

THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

IMADR Oral Statement: 32nd session of the Human Rights Council

Item 3: Clustered Interactive Dialogue with the Special Rapporteur on the rights to freedom of peaceful assembly and of association

17 June 2016

Thank you Mr. President,

We appreciate the joint allegation letter¹ sent from the Special Rapporteur and other mandate holders to the Government of Japan in June 2015 regarding the excessive use of force against and arbitrary arrests of peaceful protestors in Okinawa. Regrettably, the Government of Japan not only denied its responsibility for the human rights violations, but also justified its actions without conducting investigations into the concerned cases. For some of the cases, the Government defended their actions as necessary measures to ensure the safety of victims. However, in the recent joint report on the "*proper management of assemblies (A/HRC/31/66)*", the Rapporteur clearly states that "***the least restrictive measures must be taken to ensure the safety and security of participants and others***".

Even since after the communication with the Government, in 2015, hundreds of non-violent protestors were subjected to temporarily detention, at least 8 individuals were injured due to the excessive use of force and 8 protestors were arbitrary arrested for allegations of violating the *Act on Special Measures Concerning Criminal Cases* or "*obstructing police officers from performing their duty*".

We continue to be concerned by the oppressive environment on peaceful protestors in Okinawa. Last month, it was revealed that a security company contracted by the Defence Bureau has compiled a list of 60 protestors who demonstrate against the construction of a new U.S. military base in Henoko. The list contains pictures and names of the individuals, which is used to surveil and report their protest activities to the Defence Bureau. The Police and Japan Coast Guard (JCG) have also taken video footage of protestors in order to identify and call them by name. These measures have spread a chilling effect among the community.

Stigmatisation of peaceful protests in Okinawa is not uncommon in political discourse. Last month, a prefectural parliament member of the ruling Liberal Democratic Party (LDP) made a hateful remark against protestors to the U.S. military bases in Okinawa, calling them "*insane*" by using a coined term. The Government has not taken any action to address the incident or punish the speaker in order to ensure the freedom of peaceful assembly in the island.

Against this backdrop, we request the Special Rapporteur to follow-up with the communication and closely monitor the situation in Japan, in particular Okinawa. We also call up on the Government of Japan to refrain from any restrictive measures on freedom of peaceful assembly.

Thank you Mr. President.

¹ JPN 1/2015, available at: [https://spdb.ohchr.org/hrdb/31st/public - AL Japan 15.06.15 \(1.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public - AL Japan 15.06.15 (1.2015).pdf)