japan has not allowed the individual complaint procedure under the any of the treaties it has concluded including the Covenant, so international avenues for victims of human rights violations are not available. There has been no progress towards the ratification of the Second Optional Protocol, either. On the contrary, the numbers of death sentences and executions have increased. (In 2007, capital punishment was carried out three times, executing nine people.)

- d) Are there any future prospects of amending domestic laws so as to recognize genocide and various forms of discrimination as individual punishable crimes?**

Background:

Japan's domestic law does not recognize torture, genocide and various forms of discrimination as individual crimes punishable under the provisions of the relevant international conventions.

- e) Are there any future prospects for solving the lack of a framework to provide remedies for the human rights violations of children born out of wedlock, who are still discriminated against under civil law, and minority groups, such as returnees from China, Ainu, Okinawans, Zainichi Koreans (Koreans living in Japan), Buraku people, migrants and foreigners?**

Background:

There is no framework to provide remedies for the human rights violations of children born out of wedlock,

who are still discriminated against under civil law, and minority groups, such as returnees from China¹, Ainu, Okinawans, Zainichi Koreans (Koreans living in Japan), Buraku people, migrants and foreigners.

- f) Please provide examples of cases where the provisions of the Covenant and the General Comments or recommendations made by the Committee were taken into account in court processes.**

Background:

Japan has not, in many cases, reflected the provisions of conventions in its court decisions. Human Rights education for judges and law-enforcers and their training on the provisions of the Covenant and the General Comments are insufficient, resulting in international human rights norms being ignored by law-enforcing bodies.²

2. Ensuring the rights recognized in the Covenant (art.2)

- a) Please indicate what kind of research has been carried out in order to assess the effectiveness of measures taken to promote human rights and prevent human rights violations**

Background:

The government has carried out publicity and educational activities to promote human rights and prevent human rights violations through poster campaigns and such, but there is no practical program for the protection and promotion of human rights. There is serious doubt as to the effectiveness of their efforts.

The National Plan of Action for the United Nations Decade for Human Rights Education has been promoted, but no systematic human rights education program has been carried out for those working in government.

- b) Are there any future prospects for efforts to remedy the victims of wartime sexual slavery system, known as the “comfort women”? If so, please specify.**

Background³:

Since 1990s, various UN Human Rights bodies such as the treaty bodies, Commission on Human Rights and ILO, and since 2007, parliaments of nations such as Holland, Canada and the European Union, have indicated that this is an unresolved issue and addressed the responsibility of the Japanese Government. However, the government has not shown a sincere attitude towards recommendations from international

¹ See the submission by the Service for War-displaced Japanese in China, Returnees to Japan and the Families for details.

² As a recent example, in December 2007, the Supreme Court dismissed the appeal by foreign residents (mainly Koreans descendants of former Japanese territory) with disabilities, who claim that their exclusion from the national pension plan is a violation by the Japanese Government of international human rights treaties (In particular, ICCPR articles 2 and 26). (For detailed information on the issue of exclusion from pension, see the submission by the Association of Korean Human Rights in Japan.)

³ See the submission by the Asia-Japan Women's Resource Center.

society.

The Asian Women's Fund (AWF), which was established by the government to "fulfill moral responsibility," expired in March 2007.

3. Prohibition of Discrimination (Art. 3, 23 and 26), rights of minorities (Art. 27)

a) After consideration of the fourth periodic report in 1998, the Committee expressed concern and made recommendations regarding the issues below regarding the rights of minorities and the prohibition of discrimination. Please provide information on any developments or future prospects on these issues.

(i) Please indicate whether there are any developments as to the recognition of the Ainu as an indigenous people, the violation of their rights to land, resources and culture and discrimination towards them.

Background⁴:

The government has still not recognized the status and rights of the Ainu as an indigenous people, which this minority group has been claiming for since 1987. Because the Japanese government continues to say that there is no international definition for the term "indigenous people" and that the matter is "under consideration," it is ignoring recommendations from treaty bodies that call for the recognition of the rights on indigenous peoples.

(ii) Regarding persons of Korean origin (Zainichi Koreans) with foreign nationality and those who have obtained Japanese nationality, please indicate whether there are any developments as to their treatment as a minority group, as defined in article 27 of the Covenant.

Background⁵:

The government, in its first periodic report (1980), indicated that there were no minorities as prescribed in the Convention in Japan. In its third periodic report (1991), it recognized only the Ainu as a minority group prescribed in Article 27, and the committee expressed concern that this excluded the Zainichi Koreans.

During consideration of the fourth periodic report, in response to the Committee's questions, being: (i) Concerning the "residence in Japan of a large population of persons of Korean origin," what provision is made for their treatment as an "ethnic, religious or linguistic minority"?; (ii) Why is there no reference to the population of Korean origin (under articles 26 and 27) in the fourth periodic report?; and (iii) What impediments are in place to deny them their right to enjoy their own culture?, the government only answered that there are no laws that treat people with Korean nationality as ethnic, religious or linguistic minorities,

⁴ See the submission by the Buraku Liberation and Human Rights Research Institute.

⁵ See the joint submission by the Solidarity Network with Migrants Japan and other organizations, and the submission by the Buraku Liberation and Human Rights Research Institute.

and it did not respond to questions (ii) and (iii). Also, in contrast to the term “persons of Korean origin” that the Committee used, the government used the term “Koreans in Japan”, excluding Zainichi Koreans with Japanese nationality, nearly reaching 500,000 in number.

(iii) Please indicate whether there are any developments regarding discriminatory treatment towards ethnic schools, including Korean schools.

Background:

Regarding the eligibility of graduates of foreign schools within Japan for admission to Japanese universities, the Government of Japan has stated that it has expanded eligibility to foreign schools that can be “officially recognized” as offering education that is the legal equivalent to schools in the home country. However, the government did not “officially recognize” North Korean ethnic schools due to the fact that Japan has no official diplomatic relations with North Korea, and thus, graduates become ineligible for candidacy to Japanese universities⁶. Even today, these graduates must demonstrate certifiably, on an individual basis, to each school that they wish to take entrance exams at, that their academic ability is in fact higher than regular high-school graduates.

As with Korean schools, ethnic schools are, compared to Japanese schools, systematically discriminated against and not recognized as normal schools.

(iv) Regarding the Buraku people, given that the State report indicates that the “Law on Special Measures” expired in 2002, please provide information on what measures are envisioned as follow-up to this. In addition, please indicate what kind of research has been carried out in order to assess the situation of the Buraku people after the expiry of the law, which will be a basis to consider such follow-up measures.

Background⁷:

The implementation of Dowa measures by the administration under the “Law on Special Measures for Dowa Projects,” enacted in 1969, focused on improving the environmental conditions of Buraku. Together with educational programs, this has led to some alleviation of prejudice against Buraku.

The results of a survey into residents’ awareness of and attitudes towards the Buraku problem conducted by Tottori and Osaka prefectures in 2005, however, reveal the existence of a negative perception of Buraku. Furthermore, there is still a strong sense of envy-based discrimination against Buraku due to the special measures implemented in Buraku districts, and there is a need for education and awareness raising to solve such problems. Also, the government should carry out research on the situation of Buraku people after the

⁶ On the other hand, even though Japan similarly has no official diplomatic relations with Taiwan either, the government takes a softer stance: Taiwanese ethnic schools in Japan have been able to receive “official recognition” through zaidan houjin legally-incorporated foundations, which means there is different, discriminatory treatment.

⁷ See the submission by the Buraku Liberation and Human Rights Research Institute.

expiry of the Law on Special Measures, such as enrollment rates in advanced education and employment rates, in order to take up appropriate measures. However, such research has not been carried out.

- (v) Regarding discrimination against children born out of wedlock, given that the government, since the consideration of its fourth periodic report, has already expressed its recognition of the need to improve the situation, please specify measures taken in relation to this issue, as well as measures to be taken in the future, including amendments to relevant laws, education and awareness raising.**

Background⁸:

In spite of repeated recommendations from treaty bodies, including the Human Rights Council, there has been no improvement in the situation whereby the succession of children born out of wedlock is half that of children born in wedlock. Birth registration forms still specify whether the child was born within or out of wedlock. The status of a child born out of wedlock can be discovered immediately through the family register. Despite that an amendment to the Civil Code relating to the inheritance rights of children born out of wedlock was proposed in a report of the Legislative Council of the Ministry of Justice in 1996, it has still never been submitted to the Diet. Regarding discriminatory entries in the family register, the government claims that “the parties concerned may now apply to have them modified.” However, even after the adoption of this system, applications of certain concerned parties⁹ are rejected due to “the office workload”. During the consideration of the fourth periodic report, the government explained that they created and distributed pamphlets to raise awareness of discrimination against children born out of wedlock, but that the existence of such pamphlets is not known. The Human Rights Bureau of the Ministry of Justice has never addressed children born out of wedlock as subjects of Human Rights Education, including within the National Plan of Action for the United Nations Decade for Human Rights Education.

A child born out of wedlock is supposed to carry his/her mother’s family name, and needs a family court judgment to adopt the family name of the father. If the father has a spouse or another child born in wedlock, there is a practice where the court asks their intention. Choice of family name is a personal right, and such practices place the human rights of children born out of wedlock under the domination of others. Therefore, amendment to legislation is needed. Moreover, the government continues to use the term “illegitimate children,” regardless of recommendations from treaty bodies to omit such discriminatory terminology from legislation and practices. This shows that the government has no will to comply with conventions and equip domestic laws.

- b) Is the State Party considering amendments to the below legislations, which lead to discrimination and violation of the Covenant?**

⁸ See annex 1 for details.

⁹ For example, modifications of entries in family register at birth are refused for children out of wedlock who are married and belong in a different family register from the original. All of such entries that cannot be modified remain available to be viewed.

(i) The family registration system, which is one of the causes of discrimination against Buraku people and children born out of wedlock

Background¹⁰:

The Japanese family registration system has uncritically allowed entries that lead to human rights violations. As people within the family register system are registered as a family unit, it is possible to identify an individual's marital status or family ties by examining the register. Individuals' ancestry descent is also traceable on the family register. It is therefore possible to identify whether or not an individual has a Buraku origin or if he or she is a naturalized citizen. There are cases where people with certain jobs where they are authorized to obtain the family registers of others abuse their authority and provide the information to private investigative agencies, which are hired by companies and individuals. As a result, there are many cases where people with Buraku origin and children born out of wedlock become subject to discrimination in employment and marriage. In such cases, the person with the profession who was directly involved in the action might be punished, but the companies and the individuals that requested the information are never brought to justice. Within the Family Registration System, it is essential that there be a move from family-based to either individual-based or event-based registration. In particular, there is an urgent need for a system where people are informed that their family record has been obtained by somebody else, as an effective measure to prevent illicit obtainment.

(ii) The Nationality Law, Alien Registration Law and Immigration Control Act, which lead to discrimination against people of foreign origin or nationality, including permanent residents.

Background¹¹

Under the Japanese Nationality Law, children born out of wedlock between a father with Japanese nationality and mother with foreign nationality cannot obtain Japanese nationality unless he/she is recognized by the father while still in the mother's womb.

The Alien Registration Law makes it an offence for those with foreign nationality, including permanent residents, not to carry their certificate of registration at all times, and imposes criminal sanctions or administrative penalties. This is a discriminatory regulation.

Instead of following the committee's recommendation after consideration of the second periodic report, the government maintains article 26 of the Immigration Control and Refugee Recognition Act, requiring that permanent residents, including second and third generation Koreans, apply for permission to reenter the country, and giving the Minister of Justice the authority to reject the application. Moreover, in August 2000, the government expressed its views that reject the Committee's recommendation, through a written answer from the State Minister on behalf of the Prime Minister. In July 2006, the government released a message

¹⁰ See the submission by the Buraku Liberation and Human Rights Research Institute and Annex2 for details.

¹¹ See the joint submission by the Solidarity Network with Migrants Japan and other organizations, and the submission by the Buraku Liberation and Human Rights Research Institute.

from the Chief of the Immigration Bureau (Measures based on announcement by chief cabinet secretary regarding the North Korean launch of a flying object, 2477), creating limitations to reentrance applications by Zainichi Koreans with so-called "North Korean" nationality. The Immigration Law was further amended in 2006, and a new system was adopted whereby private biometric information (face images and fingerprints) of the majority of foreigners are collected and controlled.

- c) Please explain why the Immigration Law was amended in May 2006, adopting a measure to collect and control biometric information (face images and fingerprints) from the majority of foreigners. Is the State Party considering repealing this measure in the future?**

Background¹²:

The revised immigration law, which has been in force since November 2007, has been criticized both widely and from technical standpoints for its forced and unilateral collection and control of the private information of the majority of foreigners.

- d) Please indicate what kind of measures the State Party plans to put forth in regard to the human rights situation in Okinawa, especially the human rights violations against women and children, in particular brought about by the concentration of US bases in Okinawa. Moreover, please explain how the State Party recognizes the situation of the Okinawans, including racial discrimination against them, and the denial of historical and cultural identity and ethnicity, and whether the State Party has any measures to tackle the situation.**

Background¹³:

Okinawans nurtured their unique history and culture until they were forcibly integrated to Japan in 1879. Since then, their rights to enjoy their own history and culture have not been assured, and even their ethnicity has been denied, let alone their characteristics as an indigenous people. After the Second World War, Okinawa was left under US rule, and even now, the US bases that are concentrated in Okinawa under consensus between the Japanese and US governments are causing damage to a large number of residents. The Japan-US Status-of-Forces Agreement, providing the status of the US military, has no provision to protect the rights of Okinawans, resulting in women and children being victimized.

In 2007, during the authorization process of school textbooks, the Ministry of Education, Culture, Sports, Science and Technology requested that statements referring to orders by the Japanese military as the cause of the mass suicide of Okinawans during the Second World War be amended, resulting in the statement disappearing from history textbooks.

4. Detention and treatment of prisoners, fair trial (Art. 7, 9,10, 14)

- a) Given that the State Party still employs the Daiyo Kangoku (substitute prison) system, even**

¹² See Annex 3 for details.

¹³ See the submission by the Buraku Liberation and Human Rights Research Institute for details

though detention and investigation are executed in different departments within the police, are there future prospects to further improve the situation?

Background:

The government stresses that departments dealing with detention and investigation are separate, but there is no change in the situation whereby the Daiyo Kangoku system is still maintained.

In January 2008, The Tokyo Metropolitan police announced a policy for appropriate procedures within police investigation and proposed measures to supervise and partially visible police investigations. However, there is no reference to ensuring the presence of a lawyer, video monitoring or monitoring by a third party institution, and it has to be said that efforts are not being made towards total visible.

- b) Under the amended Code of Criminal Procedure, in what way is the access of the defense counsel to evidence gathered and kept by the police and the prosecution assured? Please provide more concrete information on the disclosure process of such evidence, including who makes the decision whether to disclose the information, and on what basis the decision is made.**

Background¹⁴:

Even under the amended Code, the list of evidence held by the police and prosecution is not disclosed to the defense counsel. Therefore, in the current situation, even when the defense counsel tries to request the disclosure of evidence, he/she has no information in the first place as to what kind of evidence has been collected. This problem has not been solved since the consideration of the last periodic report in 1998, despite the Committee's recommendation. Moreover, the decision whether to disclose certain evidence is made by the prosecutor, and the prosecutor is not, in general, required to disclose all available evidence.

- c) Please provide information as to whether the defense counsel is assured access to records held by the prosecution that have not been submitted to the court in order to appeal for retrial. Please explain what kind of remedial procedures are maintained for victims of wrong judgment.**

Background:

Even after the trial, evidence continues to be hidden. For example, an important case came to light in 2007 whereby a man was judged guilty for a rape/attempted rape case that occurred in 2002 on the ground that he had confessed during the police investigation. He was found innocent after serving a sentence for 2 years and 9 months when the real perpetrator was found. The prosecutor had not submitted to the court evidence such as telephone records that would have proven his alibi.

There are many former defendants judged guilty on the ground of their "confessions" who claim that they have been falsely accused and have appealed for a retrial for decades. However, there are only limited ways

¹⁴ See the submission from the Buraku Liberation League Central Headquarters for details.

to meet the requirements for a retrial. Under Japanese law, the requirement for a retrial is the submission of new evidence, but there are no systems to assure the disclosure of evidence to the party appealing for a retrial, and there are many former defendants who complain that evidence held by the prosecution has not been disclosed, even after decades.

d) Are there future prospects for development as to the treatment of suspects and pre-trial detainees?

Background:

As stated before, the government stresses that departments dealing with detention and investigation are separate, but there is no change in the situation that the Daiyo Kangoku system is still maintained.

The recent policy for appropriate procedures within police investigation fails to specifically prohibit methods of investigation and interrogation that amount to torture or abuse and define them as illegal. There are more problems with this policy, such as that extended and late night interrogations are granted in “inevitable” situations with permission beforehand, and that “actions subject to check” (Actions of police prohibited by the policy) are not defined as illegal, and there are no clear penalties.

Even now, almost all prosecution requests for detention are approved, which results in easy detention. False accusation cases never cease, in a situation where more than 99.9% of the accused are judged guilty.

e) Are there future prospects for development as to the treatment of sentenced inmates and inmates on the death-row, especially in medical aspects?

Background:

The situation of medical treatment for inmates is extremely poor. Because the number of doctors is insufficient, there are cases where people need to wait half an year to receive dental treatment, or where prison officers with nursing licenses provide medical treatment. Because medical treatment for inmates is not covered by insurance, the budget of the correction bureau for healthcare cost ends up being extremely insufficient. Under such circumstances, the quality of workers engaged in health care is low, resulting in aggravated harassment case by doctors.

Regarding inmates on death row, the Ministry of Justice has made the decision to expand the scope of people permitted to visit the inmates, but in reality, permission is only granted to a very limited people. Media interviews are prohibited.

f) Are there any improvements planned regarding compensation for those arrested or detained unlawfully?

Background:

The government has given an account of compensation for those arrested or detained unlawfully in Item 4(a),(b), Section 9, Part 2 of the third periodic report. However, the Criminal Compensation Law is only applied limitedly to an accused person who has been found innocent and hardly compensates for physical

and mental damage actually incurred. Besides, in case a public prosecutor decides that compensation is inappropriate for an arrested suspect who has not been prosecuted, there is no appealing against this. In such a case, there is no other way of seeking compensation than filing a lawsuit under the State Redress Law. It is, however, extremely rare that the court recognizes the responsibility of police officers and grants compensation. In the case of prosecutors, such proceedings have never occurred.

5. Process of drafting the periodic report

a) Please provide more information on what kind of consultation the State Party has held with civil society regarding the implementation of human rights obligations as stated in the Covenant. Please also explain how the outcome is reflected in the State Party report.

Background:

The consultation process between government and civil society on the domestic implementation of the international human rights system is proving to be a failure. At information exchange sessions held as part of the process in creating reports due under Convention on the Elimination of All Forms of Racial Discrimination (CERD), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention on the Rights of the Child (CRC) and International Covenant on Economic, Social and Cultural Rights (CESCR), the government has been unable to respond to groups opposing to the conventions, thus preventing effective participation in the consultation process. At the August 2007 information exchange session, for example, which was held in preparation for the government report due under CERD, slanderous and discriminatory statements were made to several speakers who related their experiences as victims of discrimination, resulting in the discontinuation of the meeting, thus losing the precious chance of exchange of views¹⁵.

Instead of seeking an effective national consultation in order to implement conventions and UN Human Rights systems, the government is shifting towards the abandonment of the national consultation process, such as not holding a meeting to prepare the government report for the Universal Periodic Review.

Also, because there is no opportunity for NGOs and minority groups to participate in policy evaluation by the Ministry of Foreign Affairs,¹⁶ including human rights policies, there is doubt as to how evaluations about the protection and promotion of human rights can be based on reality.

Regarding the creation of the fifth periodic report by the government, one meeting was held in 2001 and another in 2003, and the submission of opinions through a website was also called for in the same period. However, the meeting was merely a one-sided "hearing" where the government just listened to the NGOs' opinions, and there has been no interactive dialogue. There has been no response to NGO opinions expressed to the government, either.

¹⁵ See Annex 4 for details.

¹⁶ Efforts to gather opinion regarding policy evaluations are made after they are issued, but it is not clear how these will be made use of for the next policy evaluation.