

THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

PRESS RELEASE

Japan has enacted the act to promote the elimination of Buraku discrimination

December 23, 2016

The International Movement Against All Forms of Discrimination and Racism, or IMADR, welcomes the enactment of the Act on the Promotion of the Elimination of Buraku Discrimination¹ on December 9, 2016. It is important to note that the Act recognizes the still existing Buraku discrimination in today's Japan and declares the unacceptableness of Buraku discrimination that impedes the enjoyment of fundamental human rights. It is also important that the Act clarifies responsibilities of the state as well as local public corporations in eliminating Buraku discrimination through the provision of advice and support in regard to Buraku discrimination in the consolidated mechanism and the promotion of appropriate education and awareness-raising.

While congratulating the enactment of the Act, IMADR invites the Government of Japan to give special attention to the following points in implementing the Act:

- 1) Article 4: For the consolidation of mechanism that gives necessary advice and support in regard to Buraku discrimination, it is advisable to consider the establishment of a national human rights institution with the remedial function as well as educational function as Japan has repeatedly been recommended by the UN human rights monitoring bodies such as Human Rights Committee, Committee on the Elimination of Racial Discrimination (CERD), and the Universal Periodic Review².
- 2) Article 5: Education and awareness-raising for the elimination of Buraku discrimination should be based on international human rights principles that are articulated in the Universal Declaration of Human Rights and other relevant international human rights instruments that Japan has ratified.
- 3) Article 6: In conducting surveys on actual situation of Buraku discrimination, it is important to take the recommendations given by CEDAW in its review of the government report in February 2016³ into consideration, so that special attentions are given to Buraku women who are vulnerable to the multiple form of discrimination.

Lastly, it should be stressed that the Act does not take up the question on how to deal with malicious manifestations of Buraku discrimination which are often found on the Internet. IMADR asks the Government of Japan to examine the need for introducing legal measures to regulate such malicious discriminatory acts. IMADR also asks the Government of Japan to consider the enactment of a comprehensive law to prohibit discrimination as it has repeatedly been recommended by UN human rights treaty bodies including Human Rights Committee, CERD and CEDAW⁴.

¹ Refer to the attached text of the Act

² CCPR/C/JPN/CO/6 (20 August 2014), para 7, available at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fJPN%2fCO%2f6&Lang=en

CERD/C/JPN/CO/7-9 (26 September 2014), para 9, available at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fJPN%2fCO%2f7-9&Lang=en

Report of the Working Group on UPR Japan 2012

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/187/52/PDF/G1218752.pdf?OpenElement>

³ CEDAW/C/JPN/CO/7-8 (10 March 2016), available at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fJPN%2fCO%2f7-8&Lang=en

⁴ see 1. CCPR para 11, see 1 CERD para 8, and see 2 CEDAW para 13-(c)