Item 3

Oral Statement at the 17th session of EMRIP

Yukihito Yaegashi (Rehe Isam)

Thank you, chair.

Currently, the only law in Japan regarding the Ainu people is the "Ainu Policy Promotion Act," enacted in 2019. This law recognizes the Ainu people as an "indigenous people" for the first time legally in Japanese history, but it only supports the ​​Ainu cultural activities under the framework of the Japanese government. The Ainu culture under the Japanese government's framework is the "culture" that is convenient for the government, and it does not guarantee any rights as indigenous peoples. In that sense, none of the rights articulated in UNDRIP, including Article 1, is complied with.

In particular, the government has made clear its position that it does not recognize human rights as collective rights, and this attitude has a significant influence on courts and the Diet. The Raporo Ainu Nation filed a lawsuit in the Sapporo District Court for the restoration of their fishing rights as a livelihood, but the decision in April 2024 did not recognize the fishing rights as customary rights of the Ainu people, and they lost the case. Because collective rights are not recognized, there is no path to restoring rights under the customary law.

To the Expert Mechanism on the Rights of Indigenous Peoples, I request to dispatch technical experts and provide assistance to implement the collective rights of the Ainu people, based on Article 41 of the UNDRIP.

Thank you. Iyayraykere.