

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 C >>

Submitted by

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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	Act on the Promotion of Efforts to Eliminate Unfair Discriminatory Speech and Behavior against Persons with Countries of Origin other than Japan
Act on the Promotion of Elimination of Buraku Discrimination	Act on the Promotion of the Elimination of Buraku Discrimination
Act on Promoting Measures for Ainu People	Act on Promoting Measures to Achieve a Society in which the Pride of Ainu People is Respected
Immigration Control Act	Immigration Control and Refugee Recognition Act

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 TITP 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 Employment for Skill Development Programme (ESD) by 2027.

Discrimination against Children of Korean Schools in Japan

Relevant Articles of the Convention: Article 2 para. 1; Article 5 (e)(v).

Relevant Recommendations: CERD/C/JPN/CO/10-11, paras 21 and 22; CERD/C/JPN/CO/7-9, para 19; CERD/C/JPN/CO/3-6, para 22 (c); CCPR/C/JPN/CO/7, paras 42 and 43; CRC/C/JPN/CO/4-5, para 39(c); A/HRC/53/15, para 158.91; A/HRC/37/15, paras 161.145, 161.150, and 161.151.

Suggested Questions for LOIPR:

1. Please provide the latest information on the specific measures taken by the State party to ensure that Korean schools are not discriminated against in the provision of financial assistance under the High School Tuition Support Fund Program, in order to comply with previous recommendations by the Committee¹.
2. Please provide the latest information on the measures taken by the State party to resume or maintain the provision of subsidies by local governments to Korean schools, in order to comply with previous recommendations by the Committee².

Background explanation

Exclusion of Korean schools from the High School Tuition Support Fund Program

1. The Government has failed to comply with the above recommendations of the Committee and continues to exclude Korean high schools from the High School Tuition Support Fund Program.
2. Regarding this issue, recommendations to address discrimination have been made not only by the Committee but also by other UN human rights bodies³. Despite the CRC recommending the Government to “review the standards to facilitate the extension of the tuition waiver programme to Korean schools”⁴, the exclusion of Korean schools continues until now.
3. Moreover, the Government has taken further discriminatory measures on Korean kindergartens and other preschool education facilities categorised as vocational schools by excluding them from the Childcare and Child Education Subsidy, which started in 2019.
4. Furthermore, even during the COVID-19 pandemic, discriminatory measures were taken in the provision of the “Emergency Student Support Handout for Continuing Studies” (2020) by excluding Korea University, which is categorised as a vocational school, from eligibility.

✕Regarding this issue, four UN Special Rapporteurs sent a joint letter to the Government to express their concern that the measures taken by the Japanese government may violate the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination⁵.

¹ CERD/C/JPN/CO/3-6, para 22(c); CERD/C/JPN/CO/7-9, para 19; CERD/C/JPN/CO/10-11, para 21,22.

² CERD/C/JPN/CO/7-9, para 1; CERD/C/JPN/CO/10-11, para 22.

³ E/C.12/JPN/CO/3, para 27; CRC/C/JPN/CO/4-5, para 39(c); CCPR/C/JPN/CO/7, paras 42 and 43; A/HRC/37/15, para 161.150; A/HRC/37/15, paras 161.145 and 161.151; A/HRC/53/15, para 158.91.

⁴ CRC/C/JPN/CO/4-5, para 39(c).

⁵ AL JPN2/2021

The Government currently plans to expand the High School Tuition Support Fund Program, but if Korean high school students are not included in an expanded program, inequality toward them will be magnified.

Reduction of subsidies provided by local governments to Korean schools

1. In fiscal year 2009, all those 27 prefectures where Korean schools were located provided them with subsidies. However, the number fell to 25 in fiscal year 2010, to 19 in fiscal year 2014, and since fiscal year 2018 it has declined further to between 10 and 12, as many local governments have discontinued subsidies to Korean schools. Many of the local governments that ceased subsidies to Korean schools continue to provide subsidies to other foreign schools, such as international schools, while refusing subsidies to Korean schools for political and diplomatic reasons.

2. The Government has not complied with the recommendations of the Committee⁶ and has failed to encourage local governments to resume or maintain subsidies to Korean schools. On the contrary, in 2016, it issued a notice to local governments that effectively exerted pressure to suspend such subsidies. Following the issuance of this notice, several local governments stopped providing subsidies.

3. Since subsidies from local governments constitute a primary source of funding for operating Korean schools, several Korean schools in areas where subsidies were terminated have been forced to close. As a result, since the last consideration of Japan by the Committee, the number of Korean schools nationwide has decreased from 66 to 57. Access to education in Korean schools for children of the Korean community in Japan has also become even more restricted.

Prepared by: Human Rights Association for Korean Residents in Japan

⁶ CERD/C/JPN/CO/7-9, para 19.

Right of Children Belonging to Ethnic Minorities to Learn Own Language and Culture

Relevant Articles of the Convention: Article 5 (e)(v).

Relevant Recommendations: CERD/C/JPN/CO/10-11, para 22.

Suggested Questions for LOIPR:

Please provide detailed information about the policies and budgetary measures taken by the State party to guarantee the right of children belonging to ethnic minorities to learn their own language(s) and culture.

Background Explanation:

The right “to enjoy their own culture, to profess and practice their own religion, or to use their own language” is a crucial educational issue for the healthy development of children belonging to ethnic minorities, such as Zainichi Koreans. However, today, this right is not sufficiently guaranteed. Currently, many children with foreign roots, including Zainichi Koreans, attend public schools in Japan. However, there is no national educational policy or curriculum that provides these children with opportunities to learn about their own cultural and linguistic heritage. In this regard, the Government has stated “the Government of Japan is steadily implementing efforts described below in paragraphs 124-134 in relation to specific measures which the Ministry of Education, Culture, Sports, Science and Technology is taking to establish a system to provide appropriate Japanese language education and orientation for children of Korean residents in Japan who enter public schools, to guarantee the opportunity for children of Korean residents in Japan to learn their native language, native culture, etc., and to promote international understanding among Japanese children.”⁷ However, in practice, these efforts are not implemented as nationally budgeted government policies. Instead, they are limited to a small number of local government initiatives.

For example, in Osaka, many schools have established ‘*ethnic classes*’ (known as “*minzoku gakkū*”) where children, primarily Zainichi Koreans, learn their native language and culture after regular school hours. As of 2024, such ethnic classes (also called “*international clubs*”) are operated in approximately 180 elementary and junior high schools across Osaka City and Prefecture. Initially created for Zainichi Korean children after the defeat of Japan in World War II in 1945, these ethnic classes have since become spaces for children from various ethnic and national backgrounds to learn their own languages and cultures. As of 2024, around 2,000 children participate in ethnic classes. With the increasing number of children with foreign roots, lessons on Japanese language, alongside those for their own languages and cultures, have also become increasingly important.

However, without budgetary measures from the national government, these programs rely solely on the budget of the Osaka City Board of Education. As a result, most instructors are hired as part-time or contract workers, with insufficient employment protection and compensation.

In 2022, the Government enacted the “*Basic Act for Children*,” based on the Convention on the Rights of the Child, aiming at the realisation of a society where the rights of “all children” are protected and each child can build the foundation for the lifelong development of personality and equally thrive as independent individuals. Nonetheless, the educational environment for children with foreign roots, including Zainichi Koreans, remains inadequate, and urgent action is required for improvement.

Prepared by: Korea NGO Centre

⁷ CERD/C/JPN/7-9, para 41.

Access of Non-Citizens to Public Positions (Particularly Local Government Officials and Public School Teachers)

Relevant Articles of the Convention: Article 5 (c).

Relevant Recommendations: CERD/C/JPN/CO/10-11, paras 22 and 34 (e); CERD/C/JPN/CO/7-9, para 13; CCPR/C/JPN/CO/7, para 42.

Suggested Questions for LOIPR:

1. Please provide detailed information about the measures taken by the State party to implement relevant recommendations contained in the Committee's previous COs⁸.
2. Please provide detailed information on the number of non-citizen local government employees and public school teachers, as well as the actual circumstances of their employment, including whether their conditions are equal or different to those of their Japanese counterparts.

Background Explanation:

In Japan, there is no explicit legal provision that prohibits non-citizens from becoming national or local government employees, except for diplomatic positions. However, in 1953, the Government established the interpretation that, although no such provision exists in law, "as a matter of course under general legal principles," Japanese nationality is required for public service positions involving the exercise of public power or participation in the formation of national will.

This interpretation, claimed to be a "general legal principle," was later expanded from "formation of national will" to "formation of public will," and has since been used to exclude non-citizens from holding positions as local government employees and as teachers in public elementary, junior high, and high schools.

Local governments have the authority to appoint local civil servants, and approximately 70% of them impose nationality requirements or restrictions on relevant appointments. Despite the Committee's recommendations in 2018⁹, the Government has taken no corrective measures, stating that the Committee's recommendations are not legally binding.

In recent years, with the rise of xenophobia, an increasing number of local governments have imposed new restrictions on the types of positions and senior positions that non-citizens can hold, further entrenching discriminatory practices.

Although the nationality requirement for public school teacher recruitment was removed in the 1990s, non-citizen teachers continue to be hired in lower-status positions, such as "full-time lecturers," or in some cases as teachers who are not eligible for promotion. While the appointment authority lies with local governments, the national government has instructed them to employ non-citizen teachers only as "full-time lecturers."

As a result, even if they are experienced, capable, and motivated, non-citizen teachers cannot be promoted to positions such as vice-principal or principal, and remain lecturers until retirement.

NGOs have long been requesting the national government to disclose the number of non-citizen local government employees and public school teachers, but the national government has been refusing

⁸ CERD/C/JPN/CO/10-11, paras 22 and 34 (e) among others.

⁹ Ibid.

to conduct such a survey. At the same time, according to a 2016 survey conducted by Kyodo News, there were 3,210 non-citizen local government employees in Japan. In addition, according to a 2024 NGO survey, there were at least 491 non-citizen public school teachers in the prefectures and ordinance-designated cities alone.

Furthermore, Article 3 of Japan's Labour Standards Act stipulates that "An employer must not treat workers in a discriminatory manner based on their nationality, creed, or social status in terms of wages, working hours, or other working conditions".

However, the Government has been stressing on the so-called "general legal principle" and violating the labour law, thereby continuing to deny public service employment opportunities to second-generation immigrants and Zainichi Koreans who were born and raised in Japan.

This practice represents a fundamental failure to uphold the rule of law.

Prepared by: Yokohama City Liaison Committee for Abolition of the Nationality Clause and Hyogo Association for Human Rights of Foreign Residents

The Right to Leave and Return to One's Country of Permanent Residence

Relevant Articles of the Convention: Article 5 (d)(ii).

Relevant Recommendations: CERD/C/JPN/CO/10-11, para 34 (f); CCPR/C/79/Add.102, para 18.

Suggested Questions for LOIPR:

Please provide the latest information on the measures taken by the State party to abolish the “Re-entry Permission” system for permanent residents, as well as the latest information on the measures taken by the State party to abolish the requirement of prior permission for departure imposed on certain permanent residents¹⁰.

Background Explanation:

1. Article 26 of the Immigration Control Act stipulates that only those foreigners who have been granted prior re-entry permission may return to Japan without losing their residential status, and that such prior permission is granted entirely at the discretion of the MoJ. This system, referred to as the “Re-entry Permission System,” places persons such as the second and third generation permanent residents in Japan, as well as Zainichi Koreans who have established their lives in Japan, at risk of being deprived of the right to leave and return to Japan

2. Although the Human Rights Committee strongly urged Japan in 1998 to “remove from the law the necessity to obtain a permit to re-enter prior to departure, in respect of permanent residents like persons of Korean origin born in Japan,”¹¹ the Government continues to enforce the “Re-entry Permission System” on Koreans born in Japan.

3. Furthermore, the Government took discriminatory measures by refusing to grant “re-entry permits” to Zainichi Koreans who refused fingerprinting under the former Alien Registration System, as well as to certain Zainichi Koreans who became subject to Japan’s so-called “sanctions” measures against the Democratic People’s Republic of Korea.

4. The Government has also taken discriminatory measures against more than 20,000 Zainichi Koreans by excluding them from the “Special Re-entry Permission System” (*1), since its start-up in July 2012. This new system permits those foreign residents who fulfil certain requirements to return to Japan without re-entry permit if they return within a year after their departure.

5. The term “one’s own country” in Article 5 (d) (ii)¹² of the Convention should be interpreted that it includes the country where the person resides permanently, as well as the country of one’s own nationality. The Government, therefore, should guarantee the right of all permanent foreign residents including those Koreans born in Japan to leave and re-enter the country without being made dependent on the Government’s discretion.

(*1) “Special Re-entry Permission System” – The system exempts a foreign resident from requiring a formal re-entry permit prior to departure, if he/she possesses a residence certificate and a valid passport when he/she departs. The Government does not recognise DPRK passports as valid, thus under the “Special Re-entry Permission System” DPRK passport holders cannot access this system.

¹⁰ CERD/C/JPN/CO/10-11, para 34 (f).

¹¹ CCPR/C/79/Add.102, para 18.

¹² Art. 5 (d) (ii) The right to leave any country, including one’s own, and to return to one’s country.

On the other hand, Japan does not have diplomatic ties with Taiwan or Palestine, but allows these passport holders to access the “Special Re-entry Permission System”.

Prepared by: Human Rights Association for Korean Residents in Japan

Denial of Local Suffrage and Voting Rights in Referendums of Zainichi Koreans

Relevant Articles of the Convention: Articles 2 (c) and 5 (c).

Relevant Recommendations: CERD/C/JPN/CO/10-11, paras 21 and 22; CCPR/C/JPN/CO/7, paras 42 and 43.

Suggested Questions for LOIPR:

Please provide detailed information about concrete considerations and measures taken by the State party to implement relevant recommendations contained in the Committee's previous COs¹³, and in particular, what kind of considerations and measures were taken concerning the legal doctrine known as the "general legal principle" (as articulated in the 1953 Cabinet Legislation Bureau opinion), which continues to be used to deny the right of Zainichi Koreans for political participation, who have resided in Japan for generations, as well as other foreign residents who have established their lives in the country.

Background Explanation:

Article 10 of Japan's Local Autonomy Act defines "residents" as those who have their domiciles within the jurisdiction of a municipality. However, the Government does not grant the right to vote in local elections to foreign nationals with permanent resident status in Japan, numbering 1,192,139 as of December 2024.

In a 1995 ruling, the Supreme Court of Japan ruled that granting local voting rights to foreign nationals is not prohibited under the Constitution. Nonetheless, for 30 years since that decision, no legislative action has been taken, leaving over one million permanent residents without voting rights.

The main ground for the inaction of the Government is the 1953 opinion of the Cabinet Legislation Bureau, which established the so-called "general legal principle" that Japanese nationality is required to participate in the exercise of public power or in the formation of public will. This interpretation was reiterated by the Government in its first and second periodic reports to the Committee in 2000¹⁴ and remains unchanged. By denying local suffrage to foreign residents, Japan effectively excludes them from participation in decision-making processes that affect their lives, thereby violating their political rights.

Their rights are violated, not only for elections, but also for local referendums—important democratic mechanisms for determining key local policies. For example, in the 2020 referendum on whether to dissolve Osaka City (an ordinance-designated city), foreign nationals—who comprised 5% of the population of Osaka City—were not allowed to vote. Similarly, foreign residents are prohibited from serving in key local public positions such as child welfare commissioners, civil welfare commissioners, and human rights commissioners—roles that are essential to community welfare.

At the same time, advocacy for foreign residents' political participation is often met with xenophobic backlash. In 2021, the mayor of Musashino City proposed a local referendum ordinance that would allow foreign residents to vote. The proposal was met with intense opposition, mainly from those who came from outside the area, who also engaged in hate speech and called for the exclusion of foreigners from voting. Ultimately, the city council rejected the ordinance.

In another example, in 2023, Kumamoto City attempted to amend its Basic Ordinance on Local Autonomy to include foreign nationals in the definition of "citizens." This proposal was withdrawn

¹³ CERD/C/JPN/CO/10-11, paras 21 and 22.

¹⁴ <https://www.mofa.go.jp/files/100510882.pdf>, para 50.

after widespread public protest and criticism, claiming that “foreigners should not be recognised as citizens.” More recently, in the Tokyo Metropolitan Assembly election held in June 2025, a candidate of Korean descent running under their ethnic name suffered serious damage from hate speech during the campaign.

These incidents illustrate that Japan’s denial of the right to political participation for foreign residents not only constitutes a human rights violation, but also fuels social hostility and hate against foreigners—making immediate reforms imperative.

Prepared by: Korea NGO Centre

Unreasonable Exclusion from the Pension Scheme

Relevant Articles of ICERD: Article 5.

Relevant Recommendations: CERD/C/JPN/CO/10-11, paras 33, 34; CERD/C/JPN/CO/7-9, para. 14; CCPR/C/JPN/CO/5, para 30; CCPR/C/JPN/CO/7, para 43.

Suggested Questions for LOIPR:

1. Please explain the reason why the “nationality clause” was reinstated in the National Pension Act, while the “nationality clause” in the two laws related to social security was removed in January 1946.
2. Please explain the reason why no transitional measures similar to those enacted at the time of reversion of Okinawa to Japan or for the return of Japanese from China were taken when the “nationality clause” was removed.
3. Please explain the reason why foreign nationals with disabilities who were ineligible for pension due to the nationality clause were excluded from the remedies law. At the beginning, joining the pension scheme was voluntary for students and housewives, and there were some cases where people with disabilities were ineligible for disability pension, as they had not joined the pension scheme. When the system was changed to “mandatory enrollment,” numerous legal actions were taken claiming that not providing remedies for people with disabilities not covered by the pension scheme during the “voluntary enrollment” period was “legislative inaction.” In 2004, after a series of successful lawsuits, a law for remedies was enacted.

Background Explanation:

1. The “nationality clauses” in the Mariners Insurance Act (1939) and the Employees’ Pension Insurance Act (1941) were removed in January 1946, after discrimination on grounds of nationality was prohibited by the memorandum of the Occupation Authority¹⁵.

On April 28, 1952, the Treaty of Peace with Japan entered into force, ending the occupation of Japan. The official notice from the Director of the Civil Affairs Bureau of the Ministry of Legal Affairs declared that Koreans and Taiwanese including those residing within the country will lose their Japanese nationality effective on the enforcement date of the Treaty. There was a strong suspicion that the deprivation of the Japanese nationality of Zainichi Koreans under the pretext of the executive branch “applying the Treaty by official notice” may violate Article 10 of the Constitution, which stipulates that “the conditions necessary for being a Japanese national shall be determined by law.”

The “nationality clause” was reinstated in the National Pension Act (1959), and the foreign nationals excluded from its scope were mostly Zainichi Koreans.

2. The Vietnam War ended in April 1975, and brought about waves of refugees. In November of the same year, the first Summit was held in France, with Japan as one of the participants. Le Monde suggested that the institutional discrimination against Koreans was behind Japan’s reluctance to accept refugees (May 25, 1978). In the following years, Japan ratified the International Covenants on Civil and Political Rights, and Economic, Social and Cultural Rights in 1979, and the Convention on the Status of Refugees in 1981. With the ratification of the Convention, the “nationality clause” was removed from the National Pension Act, as well as from the three laws on child allowances, and these laws became applicable to refugees as well as Zainichi Koreans.

¹⁵ 1945.11.28.SCAPIN360.

3. According to the pension scheme, people pay pension premiums for at least 25 years in their respective ages between 20 and 60, and become eligible for pension payments at age 65. Therefore, for foreign nationals with disabilities over 20 years of age and foreign nationals over 35 years of age would end up being ineligible even after the “nationality clause” was removed. To avoid this from happening, necessary “transitional measures” were taken, as at the time of reversion of Okinawa to Japan, or for returning Japanese who remained in China after World War II. But such “transitional measures” were not taken, at the time of removal of the “nationality clause,” and as a result, there are foreign national people with disabilities and the elderly being not eligible for pension payments.

Prepared by: the National Network for the Total Abolition of the Pension Citizenship Clause

Discrimination against Foreign Nationals in Housing and Employment

Relevant Articles of the Convention: Article 5 (e).

Relevant Recommendations:

Suggested Questions for LOIPR:

1. Please provide detailed information about the implementation of the previous recommendations of the Committee on the situation of migrants and non-citizens¹⁶, including concrete measures taken and their impact.
2. Please clarify the understanding, position and response of the State party concerning persisting discrimination against foreign nationals in housing and employment. While some corrective measures were taken by the national and local governments, they did not address the root causes and failed to eliminate discrimination.

Background Explanation:

Discrimination against foreign nationals in housing

A “right to housing” is the most fundamental right for foreign nationals. However, according to the government survey in 2016, 42.8% of foreign nationals in Japan faced discrimination in housing based on their nationality. Among permanent residents with Japanese partners, 31.5% were refused access to housing for not having a Japanese guarantor.

According to the 2024 survey of Kawasaki City in Kanagawa Prefecture, where many foreign nationals reside, 43.8% of foreign nationals were refused housing, or were not offered any properties. The government has published a “Guideline for the Smooth Operation of Private Rental Housing” to provide guidance for real estate business operators, but the discrimination persists. The survey also showed that 18.4% of foreign nationals “did not know how to apply for public housing,” indicating that the national and local government policies are not fully effective.

Discrimination against foreign nationals in employment

Discrimination in employment on grounds of nationality is prohibited under the labour laws in Japan. Under the Immigration Control Act, 1.62 million foreign nationals with the status of permanent or long-term residence (43%) can freely choose, apply for and change jobs, but such options for the 2.16 million (57%) remaining foreign nationals including “technical intern trainees” are limited.

According to the government survey in 2016, 41.9% of foreign nationals responded that they “were not hired / promoted on grounds of being a foreign national.” The 2024 survey of Kawasaki City also revealed that 48.2% of foreign nationals work for small and medium-sized companies with “1 to 29 employees” or “30 to 99 employees.”

The government statistics on wages show that the average monthly wage of foreign nationals is 223,100 yen, 72% of the national average of 307,700 yen. Among single-mothers, 46% of Japanese single-mothers are working full-time with indefinite-term contracts, while its ratio among foreign single-mothers is much lower, with 30% among Chinese mothers, 25% among Korean mothers, and 14% among Philippine mothers.

¹⁶ CERD/C/JPN/CO/10-11, paras 30 and 34.

The above discrimination in housing and employment are indicators of the deep-rooted structural and social discrimination with multiple barriers that need to be addressed with swift and decisive legislative measures.

Prepared by: Research-Action Institute for the Koreans in Japan (RAIK)

Japan's Military Sexual Slavery Issue

Relevant Articles of the Convention: Articles 2 and 5.

Relevant Recommendations: CERD/C/JPN/CO/10-11, paras. 27-28; CERD/C/JPN/CO/7-9, para.18; CEDAW/C/JPN/CO/9, paras 33-34; CCPR/C/JPN/CO/7, paras 28-29; CED/C/JPN/CO/1, paras. 25-26; CEDAW/C/JPN/CO/7-8, paras. 28-29; CCPR/C/JPN/CO/6, para 14; CAT/C/JPN/CO/2, para. 19, E/C.12/JPN/CO/3, para 26; CEDAW/C/JPN/CO/6, paras. 37-38; CCPR/C/JPN/CO/5, para 22; CAT/C/JPN/CO/1, paras. 12 and 23; A/58/38, paras. 361-362; E/C.12/1/Add.67, paras. 26 and 53; A/50/38, paras. 633 and 635.

Suggested Questions for LOIPR:

1. Please provide information regarding the State party's efforts made in response to the Committee's previous recommendation to ensure a lasting solution to the issue of "comfort women" with a victim-centred approach, inclusive of comfort women of all nationalities.
2. Please explain the measures the State party has taken to prevent public officials from making statements to minimise the responsibility of the Government with respect to comfort women, which may violate the rights of the victims to truth and cause a negative impact on the survivors.

Background Explanation:

1. The State party continues to reject its legal responsibility and has not done anything for the rights of the victims/survivors of Japan's military sexual slavery. Please refer to the report submitted for the previous review in 2018 for detailed information¹⁷.
2. Of special note in these seven years is the Government's intensified denial of historical facts concerning Japan's military sexual slavery. The denial has been on the website of the Ministry of Foreign Affairs. It also appeared in the Diplomatic Blue Paper in the 2017 edition (January 1 to December 31 2016). From the 2019 edition onwards, it has escalated to saying that 'there are claims that can hardly be said to be based on historical facts, such as the allegations of "forceful taking away" of comfort women and "sex slaves" as well as the figures such as "200,000 persons" or "several hundred thousands" for the total number of comfort women.' The act of expressing such views to the world as a government is itself a continuing violation of the rights of the victims.¹⁸
3. In two lawsuits filed in South Korea by South Korean 'comfort women' victims and their families seeking compensation from the Japanese government, judgments were rendered on 8 January 2021 in the first case at the Seoul Central District Court and on 23 November 2023 in the second case at the Seoul High Court, both ruling out 'sovereign immunity' and ordering the Japanese government to pay compensation. However, in both cases, the Japanese government protested to the South Korean government that this was a violation of international law and did not appeal the rulings, which became final. To date, it has disregarded the rulings and paid no compensation.
3. Victims/survivors who have testified come from many different countries and regions, including the Republic of Korea (ROK), the Democratic People's Republic of Korea (DPRK), China, Taiwan, the Philippines, Malaysia, Indonesia, the Netherlands, East Timor, Papua New Guinea and Japan. Out of those above, the victims/survivors from the DPRK, China, Malaysia, East Timor, Papua New Guinea and Japan have not received any form of acknowledgement nor reparations from the Japanese

¹⁷https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FNGO%2FJPN%2F31890&Lang=en.

¹⁸ https://www.mofa.go.jp/policy/postwar/page22e_000883.html.

government. Most of the survivors have passed away and only a few remain alive in the ROK, China, the Philippines, Indonesia and East Timor, as far as we are informed (as of August 2025).

Prepared by: Women's Active Museum on War and Peace (wam)