

12th Session of the Human Rights Council

Item 2

14 September 2009

Update by the High Commissioner - Statement of Japan

Mr. President and Madam High Commissioner,

Japan would like to thank Madam High Commissioner for her presentation of updates highlighting a series of thematic issues of significance as well as some of the specific human rights situations that require the Council's attention.

Japan commends the High Commissioner's tireless efforts to promote the universal value of human rights in keeping with the principles of impartiality, independence and integrity. We listened with keen interest to Madam High Commissioner's update that covered a broad range of themes and regions. We support the OHCHR's biennium priorities on such issues as eliminating discrimination, the protection of civilians in armed conflict, the promotion of economic, social and cultural rights, and the rights of migrants, among others.

We agree with the High Commissioner's observation that substantial gaps persist between national pledges and the realities on the ground, and that governments have a primary responsibility to address these gaps. All states are expected to fulfill the obligations they carry in pursuit of full protection and further promotion of human rights.

With regard to the elimination of discrimination, Article 1 of the Universal Declaration of Human Rights stipulates that "all human beings are born free and equal in dignity and rights." It is evident that special efforts must be made so as to eliminate discrimination against women, minorities, indigenous peoples and all others who suffer from the scourge of discrimination. Japan, for its part, has undertaken initiatives focusing on the elimination of discrimination against persons affected by leprosy. We will continue to work to obtain deeper understanding and further cooperation from the international community on this important issue.

Mr. President,

Madame High Commissioner referred to some specific situations in the context of the protection of civilians in armed conflict. We concur with her observations, and would also like to reiterate the importance of ensuring the safety of civilians, including internally displaced persons, in armed conflict. Madam High Commissioner rightly stated that we should be prepared to monitor and highlight emerging or established patterns of abuse, to denounce and put a stop to them when they do occur, and to prevent their recurrence. In keeping with its mandate clearly stated in paragraph 3 of General Assembly resolution 60/251, which stipulates that "the Council should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon," the Human Rights Council should continue to pursue the use of country-specific mandates and special sessions together with other mechanisms of the Council in order to consider and recommend effective

measures for the improvement of specific situations.

[Mr. President,

Actors such as human rights defenders, human rights activists, media and others in civil society play a significant role in promoting and protecting human rights. It is imperative that every state, with its obligation to promote and protect the freedom of expression, respects the activities of all of these actors. In this context, Madam High Commissioner voiced concern about several specific situations in her statement, and Japan shares such concerns.]

Mr. President,

As for the review of the Council, we must ensure that the review leads to the strengthening of its credibility and effectiveness. Japan could not agree more with the observation made by Madam High Commissioner that this review will only be successful if it leads to meaningful improvements in the lives of victims worldwide. As Madam High Commissioner correctly pointed out, it will be of the utmost importance to ensure that the Council firmly maintains its focus on pressing human rights issues and specific situations. This is the *raison d'être* of the Human Rights Council. We must continue to uphold the essential pillars of the Council's activities, such as the use of special procedures, including country-specific procedures, as well as the

effective operation of the UPR mechanism with constant efforts for its improvement and revitalization. Japan believes that the format of discussion on the review, that is, how to proceed with the discussion on the review, should be carefully considered taking into account General Assembly Resolution 60/251.

Finally, we would like to affirm that we do not find the references to a number of country-specific situations by Madam High Commissioner selective at all. Highlighting specific human rights situations should not be taken as an act of criticism directed against specific countries, but should rather be seen as serving to promote dialogue between the countries concerned on one hand and the Human Rights Council and, by extension, the international community on the other. Japan regards the visits of special procedures mandate holders, including those of country-specific mandate holders, as one of the effective tools for promoting dialogue in this regard. We firmly believe that the promotion of further dialogues between individual states and the international community would contribute to the improvement of human rights situations around the world.

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