



## **Joint Oral Statement: 41st session of the Human Rights Council Item 3: General Debate**

1 July 2019

Speaker: Taisuke KOMATSU

Thank you Mr. President,

We express our appreciation to the first follow-up report on country visits presented by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. We welcome the gradual trend among different special procedures towards undertaking follow-up actions. We strongly encourage mandate holders to integrate follow-up activities in their engagements with different stake-holders.

We regret that the Government of Japan failed to submit follow-up information to the Special Rapporteur, David Kaye, regarding the implementation of his recommendations. We are deeply concerned by the Government's overly broad statement during the interactive dialogue with the Special Rapporteur in which they categorically rejected his reports.

In our follow-up submission to the Special Rapporteur, we highlighted the recent report on surveillance of peaceful protesters in Okinawa by a private security company which allegedly received instruction from the Government.<sup>1</sup> We also wish to highlight that regardless of the Working Group on Arbitrary Detention's opinion in which it declared Mr. Hiroji Yamashiro's detention to be arbitrary and directly connected to his exercise of freedom of expression and peaceful assembly,<sup>2</sup> his final appeal to the Supreme Court was rejected on 22 April 2019 and the Government of Japan has not yet responded to the recommendations in its opinion No. 55/2018. Furthermore, we echo the Special Rapporteur's concern that the arbitrary detention of Mr. Yamashiro spreads a chilling effect on the exercise of the right of freedom of assembly.<sup>3</sup>

The follow-up report provided a valuable opportunity for all stakeholders to reflect progresses and challenges in the full enjoyment of freedom of expression. We call on the Human Rights Council to support follow-up activities of special procedures in order to help States fulfill their human rights obligations.

Thank you Mr. President.

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<sup>1</sup> [http://imadr.org/wordpress/wp-content/uploads/2019/02/IMADR-AOCHR\\_Follow-up-NGO-Report\\_SR-FoE\\_Japan.pdf](http://imadr.org/wordpress/wp-content/uploads/2019/02/IMADR-AOCHR_Follow-up-NGO-Report_SR-FoE_Japan.pdf)

<sup>2</sup> A/HRC/41/35/Add.2, paragraph 11

<sup>3</sup> A/HRC/41/35/Add.2, paragraph 11