



PALAIS DES NATIONS – 1211, GENEVA 10, SWITZERLAND

30 October 2023

Madam,

I have the honour to refer to the fourth cycle review of Japan by the Universal Periodic Review (UPR) Working Group at its 42nd session in January/February 2023. The constructive engagement between your Government, my Office, and the UPR mechanism is warmly welcome. As the final outcome report on the review of Japan was recently adopted by the Human Rights Council at its 53rd session, I have also taken note of the efforts of your Government to implement specific recommendations since the previous review.

A matrix of thematically clustered recommendations, starting with those supported by your Government, is available at OHCHR's website (<https://www.ohchr.org/en/hr-bodies/upr/jp-index>) and should be considered as part of this letter. The matrix indicates the recommending State and links each recommendation to relevant Sustainable Development Goals (SDGs).

In annex, I have also attached my Office's observations in light of the outcome of the fourth cycle of the UPR. In line with previous practice, I will be sending similar observations to all Member States once their fourth cycle UPR outcome is adopted by the Human Rights Council, with a view to follow-up action in close cooperation with national entities and other stakeholders.

I take this opportunity to draw your attention to the support available through the Voluntary Fund for UPR Implementation, which may be activated at the request and with the consent of a concerned State, along with tools such as the "UPR practical guidance" and the "UN good practices" repository on how the UPR process supports sustainable development, available at <https://www.ohchr.org/en/hr-bodies/upr/upr-main>, with a view to facilitating efforts to implement UPR recommendations in line with the SDGs.

Please accept, Madam, the assurances of my highest consideration.

Volker Türk

Her Excellency
Ms. Kamikawa Yoko
Minister for Foreign Affairs of Japan



Observations in light of the outcome of the fourth cycle of the Universal Periodic Review

The adoption by Japan of the first National Action Plan on Business and Human Rights in 2020 and its 2022 Guidelines on Respecting Human Rights in Responsible Supply Chains are welcome, and so is the promotion of responsible business conduct in countries where Japanese companies operate. Further steps are encouraged to enact legislation to translate human rights commitments by businesses into practice, including abroad.

The adoption of the Fifth Basic Plan for Gender Equality and the annual Basic Policy on Gender Equality and Empowerment of Women, as well as the amendments to the Penal Code raising the minimum age of consent for sexual conduct and explicitly criminalizing non-consensual sexual conduct including between married couples, are also noteworthy. Japan is encouraged further to enhance the legislative and policy framework to combat gender-based violence and discrimination and to eliminate any discrimination based on sexual orientation and gender identity.

Following concerns expressed during the UPR about the effectiveness of existing measures to combat discrimination and hate speech, Japan is encouraged swiftly to adopt, in close consultation with all stakeholders, a comprehensive anti-discrimination law providing legal protection and means of redress. The Practical Guide to Developing Comprehensive Anti-Discrimination Legislation, published by OHCHR jointly with the Equal Rights Trust, is a helpful tool in that regard.

Japan is encouraged to further improve the administration of justice, including by guaranteeing the legal safeguards of detainees and ensuring that prosecutorial and legal proceedings, as well as conditions of detention, are in conformity with international human rights standards and its treaty obligations. Japan is also encouraged to take steps towards a moratorium on the death penalty.

With regards to the discharge of the ALPS-treated water, Japan should continue to ensure meaningful and effective consultations with relevant national and international stakeholders and to make available all data and comprehensive environmental impact assessments.



Japan is also encouraged to develop an implementation plan in follow up to the UPR outcome, in close consultation and cooperation with all stakeholders, in particular the House of Representatives and the House of Councillors, the judiciary, the national human rights institution once it is established in line with the Paris Principles, local and regional governments, and civil society organizations. The matrix may be of use in the development of such an implementation plan. The Government is encouraged to explicitly link each UPR recommendation to corresponding recommendations of other international or regional human rights mechanisms and to the relevant SDG and its targets. This will, in turn, facilitate the creation of synergies between UPR implementation and SDG related actions and reporting within the context of the Voluntary National Review (VNR).

The Government is further encouraged to establish a national mechanism for reporting and follow-up, with the aim of ensuring a coordinated and effective approach to reporting to international human rights mechanisms, and to implementing the recommendations, in line with the guidance provided by OHCHR following regional consultations and the High Commissioner's report to the Human Rights Council ([A/HRC/50/64](#)).

Further, an important measure that could positively contribute to follow-up action is voluntary mid-term UPR reporting. All Member States are encouraged to submit a voluntary mid-term UPR report some two years after the adoption of the UPR outcome. In this regard, the Government of Japan may wish to continue with the practice of submitting a mid-term report on follow-up to the fourth cycle UPR recommendations by 2025, detailing both implementation efforts as well as challenges to implementation, including the possible need for technical or capacity-building assistance.

OHCHR
30 October 2023