

**Draft Intervention by the Solidarity Network with Migrants Japan (SMJ) to the Draft
Recommendations on Minorities and Effective Participation in Economic Life**

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Thank you, Madame Chairperson.

On behalf of the Solidarity Network with Migrants Japan, I would like to welcome paragraph 29 of the draft recommendation regarding the necessity for States parties to review the compatibility of provisions for minority rights protection with those for the protection of migrant workers belonging to national or ethnic, religious, and linguistic minority groups.

As mentioned in the Human Rights Committee's General Comments on Article 27 of the International Covenant on Civil and Political Rights (CCPR/C/21/Rev.1/Add.5, 1994/04/08), minority rights are not limited to citizens of a State party. Thus, migrant workers and their families, as ethnic, religious, or linguistic minorities of a State party, are entitled to minority rights. We would like to reiterate this point.

Additionally, the Solidarity Network with Migrants Japan would like to strengthen paragraph 29 of the draft recommendation by adding the following sentences before the paragraph's last sentence that starts with the phrase, "Access to basic social services...."

"In many cases, migrant workers, both regular and irregular, are employed under precarious and discriminatory conditions, with temporary contracts that do not entitle them to access social security services. Especially, temporary contracts, such as those utilized by industrial trainee and technical intern programs in certain countries, often fuel demands for exploitative cheap labor that, in some cases, may well amount to slavery."

The aforementioned is an extract from the preliminary recommendations by the UN Special Rapporteur on the human rights of migrants, released on March 31, 2010 after the rapporteur's fact-finding mission to Japan (Press Release).

We would especially like to bring to your attention the fact that minorities under temporary employment systems are more susceptible to becoming victims of discrimination with regard to social security and access to health care for accidents in the workplace.

Thank you, Madame Chairperson.