

Statement by Mr. NAKAMURA, Counsellor of the
Permanent Mission of Japan in Geneva
United Nations Working Group on Indigenous Populations

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Mme. Chairman,

Let me first express our admiration for the efficient and equitable manner in which you have been chairing this important Working Group, and our sincere hope that the Group will continue to make progress in its work under your able chairmanship. Indeed, the question of indigenous people is acquiring ever more attention all throughout the world, and this body has been the focal centre on this question within the U.N. system. The Government of Japan wishes to follow closely the important work carried out in this WG, and in trying to contribute to it, wishes to provide some information on the situation of the Aïnu people in Japan.

It is said that several ethnic groups were mixed and formed into the Japanese people over the long period of history. The Aïnu is considered to be one of these ethnic groups, and their descendants, who are said to number about 24,000, live mainly in Hokkaido.

In Japan, everyone's rights to enjoy one's own culture, to practice one's own religion and to use one's own language are not denied, and the Aïnu people are equally not denied the enjoyment of these rights as nationals of Japan whose equality is guaranteed under the Japanese Constitution.

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Also, in the implementation of the various administrative measures, the people of the Aïnu, as Japanese nationals, are equally treated just as the rest of the Japanese people are.

Furthermore, with a view to taking special positive measures designed to improve the social and economic status of the Aïnu people, comprehensive measures have been taken since 1974 in the Utari Welfare Measures, which include the improvement of living environment, strengthening social welfare, promotion of education and culture, and the transmission and preservation of the social and cultural heritage. The Government of Japan and local public entities have actively made special budget allocation for these measures, which have amounted to 30.9 billion yen by the end of FY1986 and are determined to continue to make such efforts.

As for the Japanese initial report submitted under the International Covenant on Civil and Political Rights, the gist of the part concerned is that, in the light of the purport of the article 27 of the Covenant, there are no minorities in Japan who are denied the enjoyment of the rights stipulated in this article. The Japanese Government neither claims Japan to be a "monoethnic nation", nor denies the existence of the Aïnu people.

Concerning the Hokkaido Former Indigenous Protection Law enacted in 1899, its aim was to protect the Aïnu people who lived, at that time, in dire poverty. At present, only two matters in the Law are still effective and it does not infringe upon the rights of the Aïnu people.

The first is the restriction on the transfer of granted land. Under the Hokkaido Former Indigenous Protection Law, land of up to 49,500 m² can be granted without compensation to each Aïnu family who is or intends to be engaged in agriculture, for the purpose of securing their livelihood.

The purpose of the requirement of permission of the Governor of Hokkaido when granted land is transferred to others, is to ensure that the land would be utilized in accordance with the purpose for which it has been granted to the Aïnu people. The Governor of Hokkaido therefore grants permission for the transfer of lands when it is considered to be more beneficial for the Aïnu people to transfer the land than to keep it. In recent years, there have been no cases in which the Governor of Hokkaido has not granted permission for the transfer of land.

Secondly, the Governor of Hokkaido, under the Hokkaido Former Indigenous Protection Law, can take charge of common property of the Aïnu people on their behalf, for the purpose of preserving the property, when joint management of the property by the Aïnu people is difficult.

At present, the Governor of Hokkaido is taking charge of about 940,000 yen of bank deposits as common property of the Aïnu people.

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If there is a more appropriate way to take charge of common property of the Aĩnu people than to place it under the Governor's care, the way is open for such care under the Law.

As for the future status of this Law, the Government would first like to see the result of the discussions which are currently underway among the local parties concerned.

Thank you Mme. Chairman.