

MISSION PERMANENTE DU JAPON
AUPRÈS DES ORGANISATIONS INTERNATIONALES
GENÈVE-SUISSE

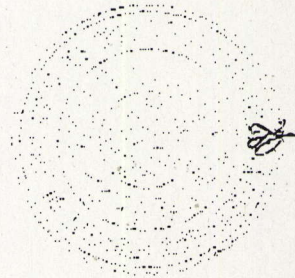
MN/UN/564

The Permanent Mission of Japan to the United Nations and Other International Organizations in Geneva presents its compliments to the United Nations Office of the High Commissioner for Human Rights and, with reference to the latter's note verbal dated 24 October 2012, has the honour to transmit herewith the information from the Government of Japan on the discrimination against women in nationality-related matters, including the impact on children, following the HRC Resolution No. 20/4 of 5 June 2012.

The Permanent Mission of Japan to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the United Nations Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 20 December 2012

Enclosure mentioned.



OHCHR REGISTRY

20 DEC 2012

Recipients : *Rule of Law (RRDD)*

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In accordance with the Human Rights Council resolution 20/4, the Government of Japan is pleased to submit its response to the OHCHR's request as follows:

1. The Nationality Law of Japan does not provide change of nationality upon marriage or dissolution of marriage between a national and a non-national.

2. Under the Nationality Law of Japan, a child can acquire Japanese nationality by birth, through notification to the Ministry of Justice, or through naturalization.

The Nationality Law of Japan adopts the jus sanguinis principle with regard to the acquisition of Japanese nationality by birth (Article 2, item 1 of Nationality Law).

In addition, Article 3 of the Nationality Law provides for the acquisition of nationality by making a notification. Article 3 establishes Japanese nationality under the conditions that a child has been acknowledged by the father or mother, is under twenty years of age, and his/her mother or father was a Japanese national at the time of the child's birth.

Naturalization is provided for in Article 4 and the minimum requirements for naturalization are stipulated in Article 5 of the said Law. A child of a Japanese national has the possibility to acquire Japanese nationality through naturalization under conditions that are more relaxed.

There is no distinction in treatment between males and females under the said nationality acquisition procedures.

3. The Nationality Law of Japan adopts the jus sanguinis principle with regard to the acquisition of Japanese nationality by birth and has the same naturalization requirements for both men and women.

However, strict adherence to this principle could cause some children to be born in Japan without nationality. In order to avoid this, the Government of Japan adopts consideration of the principle of place of birth.

That is, where a child is born in Japan, if both of his/her parents are unknown or are without nationality, he/she shall acquire Japanese nationality by birth (Article 2, item (iii) of the Nationality Law).

Still, even with this measure, there may be cases of children who are without nationality, to a limited extent. Therefore, requirements for naturalization of a child

born in Japan who is without nationality are extremely relaxed compared to those for foreign nationals in general (Article 8, item (iv) of the said Law).

In the event a human rights infringement, such as discrimination, is suspected through the course of human rights counseling, etc. the Human Rights Organs of the Ministry of Justice investigate it as a human rights infringement case and take appropriate measures in cooperation with the organizations concerned.