

THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

Oral Statement: 7th session of the Forum on Minority Issues

Agenda 4: Improving prevention of violence and atrocity crimes

Speaker: Taisuke Komatsu

25 November 2014

Thank you Mr. Chair,

We welcome the draft recommendations presented before us today. In particular, we would like to endorse the draft recommendations in the paragraphs 13 (effective participation and integration of minorities), 14 (adoption of anti-discrimination law), 15 (introduction of anti-hate speech legislation), 18 (role of education) and 20 (early warning indicators) for the prevention of violence and atrocity crimes against minorities. These recommendations can help States to fulfil their legal obligation to protect persons belonging to minorities.

In Japan, minority groups, especially ethnic Koreans, have been facing threats to imminent violence and crimes. During the year 2013, racist groups conducted at least 360 demonstrations in the country, which they chanted hideous racist slogans including the calls for massacre and forced repatriation of minorities. Racist groups have been spreading their messages both nationally and internationally through disseminating the video recordings of demonstrations among the internet. Although some members of racist groups have faced criminal prosecution for their misconducts, no case was ruled by court as an act of racial discrimination. Moreover, no public officials and politicians, who made discriminatory remarks against minorities, have been sanctioned properly.

Systematic discrimination against minorities can increase the risk of targeted violence and atrocity crimes. Ethnic Koreans, who have resided in Japan for generations since the colonial period, have suffered from structural discrimination such as the denial of the right to vote and the restrictions on access to public service jobs. Regrettably, the Government of Japan has strengthened institutionalised discrimination against ethnic Koreans. In February 2010, the Government purposely excluded Korean schools from its new programme to make the high school education free of charge ("*tuition waiver programme*"). The right to education of ethnic Korean children to learn own language, history and traditional culture has been denied by the Government. Racist groups and individuals interpreted such attitude of the Government as an official justification of the discrimination against ethnic Koreans.

To prevent violence and atrocity crimes against minorities, the adoption of comprehensive and specific legislation prohibiting discrimination on the grounds of national or ethnic origin, colour, language, religion as well as descent is essential. Anti-hate speech legislation should be designed to protect human rights of minorities and punish perpetrators in accordance with the international human rights law. We also recommend States to develop early warning indicators in reference to the indicators for conflict and genocide (CERD/C/67/1) prepared by the Committee on the Elimination of Racial Discrimination (CERD). Lastly, we encourage the members of this Forum to implement the draft recommendations while ensuring the participation of minority communities in different spheres of society.

Thank you Mr Chair.