

Joint NGO Submission

**for the preparation of List of Issues Prior to Reporting for Japan
to the UN Committee on the Elimination of Racial Discrimination**

<< Part B >>

Submitted by

Japan NGO Network for the Elimination of Racial Discrimination (ERD Net)

Contact: International Movement Against All Forms of Discrimination and Racism (IMADR)

imadrjc@imadr.org

August 2025

Table of Contents <<Part B>>

Abbreviations	3
Glossary.....	3
Buraku Issue Must Be Considered Being in the Scope of the Convention	4
Rights of the Ainu as Indigenous Peoples	5
Rights of the Peoples in the Ryukyus and Other Residents in Okinawa Prefecture	7
Recognition of the Peoples in the Ryukyus as Indigenous Peoples.....	9
Impact of the Militarisation by Japan and the United States on the Indigenous Peoples in the Ryukyus	11
Reality of Minority Women and Their Participation in Decision-Making Processes	13
Returnees from China and Their Families as Subjects under the Convention	15

Abbreviations

Convention	International Convention on the Elimination of All Forms of Racial Discrimination
Committee	Committee for the Elimination of Racial Discrimination
LOIPR	List of Issues Prior to the Reporting
COs	Concluding Observations
GR	CERD General Recommendation
Government	Government of Japan
MoJ	Ministry of Justice
MOFA	Ministry of Foreign Affairs
Constitution	Constitution of Japan
Act on the Elimination of Hate Speech	<u>Act on the Promotion of Efforts to Eliminate Unfair Discriminatory Speech and Behavior against Persons with Countries of Origin other than Japan</u>
Act on the Promotion of Elimination of Buraku Discrimination	<u>Act on the Promotion of the Elimination of Buraku Discrimination</u>
Act on Promoting Measures for Ainu People	<u>Act on Promoting Measures to Achieve a Society in which the Pride of Ainu People is Respected</u>
Immigration Control Act	<u>Immigration Control and Refugee Recognition Act</u>

Glossary

Zainichi Korean or Korean residents in Japan	Those who migrated or were forcibly taken to Japan under the Japanese colonial rule, and had no choice but to remain in Japan for various reasons, and their descendants. Now, most of them are third or fourth generation.
Technical Intern Training Program (TITP)	Against the official aim of <u>TITP</u> to “international cooperation through the transfer of technical knowledge and skills”, the reality is that small- and medium-sized companies experiencing labour shortages use TITP as a means to secure labour. According to the Immigration Services Agency, as of June 2024, the number of technical intern trainees rose by 21,158, with a total of 425,714, the second largest group after permanent residents.
Employment for Skill Development (ESD)	The program aims to “develop and secure human resources in industrial fields with labour shortages”. In the revision of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees in 2024, it was decided that the current system will be replaced with the <u>Employment for Skill Development Programme</u> (ESD) by 2027.

Buraku Issue Must Be Considered Being in the Scope of the Convention

Relevant Articles of the Convention: Article 1 para. 1.

Relevant Recommendations: CERD/C/JPN/CO/10-11, para 20 (b) and (g); CERD GR 29.

Suggested Questions for LOIPR:

1. Please answer if the State party considers that the “descent” in Article 1-1 includes Buraku?
2. Please answer if the family register information is included in ‘sensitive personal information’ of the Personal Information Protection Act?

Background Explanation:

1. The Government has maintained its official view that the word “世系 descent” has racial implications, whereas the word “Buraku problem” has an implication of social class but not “descent,” thus, Buraku problem is not included in “descent.” The word “世系” was picked up by the Government when it was translating the Convention into Japanese. The fact that this Japanese word “世系” is applied to the imperial lineage proves that the word “世系” does not only have a racial implication, but also a social class implication. So, the Government’s view is not correct. It should change its interpretation and accept that the “descent” includes Buraku as per the CERD GR 29.
2. In its COs on the 10th and 11th reports of Japan, the Committee recommended to ensure that family data of Burakumin is kept confidential, and that cases related to the abuse of family registration data are investigated and prosecuted and that the perpetrators are sanctioned¹.

In the court case of “Publication of the Reprint Version of National Buraku Survey,” the supreme court recognised the “right not to be discriminated against,” stating that “In light of the Constitutional provisions of Article 13 for respect of individuals and Article 14 for equality and non-discrimination, every person is guaranteed the right not to be subject to unreasonable discrimination and to lead a peaceful life” for the plaintiff (Buraku people), and ordered the defendant to pay for compensation for damage. Nevertheless, the defendant continued to shoot video of 400 Buraku neighbourhoods and play it on the Internet, naming it “Exploring Buraku.” Against this, the Buraku Liberation League has filed a suit requesting the removal of the video.

Personal information in electronic form was designated as ‘sensitive personal information’ under the 2017 amendment to the Personal Information Protection Act, requiring management under strict conditions, including prohibition of collection, use, and disclosure to third parties without consent of the person concerned, and penalties for violations. Information on Family Register in electronic form, which includes privacy information and sensitive information, should also be managed as ‘sensitive personal information.’ Even today, qualified legal professionals can still freely obtain such information using a ‘request form for official use.’

Prepared by: Buraku Liberation League (BLL)

¹ CERD/C/JPN/CO/10-11, para 20 (g).

Rights of the Ainu as Indigenous Peoples

Relevant Articles of the Convention: Article 1 – 1, 2, 4 (a)(c)

Relevant Recommendations: CERD/C/JPN/CO/10-11 para 16; CERD/C/JPN/CO/7-9 para 20; CERD/C/JPN/3-6 para 20; A/HRC/56/55/Add.1 paras 40-43.

Suggested Questions for LOIPR:

- 1) Please explain the reasons why the Act on Promoting Ainu Measures² does not explicitly and specifically recognize the rights of the Ainu as indigenous peoples despite the fact that the Act recognises them as Indigenous Peoples in its Article 1.
- 2) Please explain the reasons why the Act does not provide any sanction against discrimination against Ainu people while its Article 4 explicitly prohibits it.
- 3) Please explain what specific policies and measures the State party has been taking to improve the life of Ainu people.

Background Explanation:

1. On August 17, 2020, the Raporo Ainu Nation filed a lawsuit in the Sapporo District Court against the GoJ and Hokkaido local government to seek confirmation of its right to harvest salmon under Ainu indigenous rights. This is the first lawsuit in Japan based on the rights of indigenous peoples. The plaintiff lost the case at the first instance “on April 19, 2024, and has appealed to the high court. The case is pending. In this regard, the Working Group on Business and Human Rights indicated its concern about the FPIC of the Ainu in its visit Report by stating, “The absence of free, prior and informed consent from the Ainu people for various development projects, including those in the renewable energy sector, is likewise troubling.”³

2. The derogatory statements, hatred remarks or false information against Ainu people have been rampant on/off the Internet. Please see our report Part B page 14. The same problem was pointed out by the Working Group which stated in its report, “43. The Working Group has also received reports of a surge in hostile and distorted views on the Ainu people, which may be categorized as hate speech, in printed materials and on the Internet. Noting the Government’s efforts to promote cultural education about the Ainu people through tourism, for example, the Working Group is concerned about reports received of racial harassment and psychological stress faced by Ainu workers at the National Ainu Museum and Park”. Discrimination against Ainu people is clearly prohibited in the Act on Promoting Ainu Measures, but not sanctioned. Because of this, hate speech and derogatory behaviors against the Ainu has been condoned and not officially addressed.

3. There are children who have no choice but to give up higher education due to financial circumstances. Although the Hokkaido Prefectural Government has interest-free loan scholarship schemes for Ainu living in Hokkaido, the full amount must be paid back within 20 years following the end of study. In addition, a joint guarantor must be provided for the loan. According to the 2023 survey conducted by Hokkaido Prefectural Government, there is still a 26.8% gap in university enrolment rates between Ainu and overall rates in the same neighborhoods despite some

² Act on Promoting Ainu Measures <https://www.japaneselawtranslation.go.jp/ja/laws/view/4538>

³ <https://docs.un.org/en/A/HRC/56/55/Add.1> 40-43

improvements. It also revealed that 24.7% of Ainu children entered universities or colleges, thereby a significant difference of more than 33% compared to the national average reported by the Ministry of Education for the same year. These results highlight the need for active support from the governments. The same survey disclosed that 20.1% of Ainu households had below 2 million yen of annual income and 71.5% of Ainu elderly households received public welfare. It also found that 38.5% of respondents engaged in the tertiary sector, followed by 30.8% in the primary sector and 16.5% in the secondary sector. It should be noted that the survey was regularly conducted in Hokkaido, not nationwide, by the Hokkaido Prefectural Government.

Rights of the Peoples in the Ryukyus and Other Residents in Okinawa Prefecture

Relevant Articles of the Convention: Articles 2 para.1; Article 5.

Relevant Recommendations: CERD/C/JPN/CO/10-11, paras 17 and 18; CERD/C/JPN/CO/7-9, para 21; CERD/EWUAP/115thsession/2025/CS/BJ/ks; CEDAW/C/JPN/CO/9, para 27; CAT/C/JPN/CO/2, para 20.

Suggested Questions for LOIPR:

1. Please provide detailed information about the structural discrimination against Peoples in the Ryukyus and residents of Okinawa prefecture, and measures taken by the State party to address it, in particular concerning the construction of a new military base in an area where U.S. military facilities are already concentrated, also noting that as of August 15, 2025, the Japanese government has yet to respond to the letter sent by CERD in May 2025 under the Early Warning and Urgent Action Procedure⁴, which requested information by August 1, and taking into account the results of the 2019 prefectural referendum and the opposition of the Governor of Okinawa—expressed through legal challenges up to the Supreme Court—regarding the landfill project.
2. Please provide detailed information about concrete measures taken to implement recommendations from CERD⁵ and CEDAW⁶ concerning sexual violence committed by U.S. military personnel stationed in Okinawa prefecture, including to ensure appropriate punishment of perpetrators and compensation for victims. Please provide comparative data before and after such measures, including arrest numbers/rates, indictment numbers/rates, lengths of fixed-term sentences, and other relevant statistics.

Background Explanation:

1. In 1996, under the “Special Action Committee on Okinawa” (SACO), the governments of Japan and the United States agreed to close the Futenma Air Station and replace it with a new facility in the Henoko-Oura Bay area of Nago City, northern Okinawa Island. In response, residents in the Okinawa prefecture have consistently opposed the project, as shown in the 2019 prefectural referendum where 72% voted against the new facility. The Governor of Okinawa has also refused to approve the national government’s landfill applications using his official authority. The Okinawa prefectural government fought against the national government up to the Supreme Court. While the Supreme Court ultimately ordered the Governor of Okinawa prefecture to approve design changes related to the landfill, the Governor refused. On December 28, 2023, for the first time in history, the Minister of Land, Infrastructure, Transport and Tourism executed a substitute approval under the Local Autonomy Act, overriding the authority of the Governor.

On May 12, 2025, the CERD, acting on information submitted by civil society groups from Okinawa, sent a letter to the Japanese government under its Early Warning and Urgent Action procedure. In the letter, the Committee expressed concern that the U.S. base construction project in the Henoko-Oura Bay area “would infringe rights of the Ryukyu/Okinawa Indigenous People protected”⁷ under ICERD, particularly their rights to health, to a clean and sustainable environment, and to own, develop, control, and use their communal lands, territories, and resources.

⁴ CERD/EWUAP/115thsession/2025/CS/BJ/ks.

⁵ CERD/C/JPN/CO/10-11, para 18.

⁶ CEDAW/C/JPN/CO/9, para 27.

⁷ CERD/EWUAP/115thsession/2025/CS/BJ/ks.

As of August 15, 2025, the Japanese government has not provided a response. The government has consistently reiterated its position that the Ryukyu/Okinawan people are not Indigenous. However, given the distinct history of the Ryukyu Islands and their people, any attempt by the State to dismiss the voices advocating for recognition of Ryukyu Indigenous rights is unacceptable. Disregarding the results of the prefectural referendum and the Governor's legal resistance, while imposing additional burdens on an already heavily militarised region, may amount to structural discrimination against the Indigenous Peoples in the Ryukyus and residents in Okinawa prefecture.

2. In its 2018 COs on Japan's 10th and 11th periodic reports, CERD expressed concern about violence against women in Okinawa caused by the presence of U.S. military bases and recommended that "the State party ensure the proper safety and protection of Ryukyu/Okinawa persons, including by protecting Ryukyu/Okinawa women from violence and ensuring proper prosecution and conviction of perpetrators of violence against them."⁸ Similarly, in its COs on Japan's 9th periodic report, CEDAW expressed concern about gender-based violence committed by U.S. military personnel stationed at bases in Okinawa and recommended that the State "Take appropriate measures to prevent, investigate, prosecute and adequately punish perpetrators and to provide adequate reparations to the survivors of sexual and other forms of conflict-related gender-based violence against women and girls on Okinawa."⁹

Furthermore, the Committee against Torture (CAT), in its 2013 COs, recommended that the State should guarantee victims of gender-based violence "victims of such violence access to a complaint mechanism, and facilitating victims' physical and psychological rehabilitation. Such support should be extended to victims of all military personnel, including those in foreign forces in the State party."¹⁰ CAT also urged Japan to "revise its legislation to ensure that the crime of sexual violence is prosecuted without complaint by the victim."¹¹

Despite these recommendations, Japan has failed to prevent sexual violence stemming from the presence of U.S. military bases in Okinawa. Victims have not been provided any adequate and comprehensive remedies, including apologies, and structural problems remain unresolved.

Since 2024, there have been eight successive arrests of U.S. military personnel in Okinawa Prefecture on suspicion of non-consensual sexual intercourse and other charges, of which four have resulted in indictments.

Prepared by: All Okinawa Council for Human Rights (AOCHR)

⁸ CERD/C/JPN/CO/10-11, para 18.

⁹ CEDAW/C/JPN/CO/9, para 27 (d).

¹⁰ CAT/C/JPN/CO/2, para 20 (b).

¹¹ CAT/C/JPN/CO/2, para 20 (c).

Recognition of the Peoples in the Ryukyus as Indigenous Peoples

Relevant Articles of the Convention: Article 5.

Relevant Recommendations: CERD/C/JPN/CO/7-9, para 21.

Suggested Questions for LOIPR:

1. What measures have been taken by the State party to recognise the Peoples in the Ryukyus as Indigenous Peoples? If any measures have been taken, please provide detailed information about them, including their timing, authorities or departments in charge, their impact and effectiveness, etc.
2. In light of the Osaka High Court's ruling recognising the Peoples in the Ryukyus as Indigenous Peoples, are there any measures taken or planned, discussions and deliberations currently held, or examinations and assessments conducted by the State party and other public institutions, including relevant authorities, the Diet, and local governments, to recognise the Peoples in the Ryukyus as indigenous in a more comprehensive and official manner in accordance with international standards. If any such actions are taken, please provide detailed information about them.
3. Please provide detailed information on actions taken by the State party to recognise the Peoples in the Ryukyus as Indigenous Peoples and to restore, compensate and protect their rights in accordance with international standards.

Background Explanation:

In 1879, the Japanese government dispatched 400 armed soldiers and 160 police officers to the Ryukyu Kingdom, which was established by the Peoples in the Ryukyus, colonised the Kingdom by forcibly annexing it as one of its prefectures and named it as "Okinawa Prefecture". It was the end of the Ryukyu Kingdom, which had existed for 450 years.

In 1903, a pavilion called 'Academic Anthropology Pavilion' was opened at the 5th National Industrial Exposition held in Osaka in Japan, where 32 individuals, including one from the Ryukyus, and others from groups such as the "Ainu", "Taiwanese highlanders" (Indigenous People), "Koreans", "Chinese", "Indians", "Javanese", "Bengalis", "Turks", and "Africans", all dressed in their respective traditional attire, were "exhibited".

The Japanese Anthropological Society had been robbing the graves and taking the remains of the Peoples in the Ryukyus and Ainu for the purpose of "anthropological research". From 1880 to the 1970s, the number of Ainu remains robbed by the society's researchers exceeded 1,800. Between 1928 and 1929, a group led by an assistant professor at the Kyoto Imperial University (now Kyoto University) Medical School robbed the remains of the Peoples in the Ryukyus from cemeteries across Ryukyu Islands. According to remaining records, they took between 220 and 230 remains.

Among the robbed remains, human bones of forty-nine persons from the Ryukyus are kept at Kyoto University, including the remains of members of the Ryukyu royal family and nobility. In December 2018, descendants of the persons, whose remains were robbed, filed a lawsuit against Kyoto University, demanding the return of the remains. The case proceeded to the second trial and the plaintiffs' claims were unfortunately dismissed. However, the opening part of the judgment recognised that the Peoples in the Ryukyus are indigenous peoples and that the Ryukyu Kingdom was colonised by Japan. It also noted that the return of indigenous people's remains is a global trend, and that the remains should be returned to their homeland in the Ryukyus.

Representatives of the Peoples in the Ryukyus have been fighting for the recognition of the Peoples in the Ryukyus as indigenous, while participating in the Working Group on Indigenous Populations (WGIP) since 1999. Relevant recommendations have been issued by various UN Treaty Bodies, such as the Committee on Economic, Social and Cultural Rights in 2001¹², the Human Rights Committee in 2008¹³ and 2014¹⁴, and the CERD in 2010¹⁵, 2014¹⁶ and 2018¹⁷, urging the Japanese government to recognise the Peoples in the Ryukyus as indigenous and to protect their rights, traditional culture, and language. As stated above, the Osaka High Court of Japan has recognised the Peoples in the Ryukyus as indigenous.

Prepared by: Association of Indigenous Peoples in the Ryukyus (AIPR)

¹² E/C.12/1/Add.67.

¹³ CCPR/CO/JPN/5, para 32.

¹⁴ CCPR/C/JPN/CO/6, para 26.

¹⁵ CERD/C/JPN/CO/3-6, para 21.

¹⁶ CERD/C/JPN/CO/7-9, para 21.

¹⁷ CERD/C/JPN/CO/10-11, para 18

Impact of the Militarisation by Japan and the United States on the Indigenous Peoples in the Ryukyus

Relevant Articles of the Convention: Article 5.

Relevant Recommendations: CERD/C/JPN/CO/7-9, para 21; CEDAW/C/JPN/CO/9, para 28.

Suggested Questions for LOIPR:

1. Has the State party conducted any survey or assessment of the pollution and destruction caused by the US military and the Japanese Self-Defence Forces to the soil, water, and other resources in the Ryukyus? Please provide specific details of such surveys or assessments, including their content, timing, and results, as well as about any measures taken by Japan in response to their findings.
2. Concerning the concentration of US military bases in the Ryukyus, the expansion of US military bases in northern Okinawa Island, and the strengthening of Self-Defence Forces deployments in Miyako and Yaeyama islands, which appears to contradict the Government's claim of "efforts to reduce the burden of bases in Okinawa," please provide information about the understanding and approach of the Japanese government towards this contradiction.
3. Please provide detailed information about specific measures taken by the State party to address physical and sexual violence including rape and murder, against Ryukyu women committed by military personnel and military-related individuals, as numerous cases of such violence have been reported for a long time until now, indicating that the issue has not been addressed properly so far. If any measures are taken, please provide detailed information about them, including what kind of measures they were, timing, responsible authorities, impact and effectiveness. Furthermore, please provide information on the actions taken by the State party to provide effective remedies and compensation to the victims and their family members and others who have been affected by the issue as well as to protect their rights, safety and security and to eradicate and prevent such cases.

Background Explanation:

As the Ryukyu Islands have been increasingly and continuously used for military purposes by Japan and the United States for a long time, the land, rivers, mountains and seas that nurture the life of the Indigenous Peoples in the Ryukyus are taken away and the Peoples have to endure suffering from the pollution and destruction of these natural resources. In particular, a number of environmental degradation and destructions are caused by the US military and accidents during their official duties, such as contamination through spilled radioactive substances, PFAS, defoliants, PCBs, and other chemicals, as well as wildfires, noise pollution, deforestation, coral destruction, and the destruction of habitats for various species, including dugongs, a natural monument.

Moreover, there have been numerous incidents and accidents caused by the US military personnel outside their official duties and in particular cases of sexual violence against Ryukyu girls and women as well as other girls and women in Okinawa Prefecture continue unabated. On 4 September 1995, a 12-year-old girl was assaulted by a US military personnel, which brought back to the mind of people of the incident that occurred on 3 September 1955, whereby a 6-year-old, Yumiko-chan, was abducted, raped, killed, and her body abandoned by a U.S. military sergeant, named Hart. The fact that such violence is still occurring and destroying the dignity of women and girls in the Ryukyus 40 years after Yumiko's case is an unbearable sorrow and humiliation for the people in the Ryukyus.

A group called 'Women in Action Against Military Forces and Bases', has long supported victims of sexual violence against women. The group published the 13th edition of its publication named 'Sexual

Crimes Against Women by U.S. Military Personnel in Okinawa' in 2023, which compiled cases of sexual crimes based on all available records and testimonies. The 13th edition compiled records of approximately 1,000 cases of sexual violence committed from April 1945 to December 2021. Among the victims, the youngest was a newborn infant, a particularly brutal case.

In April 2016, a woman who was walking in the park after work was raped, murdered, and her body abandoned by a man affiliated with the U.S. military. In 2019, a woman was killed by her former U.S. military boyfriend. Despite the fact that she requested a restraining order to the person not only with the Japanese police but also with the U.S. military due to the fear of stalking and rape, no measure was taken, and she lost her life.

Between 2023 and 2025, at least 10 cases of sexual violence committed by US military personnel were reported, including a case against a girl under the age of 16. While many of these cases did not lead to any prosecution, the case involving the girl under the age of 16 went to trial, where the victim was forced to testify for more than five hours next to the perpetrator, who was on the other side of a partition. This was an experience that could hardly be described as supportive of the victim.

Ryukyu women continue to live in constant fear of sexual violence and the possibility of being killed. The strengthening of military presence is a matter of life and death for Ryukyu women.

Prepared by: Association of Indigenous Peoples in the Ryukyus (AIPR)

The Reality of Minority Women and Their Participation in Decision-Making Processes

Relevant Articles of the Convention:

Relevant Recommendations: CERD/C/JPN/CO/10-11, para 26; CERD GRs 25 and 30; CEDAW/C/JPN/CO/9, para 36 (e) and 48.

Suggested Questions for LOIPR:

1. Are there any means in place to grasp the reality of multiple/ intersecting forms of discrimination faced by women belonging to minority and indigenous groups when conducting population census or any other surveys on the actual status (e.g. of Buraku discrimination, Ainu Indigenous Peoples, and hate speech)?
2. Are there any measures taken to ensure the participation of women belonging to minority and indigenous groups in decision-making processes at both national and local levels, including the formulation of the Basic Plan for Gender Equality?

Background Explanation:

The following challenges, faced by Buraku women, Ainu Indigenous women, Zainichi Korean women and Ryukyu women, have been uncovered through public and private studies as well as the review of Japan by UN Treaty Bodies and other human rights mechanisms:

1. In “Visit to Japan”, the report of the UN Working Group on the issue of human rights and transnational corporations and business enterprises (released in June 2024), the Working Group expressed concerns about “reports received of racial harassment and psychological stress faced by Ainu workers¹⁸ at the National Ainu Museum and Park”¹⁹. In addition, it urged the Government to conduct comprehensive surveys on the status of Ainu Indigenous Peoples throughout the country, not relying solely on surveys undertaken by the Hokkaido Local Government.
2. A survey targeting Zainichi Korean students conducted by Korean Scholarship Foundation from December 2019 to February 2020 revealed that about 30% of respondents had experienced verbal harassment, 40% discriminatory treatment, and 70% discriminatory speech and behaviour on the Internet or through hate demonstrations. Notably, more women experienced verbal harassment and felt more discomfort, insecure and scared.
3. According to the third survey on the status of Zainichi Korean women conducted by APRO Zainichi Korean Women Network in 2021, 70% of respondents expressed concern that using their ethnic name would lead to discrimination in employment and housing. The survey accordingly concluded that the difficulties Zainichi Koreans faced in this regard stemmed from the ignorance and a lack of understanding by the Japanese.
4. Some Buraku women are not eligible to receive the National Pension as they worked mainly in informal sectors and did not earn enough to pay the pension premium while others might be eligible but receive too little to lead a decent life.
5. In COs on the 9th periodic report of Japan by the Committee on the Elimination of Discrimination against Women, the following recommendations were made on:

¹⁸ According to Ainu Women Association, mainly women face such harassment.

¹⁹ A/HRC/56/55/Add.1 (2024), para 43.

- Gender Stereotypes, “Draft a national policy and implement comprehensive and sustainable measures to ensure that gender stereotypes against women and girls from ethnic minority groups, such as Ainu, Buraku and Zainichi Korean women and girls, are effectively addressed throughout all sectors of the State party”²⁰;
- Equal Participation in Political and Public Life, “Take specific measures, including temporary special measures, to promote the representation of ethnic and other minority women, such as Ainu, Buraku and Zainichi Korean women, in decision-making systems that affect their lives”²¹.

Prepared by: Minority Women Forum

²⁰ CEDAW/C/JPN/CO/9, para 26 (d).

²¹ Ibid., para 36 (e).

Returnees from China and Their Families as Subjects under the Convention

Relevant Articles of the Convention: Article 1 para 1.

Relevant Recommendations:

Suggested Questions for LOIPR:

Does the State party consider returnees from China, or former “orphans left behind in China after World War II” and “remaining Japanese in China” and their families to be within the scope of the Convention?

Background Explanation:

During the examination of the first and second periodic report of Japan in 2001, the delegation of the Government stated that it did not consider that these people were covered by the Convention as they were mostly those who had migrated to China from Japan before the end of World War II, and returned to Japan after the War, after residing in China for a lengthy period. They were, therefore, Japanese, ethnically Japanese, and a group that, according to common social understanding, was not considered to share biological and cultural characteristics²². But the survey on the life of returnees conducted by the former Ministry of Welfare in 1999 reveals that the nationality of the first-generation returnees was one of the following four: Japanese, Chinese, dual nationality or stateless. The nationality of those from the second generation to the fifth generation, including their spouses and children from previous marriages, will also be one of the above four. The website of the Foundation for the Support of Former Orphans Left behind in China established by the Government, explains that the returnees from China and their spouses are ageing with the years, and a considerable number may now be called elderly. Yet they are unable to acquire Japanese language abilities, and also due to other barriers arising from different customs, they are unable to fully understand and use various care services. It is said that the “return” from China came into full swing in the 1980s. Because many have been living for more than 40 years since the Japanese immigrants became refugees in Northeast China in 1945, it has been pointed out that many returnees are unable to fully understand Japanese. According to the survey on the lives of returnees in 2015 by the Ministry of Welfare (3654 respondents), 55.7% responded on the question of Japanese language that they “were able to fully understand,” “felt no inconvenience in most daily conversations,” “have no problem in shopping or using public transport.” But perhaps these results are not as optimistic as they seem. We believe that the returnees and their families are the victims of armed conflict and descendants of the victims. We also believe that they are linguistic minorities using Japanese and Chinese, and therefore are returning migrants.

Prepared by: Association for War-displaced Japanese in China, Returnees from China to Japan and the Families

²² CERD/C/SR/1444, para. 29.