



Position of Japan for the purpose of the conference held by Forum 21st Century on 29th November 2011 reflected in the first draft of the negotiation paper, regarding human rights.

- 🌐 Japan agrees with the establishment of the tribunal, but not within the Security Council of the UN (SC). Japan proposes the enactment of the tribunal with the composition of the SC, but only in the starting phase of its enactment. The problem with the proposal given is the member states of the SC and their right of veto. China, Russia and the United States are subjects with the most infringements of human rights and if these were to identify infringements, they wouldn't identify themselves and if one of the members of the SC would identify another member, the accused member of the SC would simply veto such accusations.

Japan proposes the establishment of a tribunal with certain rights and privileges (list of these rights and privileges is open for future discussions), but the members of this tribunal would be appointed by an rotating order, i.e. every 4-6 years or so, 5 countries would be chosen among the UN member states, with every state would need to be a member of this tribunal, before a second round of appointment of tribunal members begins. None of the tribunal members would have a right of veto, for the simple reason of preventing avoiding taking responsibility of tribunal members (i.e. so no tribunal member can veto an accusation concerning them).

The tribunal could have also more than an advisory function. The decisions made by the tribunal could have of course a recommendatory character, but complete ignorance towards these decisions could be punishable by fining the accused state.

Japan doesn't object the restriction of inflicting the death penalty, but this decision needs to be made by its parliament first.

Otherwise, Japan doesn't object any of the other points of the first proposal.



- 🍷 Japan agrees with most of the second proposal with few exceptions. The revision of the UN Universal Declaration of Human Rights cannot be done by a consensus, since some countries could object to some rights. The question of choosing the right actor to revise them should be discussed; the possibility of an independent human rights organization is possible.

The other point is the empowerment of the poor. There is no apparent reason why to empower the poor class of a society; everyone should have equal rights and opportunities. Several studies show, that a poor standard of living can be avoided or reversed by educating such people. So the reduction of poverty could be achieved by giving education to the poor classes and if not for them affordable, enabling education by giving out scholarships.

- 🍷 The NGOs monitoring and reporting the state of ensuring human rights in a country should be considered “neutral”, to ensure that none of these NGOs or their members would be persecuted or fined or in any other way hindered in completing their work in any country. Also these NGOs should be monitored, at least their accounts, as to avoid any cases of bribing and opinion altering by the state being currently monitored.
- 🍷 Japan reserves its rights and sovereignty over the judicial sector and criminal punishment, meaning any monitoring NGO or other organization would not be permitted to emit any kind of decisions considering this sector. Japan wants to keep its current way of convicting and punishing criminals, until it is decided differently by the Japanese parliament. Japan also wants to reserve its rights and sovereignty over the treatment of minority groups, with conditions from the previous proposal applying to this case as well.
- 🍷 Japan would like to propose a closer working relationship with other countries within the Asian region in the field of human trafficking (in particular China, from where mostly women are trafficked into Japan).