

UNIVERSAL PRINCIPLE

—Human Rights Report from JCLU—

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World Conference on Human Rights

Japanese NGO Coalition for the World Conference on Human Rights Formed



The year 1993 marks the 45th anniversary of the adoption of the Universal Declaration on Human Rights. To commemorate this event, the United Nations decided at its 45th General Assembly in 1990 to convene the 1993 World Conference on Human Rights in Vienna. This Conference, which can be called the Human Rights version of the UN Conference on the Environment and Development (“the Earth Summit”), will be attended by high-level government representatives from all regions to tackle human rights problems from a global perspective. It is the second conference of its kind in 25 years, following a 1968 International Conference on Human Rights held in Tehran. At its Board of Directors meeting on September 12, 1992, JCLU decided that it would participate actively in the World Conference.

The objectives of the Conference include reviewing and assessing the progress made in the field of human rights since the adoption of the Universal Declaration of Human Rights and identifying obstacles and the ways in which they can be overcome; examining ways to improve the implementation of existing human rights standards and instruments; and formulating recommendations for improving the effectiveness of UN human rights activities and mechanisms. It thereby aims at establishing a foundation for future human rights schemes.

Regional meetings have been scheduled preceding the Vienna Conference. The African Regional Meeting will be held in November 1992 in Tunisia, and the Latin American Regional Meeting will be held in December 1992 in Costa Rica. The problematic conference is that of the Asian Region. The Asian Regional Meeting was scheduled for October 1992 in Thailand but was postponed to next year at the request of the Thai government. However, at the present, not only does the convening of the regional meetings seem shaky, but the success of the Vienna Conference itself is being questioned because the preparatory works are not progressing very well. Public awareness regarding this upcoming Conference is completely lacking in Japan and a concern has been expressed in the human

rights circles.

Concerned with the above situation, human rights NGOs active in Japan, including JCLU, decided to form a “Japanese NGO Coalition for the World Conference on Human Rights.” Other participating NGOs include Amnesty International Japanese Section, International Movement Against Discrimination and Racism, Free East Timor Japan Coalition, and Citizen’s Diplomacy Centre. The Coalition will be actively participating in the World Conference by lobbying the Ministry of Foreign Affairs, sending a delegation to the Conference, and launching a domestic campaign to mobilize public awareness.

(Jinken Shimbun, October 15, 1992, No.282)

Editor’s Note: The Coalition was formally organized on December 20, 1992. By the time of Vienna Conference, the Coalition membership grew to 16 organizations. The Coalition acted as a catalyst to generate public awareness and drew the media’s attention to the Conference by issuing newsletters and statements, translating related materials, and holding public meetings, lectures, and press conferences. In Vienna, members of the Coalition worked in excellent coordination. Its activities ranged from sharing information, holding press conference, issuing a Response to the Statement of Japan, sponsoring a workshop and an information booth entitled Japan Watch, to setting up meetings with the Japanese government delegations. Back in Japan, the Coalition held public meetings and is now in the process of compiling a report of the WCHR which includes a commentary of the Vienna Declaration.



Asian Regional Meeting held at ESCAP building in Bangkok.

JCLU Participates in Asian Regional Meeting

In preparation for the World Conference on Human Rights, the governments of the Asian region held an “Asian Regional Meeting” from March 29 to April 2 1993 in Bangkok. Preceding this meeting was an “Asia-Pacific NGO Human Rights Conference” from March 25 to 28, which was attended by eight JCLU members including Representative Director Kazuo Ito and Secretary General Masaru Satoh. JCLU was active at both meetings, having

made a formal statement at the governmental meeting, and also a joint statement with other Japanese NGOs at the NGO meeting. JCLU had opportunities to meet, exchange ideas, and work in cooperation with various NGOs.

The government conference was the first time that the Asian nations gathered to discuss human rights in the region. Attendance by over 160 NGOs at the NGO conference exceeded expectations and was also the first gathering of so many organizations. The conference is certain to contribute to the protection and improvement of human rights in the Asia-Pacific region by fostering greater collaboration among the various NGOs of the Asian region. The conferences adopted the "Bangkok Declaration" and the "Bangkok NGO Declaration" respectively.

As a member of the Japanese NGO Coalition for the World Conference on Human Rights, JCLU met with Ministry of Foreign Affairs officials and issued a joint statement prior to the Bangkok conferences. In Bangkok, JCLU also made several proposals independently: the establishment of a United Nations Asian Human Rights Training Center; constructive discussions between governments and NGOs; and transparency of information related to ODA. JCLU members attended both the plenary and the workshops at the NGO conference and also met with other NGOs inside and outside the Chulalongkorn University where the conference was held.

At the government conference, JCLU International Liaison Officer Ms. Amy Furuya read an Asia-Pacific NGO Joint Statement entitled "Human Rights Violations Based on National Security Laws," which called for governments to repeal national security laws (laws for the maintenance of public order) which violate international human rights standards. Looking toward the World Conference on Human Rights, the statement also proposed the establishment of a United Nations organ to monitor such abuses.

Although regional conferences in Latin America and Africa were held on earlier dates, the Asian Regional Meeting convened after several postponements. Thirty five countries participated, including the westernmost country of Cyprus, but fourteen countries that were expected to participate were absent. Australia and New Zealand attended as observers with other countries from outside the region. (Excerpts from *Jinken Shimibun*, May 20, 1993, No.285)

Participation in the World Conference on Human Rights

The World Conference on Human Rights, which was attended by about 170 government representatives and over 3000 people from 1500 NGOs, was held from June 14 to 25 in Vienna, Austria. JCLU sent 16 delegates including Director Kazuo Ito and Secretary-General Masaru Satoh who also attended the Bangkok Asian Regional Meeting. JCLU made a proposal on "Development Assistance and Human Rights" at one of the Working Groups of the NGO Forum and actively participated in the Conference in cooperation with NGOs from Japan and other countries.

NGO Activities

Preceding the governmental meetings, the Asia-Pacific Forum was held on June 9 and the NGO Forum was held from June 10 to 12. During the governmental meetings, about 300 workshops and symposiums were held as parallel events.



Symposium on National Security Laws in Asia held as part of NGO parallel events.

At the Asia-Pacific Forum, about 120 representatives from NGOs active in the Asia-Pacific region gathered in order to discuss the strategies and problems concerning the World Conference, and to continue building the momentum created at the Bangkok meeting. The Asia-Pacific NGOs expressed their demands as the "South" NGOs towards the "North" NGOs and governments.

NGOs from all over the world participated in the NGO Forum which began on June 10. In addition to the five original Working Groups (UN Human Rights Programme, Indigenous Peoples, Women, Human Rights • Development • Democracy, Racism), seven new Working Groups (Militarization, Children, Housing Rights, Caste System, Forced Labor, Disabled, Beyond Vienna) were added by a proposal put forward by the Asia-Pacific Forum.

At the Working Group on Human Rights • Development

• Democracy, Ms. Mikiko Takeda, representing JCLU, made a statement on "Development Assistance and Human Rights." The statement, which contains the following 6 points, was received well and gained the support of NGOs from Myanmar (Burma), U.S. and Australia.

Development Assistance and Human Rights:

1. Development assistance policies must pay full attention to the human rights situation in the recipient country.
2. When considering human rights aspects in aid policies, consistent principles, based on international standards, should be used.
3. Development assistance packages should include programs to protect and promote human rights in the recipient country.
4. Donor countries shall not implement aid that causes human rights violations.
5. There should be full disclosure of information concerning development assistance programs.
6. Cooperation and discussion between governmental institutions and NGOs regarding human rights concerns should be promoted.

Governmental meetings

The governmental meetings which began from June 14 consisted mainly of three separate meetings, which were held parallel to each other: 1) the Plenary, in which governmental representatives and NGOs expressed their basic views on human rights, 2) the Main Committee, in which governmental representatives and NGOs discussed issues on the main agenda, and 3) the Drafting Committee, in which the declaration to be adopted as the final document by the Conference was drafted.

Throughout the Conference, the North-South conflict was apparent. In the government statements at the Plenary, the difference between the positions of the developing countries, in particular some of the Asian governments, and the developed countries became clear, especially on



Japanese government delegates speaking to the Japanese NGO representatives.

the issues of the universality of human rights, and development and human rights.

The statement of the Japanese Government included many positive points concerning the principles. It reaffirmed the universality and indivisibility of human rights, supported the establishment of the High Commissioner for Human Rights, and commended the role of NGOs, but, as expected, did not mention any of the domestic problems. The Japanese NGO Coalition for the World Conference on Human Rights of which JCLU is a member issued a "Response" to the government statement which pointed out the gaps between actual practices and the statement.

The work of the Drafting Committee began with the final draft which was adopted at the Fourth Preparatory Committee held in Geneva in April. This document had over 200 brackets which indicated that there was no agreement over the wording of these texts. The work was delayed, and there was a time when the adoption of the declaration was questioned, but after many days of deliberations which continued late into the night, the declaration was at last adopted.

Vienna Declaration

The adopted Vienna Declaration consists of Preambles, Part I (Principles) and Part II (Programme of Actions). Among the points agreed upon are ① Affirming the universality of human rights, while taking regional and cultural particularities into consideration, ② Reaffirming the right to development (the human rights conditionality was dropped), ③ Considering the High Commissioner at the next General Assembly, ④ Continuing the study on an international criminal court.

The Declaration is a product of compromise and is thus somewhat awkward and imbalanced in parts. There are many provisions which are vague, but there are also provisions which include concrete recommendations. For example, the universal ratification of the Convention on the Rights of the Child by the year 1995, the Convention against All Forms of Discrimination of Women by the year 2000, and the decision on the Decade of the World Indigenous People, are all the achievements of the NGOs which worked effectively in Vienna.

Evaluations of the Vienna Declaration varies, but its significance may lie in how NGOs utilize the Declaration for their activities. Although there are restrictive provisions, this instrument clearly reflects the reality of the present international situation surrounding human rights. Five years

after the Conference, member states and NGOs submit reports on the implementation of the Declaration. "Beyond Vienna" has already begun.

JCLU Activities

In addition to the aforementioned statement, JCLU co-sponsored with other NGOs, in particular with KONUCH, the Korean NGO network (with which JCLU has been in close cooperation since Bangkok), a symposium entitled "National Security VS. Peoples' Security" as a parallel NGO event. Several speakers had been imprisoned in the name of violating national security laws in Asian countries appealed to the audience about the respective situations in their countries and the symposium participants then adopted a joint NGO resolution calling for the repeal of national security laws and also held protest demonstrations.



Japanese NGOs holding a workshop on human rights situations in Japan.

As a member of the Japanese NGO Coalition for the World Conference on Human Rights, JCLU participated in "the Japan Watch", a booth set up in the Conference hall to display and distribute materials including the "JCLU 1993 Report Concerning the Present Status of Human Rights in Japan," a report submitted to the Human Rights Committee. On June 20, the Coalition held a workshop with the same name, "Japan Watch," and discussed the human rights situation in Japan. These issues included Koreans, indigenous peoples, foreigners, comfort women, ODA and human rights, and the role of counter report. In particular, the Asian NGOs expressed their expectations of the Japanese NGOs.

JCLU also participated actively and contributed in the work of the Asia-Pacific NGO groups, including press work, mass action, lobbying, monitoring the government statement at the Plenary, and the Coordinating Committee. The experience of expanding the network of Japanese and overseas NGOs, and making contacts with certain governments, will be a big plus for the future activities of JCLU.

(Jinken Shimbun, August 1, 1993, No.286)

United Nations

The Activities of the U.N. Commission on Human Rights: Its Present Activities and Future Challenges

Lecture by Professor Yozo Yokota



Dr. Yozo Yokota, alternate member of the U.N. Sub-commission.

On May 9, 1992, Dr. Yozo Yokota, professor at the International Christian University, gave a lecture at the JCLU General Assembly in Tokyo. He spoke on the United Nations human rights activities in a lecture entitled "Activities of the U.N. Commission on Human Rights (CHR): its Present Activities and Future Challenges."

Dr. Yokota has been actively involved in the human rights field since 1988, when he became an alternate member of the U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities, a subsidiary organ of the CHR, which was established by the U.N. Economic and Social Council (ECOSOC).

He discussed the important role played by the U.N. in the promotion of human rights worldwide and stressed the vital need of the reform to be undertaken in order to achieve the optimum effectiveness of the U.N.

Dr. Yokota first pointed out that fundamental human rights, such as freedom of thought and expression, have not yet been secured in many countries. It is important, he said, for everyone to understand the human rights problems as their own problems.

He gave an overview of the CHR and the differences in the structure and mandate between the CHR and the Sub-Commission. While CHR is composed of representatives from 53 governments, the Sub-Commission is composed of 26 individuals serving in their personal capacity as independent experts. He also explained the historical background of the establishment of these bodies.

Although human rights issues were relatively neglected when the U.N. was first established, such problems were always at issue during the cold war. Ms. Eleanor Roosevelt believed that human rights problems would be difficult to solve without experts independent from governments. It was this idea which led to the establishment of

the Sub-Commission.

The CHR addresses various human rights problems and its mandate is to prepare recommendations and reports for the ECOSOC. The duties of the CHR range widely from discussion, investigation, and recommendations, to the formulation of proposals for improved approaches to human rights questions. The activities of the CHR apply to all areas of legislative, judicial, and administrative activities. The four basic activities of the CHR are as follows: (1) Drafting and adoption of treaties, and promotion of their ratification; (2) Standard-setting and monitoring of their implementation; (3) Discussion, study, and dissemination of information regarding human rights issues; and (4) Consideration of communications on the gross violation of human rights (the 1503 procedure).

With regard to the standard-setting activities mentioned above, even if the standards are in the form of declarations, and not in the form of treaties which are legally binding to the ratifying states, they cannot be ignored once adopted by an international organization, and thus have great legal importance.

Dr. Yokota noted that states often interfered with human rights activities. Although the 1503 procedure allows the U.N. to receive communications from individuals and groups regarding consistent and gross violations of human rights, there are cases in which members of the Sub-Commission, where the communications are examined before being referred to the CHR, are pressured by their respective home governments.

Limitations are placed on the CHR's ability to cope with human rights violations because it consists of government representatives. It is particularly difficult for the CHR to take up the human rights problems of influential member states. As a result, human rights become a bargaining tool for diplomatic purposes. The Sub-Commission's members are not completely independent of their governments because the CHR elects its members from candidates nominated by their respective governments. However, we cannot overlook the Sub-Commission's important role in human rights, well illustrated by the resolution it adopted, but not by the CHR, on the 1990 Tiananmen Incident.

While their positions differ, and their roles overlap, both organs must increase pressure on governments to protect human rights. After all, governments are often responsible for violating human rights.

After discussing the problems of the CHR, Dr. Yokota

made several proposals for improving the CHR's effectiveness. First, the CHR's structural problems need to be resolved, he said. The number of the members should be decreased. At present, there are 53 members in the CHR but this is too large a number to have any substantial discussion. The CHR holds 6-week session every year from February to March. When so many members try to speak, there is simply not enough time to take up all the important items and have any meaningful discussion.

Second, he said, with regard to the relationship with the Sub-Commission, there must be a better coordination between the two. Often, the two bodies discuss the same issues and many problems and works are overlapping. In order to save time and resources, it must be coordinated. In recent years, however, there have been some signs of improvement in this respect as the chairpersons from both bodies began to exchange information.

Third, he said, with regard to the position of the CHR in the U.N. system, the structure of the U.N. should be reformed so that it can consider human rights in conjunction with other issues, such as development or the environment. The coordination could be achieved perhaps by creating different Councils than what we have now, namely the Security Council, Trusteeship Council and ECOSOC. While maintaining the Security Council and ECOSOC, he suggested a creation of three additional councils on human rights, environment and development respectively. The CHR could be promoted to become the human rights council, which would be directly under the General Assembly. Also, the number of members in each council should be kept smaller in order to have realistic discussions. Presently there are 54 members in ECOSOC, but perhaps we could decrease it down to 20 some countries and other countries can become members of the three new councils.

Fourth, concerning the issues of the nature and mandate of the CHR, he suggested that the CHR divide its work according to the functions. Separate sub-commissions can be expanded to incorporate 1503 procedure and investigations of human rights abuses within its judicial role; draft treaties within a legislative role; and conduct studies and seminars within its administrative role.

Fifth, he suggested that the U.N. act more freely in conducting its operational activities, and nations should provide the necessary expenses.

Sixth, concerning the relation with non-governmental

organizations (NGOs), Dr. Yokota mentioned the significant contributions of the NGOs, and the important role they play in ensuring that governments fulfill their duties to protect human rights. There is a problem, however, of how to take a balance between the degree of NGO contribution and the original purpose of the bodies, be it the CHR or the Sub-Commission. The recent problems include the time spent in these meetings by the interventions made by NGOs and statements of members. Sometimes there is not enough time for the members to discuss the items. Although there can be no overemphasizing in the vital contributions made by NGOs in the human rights field, at times there is need for self-discipline on the part of the NGOs as well in order to avoid the adversary effects. That is, because some NGOs only concentrate on their issues without thinking about the influence on the other problems, in extreme cases, the member states become more defensive and stop reflecting on the ideas in their policies. If one thinks from the point of view of trying to make the state protect human rights, there is room to examine the approaches of NGOs, he said.

In his conclusion, he called for a more accessible system to deal with communications of human rights violations. Concretely, he proposed the establishment of a regional or national reporting system. The U.N. Human Rights Centre should be strengthened, he said, and regional human rights offices need to be established.

Human rights problems cannot be resolved without government cooperation. Therefore, the U.N. has to develop a long range policy to urge governments to cooperate. We must utilize the respect accorded by nations to the CHR's recommendations for political pressure.

Regarding Japan's role in human rights issues, Dr. Yokota said it needs to resolve domestic human rights problems, as well as to become more involved with the problems of other countries. It is crucial to improve cooperation between the government and NGOs in solving domestic infringements of human rights, he said.

(Jinken Shimbun, June 20, 1992, No.281)

JCLU Submits "Counter Report '93" to Human Rights Committee

On May 15, 1993, JCLU submitted its counter report entitled "1993 Report Concerning the Present Status of Human Rights in Japan" to the members of the Human Rights Committee, a monitoring body established under the International Covenant on Civil and Political Rights (ICCPR). The Committee is scheduled to examine the (third) Periodic Report submitted by the Government of Japan in October 1993 in Geneva. Japan ratified the Covenant in 1979.

The purpose of the counter report is to provide information on human rights situations for the Committee's deliberations on the periodic report submitted by the State party to the ICCPR. A number of NGOs have been preparing the counter reports. JCLU's 'First counter report,' written in response to the Japanese Government's second periodic report (1988), was favorably received by the Committee members.

The 'Second counter report' covers 23 issues and is expected to make a significant contribution to the upcoming session of the Committee. The Japanese version of the report was published from Akashi Publisher with few articles and the Japanese Government Report. The issues covered are:

1. Japanese Taxation System and Human Rights NGOs
2. ODA and Human Rights—the Cases of Burma and China
3. Fingerprinting System
4. Civil Servants and Nationality
—Resident Koreans and Chinese/Taiwanese in Japan
5. Human Rights of Foreigners in Japan
6. Refugees
7. Ratification of International Human Rights Treaties
8. Discrimination Against Women
9. Death Penalty and Treatment of Those Sentenced to Death
10. Human Rights of Detainees and Prisoners
11. Human Rights of the Mentally Ill
12. Compensation for Unlawful Arrests or Detentions
13. Retrials and Criminal Compensation in Juvenile Cases
14. Bail System
15. The Role of Attorneys in Japanese Criminal Procedure
16. Daiyo Kangoku
17. Treatment of Foreigners in Japanese Criminal Procedure
18. Protection of Private Information
19. Human Rights of Students in School Education
20. Right to Know

21. Discrimination Against Illegitimate Children
22. Postwar Settlements: Compensation for the War Dead and Wounded from the Former Japanese Colonies
23. Rights of Ethnic Minorities

The full report also includes appendix on the following subjects: bail system, disciplinary punishment in criminal detention facilities, Daiyo Kangkoku, criminal procedure and the rights of foreigners, refugee cases, and post war compensation. (Jinken Shimibun, May 20, 1993, No.285)

Cambodia / Southeast Asia

JCLU Attends the Human Rights Symposium in Cambodia

From November 30 to December 2, 1992, Mr. Yoichi Kitamura, Board Member of JCLU, attended a United Nations Transitional Authority in Cambodia (UNTAC) Human Rights Symposium in Phnom Penh sponsored by the Human Rights Component of UNTAC. The symposium, attended by representatives of NGOs from various countries including Cambodia, had an active discussion on the mechanism to protect human rights in Cambodia. On the last day of the symposium, a joint statement was adopted which called for the continuing human rights monitoring activities by the U.N. after the withdrawal of UNTAC.

The symposium was attended by NGO representatives, experts and UN officials. The representatives of NGOs are mainly from three groupings: four Cambodian human rights NGOs, regional NGOs and international NGOs. JCLU was the only Japanese NGO to have been invited. Issues discussed included the condition of human rights in Cambodia, potential human rights problems after the departure of UNTAC after the May general election, and human rights protection activities by the domestic and international communities.

A representative of one of the Cambodian human rights organizations stated, "We believe that the wars, civil conflicts, and mass killings in this country during the past twenty years are one of the most tragic situations in this world. We must ensure that basic human rights will truly become what we can call our own." The three factions in Cambodia which have roles in the Cambodian govern-



UNTAC Human Rights Symposium.

ment, with the exception of the Pol Pot faction, also attended and explained their human rights policies. The factions also proposed the establishment of a human rights information center, as well as the adoption of a new constitution incorporating provisions on human rights.

The domestic NGOs, regional NGOs and international NGOs adopted statements and voiced their intention to provide great support for the improvement of human rights in Cambodia. They also made appeals for a permanent United Nations human rights presence which would be fully financed and staffed and which would have the authority to monitor human rights violations in Cambodia.

(Jinken Shimibun, March 1, 1993, No.284)

Toward Establishment of a Lawyers' Training Fund for Cambodia: Interview with UNTAC Human Rights Officer

JCLU interviewed Mr. Yasunobu Satoh, Human Rights Officer of the United Nations Transitional Authority in Cambodia (UNTAC), who is also a member of JCLU, regarding the operations in Cambodia and his expectations of JCLU.



Mr. Yasunobu Satoh

—How did you view the Human Rights Symposium? [See above]

This was the first attempt to hold such a Symposium in Cambodia. It was very significant because the NGOs assisted the United Nations in protecting human rights in the cease-fire monitoring operations. It was also valuable because of the discussions which took place on the so-called "post-UNTAC" period regarding actions which should be

taken after the withdrawal of UNTAC. The Symposium showed the possibility of creating a human rights monitoring network or institution which would involve both governmental and non-governmental bodies.

—*Could you explain this more specifically?*

The chief officer of the UNTAC Human Rights Component accepted the Joint Declaration produced at the Symposium, and actually went to Geneva and made several specific proposals on human rights monitoring in Cambodia.

For instance, it was proposed that a special rapporteur be appointed who would monitor the human rights conditions after the withdrawal of UNTAC. Another idea was to have a division or officers from the Centre for Human Rights in Geneva remain in Cambodia. Appeals were also made for a fund for human rights education.

It should also be mentioned that international as well as Cambodian NGOs are actively committed to the restoration of peace in Cambodia through the UN peacekeeping operations. This is a rather new and significant activities, different from past human rights movements which called for the release of anti-government persons and political prisoners.

—*What are your tasks as a human rights officer?*

I was appointed in September 1992, stayed in Phnom Penh for one month, and then went to Kompong Chhnang in October. Since human rights issues influence many things, the work itself is endless. We are currently giving priority to human rights violations concerning the election. However, there are a variety of issues that we tackle.

—*What kinds of human rights violations occur?*

The recently established offices of the new political faction FUNCINPEC have been attacked by guns and fires, causing deaths and injuries. In Kompong Chhnang there haven't been incidents which have been serious to that extent, but there have been offices which were shot at.

—*What is the most impressive thing in Cambodia?*

The seriousness and the enthusiasm with which the Cambodian people regard human rights, which they view as their saviour. At the Human Rights Festival held on December 10, children drew sketches of images of human rights. Nobody made the dreadful drawings of the Khmer

Rouge era. Many hopeful pictures were drawn full of peaceful wishes such as pictures of the election, various ethnic people smiling, a girl and a boy with a dove dismantling guns...

In my work, I usually see negative aspects, but the Cambodian childrens' enthusiasm made me hopeful about Cambodia's future. It confirmed my feeling that this country will have peace, that the human rights situation will be improved, and that the aims of UNTAC will be successfully achieved.

—*What do you expect from JCLU?*

Lawyers can play a major role in the process of restoring order and promoting human rights after the election. I would like JCLU to establish a fund for training Cambodian lawyers. The occupation of "lawyer" does not exist in Cambodia. As a lawyer myself, I feel strongly about such a fund.

I would also like JCLU to go to the areas and make contact with the local people as quickly as possible in order to communicate with them and listen to their needs.

Editor's note: All opinions expressed by Mr. Satoh are solely his personal opinions and do not represent UNTAC's official views.

(Jinken Shimbun, March 1, 1993, No.284)



Human Rights Problems in Southeast Asia

On September 26, 1992, Mr. Ken Arimitsu, Secretary-General of the Foundation for Human Rights in Asia Japan (FHRA), gave a report at a JCLU meeting on "Human Rights Problems in Southeast Asia." Mr. Arimitsu earlier had visited Southeast Asia and the Middle East.

FHRA is the first non-governmental fund for human rights in Asia and has been involved in various activities to help Asian people live more human lives. It has worked especially hard in the areas of post-war compensation, children, women, indigenous peoples, and minorities and is also involved in emergency assistance, such as a "Relief Fund for Victims of Mt. Pinatubo" and a "Relief Fund for Rohingya Refugees."

The "Relief Fund for Victims of Mt. Pinatubo" has assisted approximately eighty thousand people (of which ninety percent are the Tribal Filipino, Aetas, who lives by

hunting and cultivating at Mt. Minatubo), to live in shelters or relocation areas. Many are suffering from measles as a result of the sudden changes in the environment, differences in diet, and overpopulation. Under these circumstances, general assistance measures would not have been effective. As for the "Relief Fund for Rohingya Refugees," refugees are flowing into Bangladesh because of persecution by the military regime of Myanmar. The number of refugees has already reached two hundred and eighty thousand. Bangladesh itself is one of the poorest countries in the world, and malnutrition has spread among the children because of delays in the assistance system.

In addition to the abovementioned activities, FHRA is now campaigning for a special fund to assist victims of the cyclone in Bangladesh, the Kurdish refugees, and the fund for Japan's post-war compensation.

Mr. Arimitsu pointed out regarding the relation between "human rights" and "state" that a state which has invaded another country to control the territory does not consider the rights of indigenous peoples. Furthermore, he said, the UN, which is composed of sovereign states, has its own limitations. There is no reference to the human rights of indigenous peoples in the Universal Declaration of Human Rights. In Asia, priority is given to the interests of the groups to which people belong, rather than the rights of individuals. In such a situation, it is necessary to convey the concept of human rights through words and actions that Asian nations can understand.

During the question and answer period following Mr. Arimitsu's speech, someone commented, "According to Japan's foreign policy, a country's infrastructure must be built up before raising the general standard of living. To do so, human rights violations must be endured to some extent. That's the way the developed countries developed themselves." Mr. Arimitsu replied that we must protect the concept of human rights in the development process.

(*Jinken Shimbun*, December 1, 1992, No.283)

Refugees / Immigrants

Asylum and Protection of Refugees in Japan

by Christine Lamar

JCLU Board member,

Asia Foreigners Human Rights Committee

Since the Tiananmen Incident of three years ago when a number of Chinese sought political asylum in Japan, problems related to Japan's policy towards refugees, including the procedure for the recognition of refugee status, have become an issue. In the cases of Zhang Zhenhai and Lin Guizhen, who were deported while in the process of seeking refugee status, the possibility of persecution was never examined or judged and they were indeed turned away at the door with the application of the formal "60-day time limit," during which a person is allowed to stay without official permits. Similarly, in the case of Zhao Nan, the trial in which the plaintiff was filing an objection against the Minister of Justice who refused to recognize his refugee status, it was clear that the Ministry was continuing to ignore the decisions of the UNHCR's Executive Committee. Likewise, in the case of Hong Jianbing, whom the UNHCR recognized as a refugee, the Ministry of Justice rejected his application for the refugee status on the ground that it lacked evidence.

In more general terms, although it has been ten years since the Refugee Convention came into effect, it is a great surprise and a matter which needs to be reviewed that the number of refugees recognized as such under the Refugee Convention is so limited (approximately 200, and since the second half of the 1980s the number of refugees recognized as such per year is decreasing). It should also be realized that due to the lack of clarity in the criteria for the recognition of refugee status, its application has consequently been biased and seems to reflect diplomatic concerns (e.g. refugee status has rarely been granted to asylum seekers from countries such as China, Japan's "friendly nation", Thailand, North and South Korea, and Indonesia.)

Japan's contribution in large sums of money to the UNHCR is to be commended. However, at a time when the Japanese government is speaking loudly about "international contribution" and "the age of the U.N." in connection with the issue of Peace Keeping Operations, we would like to ask Japan not only to provide financial assistance,

but to properly comply with U.N. conventions in the important area of refugee protection. The Ministry of Justice has maintained the position that it is "not bound" by resolutions (conclusions) of the UNHCR's Executive Committee (Statement by the Ministry of Justice, March 1992), which provides advice and opinions on the implementation of the Refugee Convention in each country, and in which Japan also participates. Should this kind of attitude be acceptable?

The task of improving the current system should not be left to the Ministry of Justice which considers the recognition of refugee status more as a favor to be granted with discretion, or to U.N. officials who are in rather delicate positions themselves. Japanese human rights organizations and civil rights groups which represent the Japanese public opinion should appeal to the Japanese government to improve the current procedure by allowing the UNHCR to take part in the screening process. In the Refugee Recognition Acts of the U.S., Australia, and some countries in Europe, the UNHCR's participation is stipulated. The ongoing and distorted refugee recognition process can only be improved by respecting the opinions of the UNHCR and by cooperating with various human rights organizations such as Amnesty International which are familiar with the international situation.

(Jinken Shimibun, October 15, 1992, No.282)

Protecting the Rights of Foreigners in Japan —Residence Rights, Amnesty and Medical Care—

At the October 1992 JCLU Meeting which was entitled "Foreigners in Japan: From 'Control' to the Protection of Their Human Rights", the JCLU Foreigner's Rights Committee presented a draft proposal on "Immigration Act, Medical Care and Foreigner's Rights." It proposed that foreigners living in Japan after a certain period be given resident status automatically. At the meeting, two "overstaying" foreigners who have Japanese wives also spoke about their unstable and difficult lives, and expressed their wishes to remain in Japan. JCLU hopes to generate further discussion among the members based on the Committee's proposal, and is planning to produce a formal proposal in 1993 in order to conduct a full-scale activities in the area of foreigners' rights.

Two foreigners from Pakistan and China spoke at the

meeting. Mr. A, who came to Japan in 1986 after graduating from Karachi University, was tricked by a broker who took his passport, and subsequently has not been able to renew his visa. He spoke angrily, and explained that although he has been working hard and has been paying taxes, the Japanese government treats him as a criminal merely for "overstaying" in Japan. Mr. A also spoke of his wish to visit his sick mother in his home country. However, he cannot do so for fear of being denied a re-entry visa into Japan, which would prevent him from being with his wife.



JCLU members introducing a proposal for the improvement of foreigners' situations.

Mr. B came from Shanghai in 1988 and was employed by a small-sized business in Shikoku which has a joint venture with a company in China. However, he was fired based on a reason that his working visa was unacceptable and is currently working in the Tokyo area as a truck driver while living with his Japanese wife, whom he met in Shikoku. Mr. B criticized the working conditions in Japan, and made a basic demand as a human being: "People justify the conditions by saying that I had come to Japan simply to make money, but I am working for low pay that a Japanese cannot possibly survive on. I also want to say that it should be a natural right to be able to live in my wife's home country."

Next, attorney Yaeko Takeoka, a member of the committee, presented proposals which was formulated by the committee to assist "overstaying" foreigners in Japan:

- (1) To legislate a special act which would legalize their status across the board by granting amnesty (resident status), by exception, to foreigners whose visas have expired;
- (2) To provide resident status (zairyuken) to foreigners who fulfill certain conditions;
- (3) To establish procedures for raising complaints regarding immigration laws; and
- (4) To establish an ombudsman system to check immigration procedures.

The amnesty legislation would provide "teijusha" (resident) status to foreigners who have lived in Japan since before January 1, 1980, and who have not received sentences

of over two years of imprisonment with forced labor. Such persons could then live and work stably in Japan. Those Koreans and Taiwanese in Japan who are not designated as "special eijusha (permanent) residents" as a result of the Japan-Korea Treaty and other agreements would be given special permanent resident permit. Foreigners who fit neither of these classifications would be given resident status for three years (renewable every year), and could be given "teijusha" (resident) status after three years if they meet certain criteria such as basic knowledge of the Japanese language.

The establishment of a system which would automatically grant resident status upon fulfillment of certain requirements, in contrast to a system which grants amnesty on an exceptional basis, is ultimately aimed as a sweeping reform of the Immigration Act. The three conditions for granting resident status are:

- (1) residence in Japan for at least 7 years;
- (2) marriage to a Japanese spouse or having Japanese children;
- (3) fear of persecution for political or religious reasons if returned to the home country.

The proposal also includes a procedural provision which prohibits the use of materials submitted during the residence application process for forcible deportation.

The current system of allowing objections only against forced deportation should also be changed, the Committee said. An independent administrative organization, "The Immigration Monitoring Committee," should be established to accept complaints regarding adversary changes in residence status or residence periods. Furthermore, investigations should be conducted for specific complaints, and an ombudsman system to suggest improvements to the immigration administrators should be established.

Regarding medical care, the committee also proposed:

- (1) application of health insurance regardless of residence status; and (2) application of livelihood protection allowance to all foreigners. If such proposals are adopted, Ms. Takeuchi said "it will aid most of the foreigners who are married to Japanese citizens and who live financially and emotionally unstable lives for the fear of deportation."

In addition, Mr. Toshio Takayama, a caseworker at Bokuto Hospital, gave a report on the appalling conditions of foreign laborers as seen in a medical facility. He told of a foreigner who died of malignant hepatitis after ingesting a large amount of drugs purchased at a drug store because he feared being reported to immigration officials if he

went to the hospital. Mr. Takayama also told of a foreigner who ended up dying because he was forced to go back to his home country, where the medical care was insufficient. Mr. Takayama said that "the current Japanese medical system recommends that foreigners return to their homeland to receive medical care, but the patient's wish must be most respected."

Mr. Robert Rickett, an assistant professor at Wako University, explained that Japan's immigration laws have a distinct character since they were made during wartime when Americans and Europeans were regarded as enemies and because they also reflect the U.S. policy of controlling foreigners during the "red hunt" era.

Finally, Mr. Takashi Ebashi, a professor at Hosei University, introduced the advanced approach taken by Niigata prefecture which allows the foreigners registration to those children who were born in Japan, but whose parents are "overstaying." As a result, such children can attend school. (Jinken Shimbun, December 1, 1992, No.283)

Women

Symposium on "Violence Against Women"

A panel discussion entitled "Violence Against Women" was held on May 2, 1993, with Ms. Tomoko Takai of the Tokyo Rape Crisis Center (Tokyo Gokan Kyuen Center), Ms. Shizuko Oshima of Hand in Hand Chiba, and Ms. Yoko Hayashi, attorney and JCLU Board member.

Ms. Takai first spoke on the gap between society's understanding of rape and the rape victim's mental state. The police and investigators fail to investigate rapes fully, she said. This was followed by Ms. Oshima, who spoke about the foreign women in Japan who are forced into prostitution and whose human rights are violated for economic reasons. Finally, Ms. Hayasahi explained the history of the United Nations activities on the elimination of discrimination against women, stating, "Women today are demanding equal rights not only under the law, but are also demanding equal rights in reality."

The followings are excerpts of each speakers' presentation.

Ms. Tomoko Takai
Staff member of Tokyo Rape Crisis Center:

The Tokyo Rape Crisis Center was established in September 1989 to provide telephone counseling (twice a week) and to aid in rape trials. We have learned much about discrimination against rape victims through the nine years that we have provided the telephone service.

An analysis of the calls shows that 58% of the victims were acquainted with the rapist; 24% did not know the rapist; 58% of the rapes took place indoors; and 15% took place outdoors. Although there is a common perception that rapes occur at night on dark streets, the reality is actually the opposite.

When the victim and the rapist are acquaintances, or if the rape takes place indoors, questions arise as to whether it was actually rape. It is common for people to say that the victim was at fault for being there or that the victim was at fault for drinking. There is also the strong belief that rape is not violence, but rather, consensual sex. We believe that rape is any sexual act which is not desired.

I'd like to now examine the 1988 Ministry of Justice statistics. There were 397 cases of rape involving acquaintances, and 1082 cases involving strangers. Thus, the government numbers are the reverse of ours. We have learned through our telephone service that the police often reject complaints against perpetrators who are known to the victim.

Why don't the police accept such complaints and why don't the prosecutors prosecute such cases? The police have a tendency to accept complaints only when guilt is certain, and they also do not recognize rapes as crimes unless there is a high level of violence. This legal barrier is extremely large.

An examination of government practices shows that the Ministry of Education warns female students about rape. Even here, rape is linked with violence only slightly, and is never seen as the problem of the male perpetrator. The Japanese Government's periodic report submitted to the Committee on the Elimination of Discrimination Against Women (CEDAW) had no mention of rape, so we issued a counter-report. Although psychological treatment is necessary for the victim, the best method of rehabilitation would be for society to have a better understanding of rape.

Ms. Shizuko Oshima
Coordinator of Hand-in-Hand Chiba:

As I listened to Ms. Takai talk, I was surprised to discover that there was so much overlap with what we've experienced at Hand in Hand Chiba. That is, many Thai

women work in Japanese bars, and at the moment there is even one case in Chiba in which a Thai woman killed the owner of a bar because she could no longer tolerate the tremendous abuse. The problems that we've seen are identical to those seen at the Rape Crisis Center.

We also give advice to foreign laborers, but the human rights violations against women are generally more coercive and cruel. However, this is not because women are weaker.

Even if they may not be murderers, the owners of bars all over Japan view women as objects with which they can make big money. That's why they supervise and control the women's every move. For example, they avoid paying the women by making them believe that the only way to pay back their "loan" is through prostitution. They expand their "services" to the customers. A woman who pays back two million yen in three months has thus been forced to be a sex slave for about one hundred customers. Without pay. And this is just one woman.

At trial, great importance is placed on the criminal act, and the woman's past and mental state are investigated carelessly. According to my friend in the United States, American courts will allow experts on women's psychology in court as a witness. That should be allowed here also.

Japanese society's tolerant attitude toward prostitution is apparent in the courts as well. The government has yet to formulate a serious policy regarding systematized prostitution. Therefore, the people in the worst circumstances become the 'suspects.' The problems of Asian women are deep and cross national borders.

Ms. Yoko Hayashi
JCLU Board member, Attorney:

It has become common to hear "the women's perspective" at international human rights conferences. Today I'd like to talk about how "the women's perspective" is reflected in the United Nations' conception of "human rights."

Although the United Nations Charter contains provisions for equal rights for men and women since its inception, the main issue at that time was women's suffrage.

The U.N. created a Commission on the Status of Women (CSW), and from the 1950s to the 1960s, it worked to make equal rights a reality in all areas, including family law, employment, and education. In 1967, the UN adopted the Declaration on the Elimination of Discrimination against Women. This was the basis for the current Convention on the Elimination of All Forms of Discrimination against Women (hereinafter 'Convention.')

Because the Declaration was not legally binding, there

was a movement from the late 1960s to the 1970s to make the Declaration into a treaty, and the Convention was adopted in 1979. Initially the Japanese Government was reluctant to ratify the Convention, but it did so in 1985 due to various activities such as those of the female Diet members.

The women's movement, which spread worldwide during the ten year period from 1976 to 1985 and was referred to as the "UN Decade for Women," pressured governments to re-examine discriminatory laws and practices. I, too, participated in the Nairobi Conference in Kenya in 1985, its final year.

At that conference, we adopted the "Nairobi Strategy." Even today, this policy can be considered the "goal" that women worldwide are working towards. Regarding "Violence against Women," there is a provision on "Abused Women" which calls for governments to affirm the dignity of women, and to take concrete steps such as the establishment of refuge shelters and providing other assistance to abuse victims.

Because the Convention does not contain an explicit provision on sexual violence, there is currently a movement to create such a text. In response, the U.N. ECOSOC created a committee of experts on violence against women.

This committee produced a report in November 1991 which called for the U.N. to take more constructive steps regarding violence against women. Specifically, the report proposed: (1) to draft a declaration to eliminate violence against women; (2) to appoint a special rapporteur for issues regarding violence against women; and (3) to establish a reporting (communication) system for the CSW.

According to a recent report, the draft declaration on the elimination of violence against women has been adopted by the CSW, and the U.N. General Assembly may adopt it as a formal declaration soon.

The Japanese Government's periodic report submitted in accordance with the Convention will be examined in New York in January 1994. We have some time before then, so please help us in producing a counter report in response.

(Jinken Shimbun, August 1, 1993, No.286)

Indigenous Peoples

Fourth Kubota Symposium: Rights of Indigenous Peoples

JCLU held its Fourth Kubota Memorial Symposium in Tokyo on December 5, 1992. The symposium, entitled "The Rights of Indigenous Peoples—Toward the United Nations International Year for the World's Indigenous People 1993," highlighted the International Year, which began on December 10, 1992. The panelists were: Ms. Mutsumi Chiri of the Kanto Ainu Association; Mr. Takao Yokoyama, the director of the Kanto Ainu Association; Mr. Takemasa Tejima, lecturer at Kyushu Women's Junior College; and Mr. Willum Steen, a minister-counsellor of the Norwegian Embassy in Japan (interpreted by Mr. Hiroyuki Kanae, an attorney and JCLU member). Ms. Noriko Furuta, an attorney, chaired the discussion.



Mr. Takao Yokoyama of Kanto Ainu Association speaking on the rights of indigenous peoples

During the discussion, one of the audience members, Mr. Bruno-Manser-Fonds from Sarawak, Malaysia, said that Japanese enterprises in Malaysia are exploiting the indigenous peoples by destroying their natural resources in the name of economic development, thus resulting in even greater poverty. In addition, he said, the Malaysian Government has arrested since 1987 more than 500 people who stood against its policies, and has made the situation even more severe and traumatic.

Pictures showing the activities of the late Mr. Yo Kubota, who died in an accident during a mission to Namibia as a staff of the UN Centre for Human Rights, were displayed. A message from Ms. Fiona Blyth-Kubota, Mr. Kubota's widow and a staff member of the Center, was delivered. Books authored by one of the panelists, Mr. Yokoyama, were also sold. The participants enjoyed a video showing the life of the Sami, indigenous peoples in Norway, sponsored by the Norwegian Embassy in Japan.

The following are excerpts from the panel discussion:

Starting with the Understanding of the history and present situations of the Ainu

Ms. Mutsumi Chiri
Member of Kanto Ainu Association:

Although the term "Ainu" originally meant "human being," "utari" has become preferred as an alternative to "Ainu" since "Ainu" has been used with a somewhat discriminatory connotation. Ms. Chiri explained that her family name, which means "birds" in Ainu language, was adopted by her ancestors, when the government during Meiji era forced the Ainu to have family names. Because the government forced the Ainu to assimilate culturally with the Wajin (the Japanese), her children's generation can no longer speak Ainu although their grandparent's generation spoke only the Ainu language. She said the hidden legislative intent of the Ex-Aborigines Protection Act—an act aimed at Japanizing the Ainu by forcing them to farm, thus replacing their traditional way of life—must be recognized. Even today, an Ainu must procure the governor's approval when she/he transfers land.

The Japanese know little of the history and present situation of the Ainu. Mr. Kayano of the Hokkaido Ainu Association was once asked whether the Ainu have the right to vote. We are often asked as to what the Ainu are planning to do during the International Year for the World's Indigenous Peoples. We would like to ask instead what the local and national governments will be doing in order to help increase our understanding of the Ainu in the International Year.

She said, there is, however, an encouraging sign of greater mutual understanding. Some Japanese who attended seminars teaching Ainu language or exhibitions of Ainu embroidery sponsored by the Kanto Ainu Association sincerely appreciate Ainu culture. The U.N. International Year for the World's Indigenous People is a golden opportunity for the Japanese to further their understanding of the Ainu people.

Discrimination against Ainu

Mr. Takao Yokoyama
Director of Kanto Ainu Association:

The persecution of the Ainu people has persisted since the 9th century when the government sent an expedition to Ezo and Emishi. The Ex-Aborigines Protection Act had granted the Ainu the agricultural lands while the Act granted Japanese seven times more land than those the Ainu were granted. Because the Ainu people had no concept of land ownership, many of them were deceived and

deprived of their lands. The Ainu people still suffer from daily discrimination. For example, an Ainu family was assaulted and ejected from the village of Muroran, Hokkaido, during the Emperor's visit in the early Showa era, he said. Ainu students have been ill-treated in high schools, and few of them graduate after enduring hardships.

According to one survey, there are at least 700 Ainu families (2700 individuals) who live in Tokyo. The Tokyo metropolitan government has recently aided the cultural activities of the Ainu, and the local governments of Hokkaido appropriate about one billion yen in the budget as part of its welfare policy, but not as an ethnic policy. The Ainu people have demanded that the government give immediate attention to the existing discrimination problems, and that it enact a "New Ainu Protection Act" and establish special seats representing the Ainu in the Diet. However, there has been little progress made by the government. The government also fails to teach students to adequately understand the history and culture of the Ainu, he said.

Finally, he said he hoped the speech delivered by Mr. Giichi Nomura, president of the Hokkaido Ainu Association, at the United Nations General Assembly during the opening ceremony of the International Year for the World's Indigenous People, would bring external pressure on the Japanese government to recognize the Ainu people as an indigenous people in Japan, and to ensure the rights of the Ainu accordingly.

(Excerpts from *Jinken Shimibun*, March 1, 1993, No.284)

Elderly

Seminar: The Elderly and Human Rights

The theme for JCLU's Fourth Human Rights Seminar was "The Elderly and Human Rights." Although JCLU's activities cover various fields, this seminar was its first attempt to take up the issue of the elderly. This is so despite the fact that the issue has become a serious problem for both individual families and society as a whole as the proportion of the elderly in the Japanese population rapidly increases. JCLU decided to hold the seminar on Keiro-no-Hi, ("Respect-for-the-Elderly Day"). However, the lecturer, Ms. Yasuko Ichibangase, a professor at Nippon Joshi

University, criticized society for thinking of elderly people only when Keiro-no-Hi approaches.

Ms. Ichibangase raised various issues regarding human rights of the elderly. First, she said, many people have images of the aged as being depressing, dreary, and distressing. In addition to these so called "Three Ds," there are more negative images. Ms. Ichibangase questioned whether these images are actually true. People naturally fall in love or devote themselves to something regardless of their age. So why do we consider the elderly to be so different from us? If JCLU is to tackle human rights issues of the elderly, it must have rich and positive images of them. Otherwise, we will only think of helping those aged people who are suffering, and will fail to see that human rights are also necessary for the elderly to lead fulfilling lives.



Professor Yasuko Ichibangase.

Secondly, Ms. Ichibangase pointed out that human rights issues of the elderly relate to all areas of human rights, especially the insufficiency of protection system. For example, the reason for a particularly severe situation for women in receiving pensions and nursing care is a result of insufficient protection of the rights of women. The "retirement age" system also forces many workers to take jobs in which they cannot utilize their past experiences. This may be due to the fact that a worker's will to work is not respected as a human right. Therefore, the human rights of all individuals are closely related to the human rights of the elderly. At the same time, there are a certain number of human rights issues that are particular to the elderly. There are many cases where an elderly person was denied of renting an apartment housing, or faced the difficulties in remarriage because of the problems related to inheritance.

Finally, Ms. Ichibangase stressed that legal specialists are an indispensable for finding solutions to these problems. Perhaps, it is time for JCLU to address these issues by utilizing its legal expertise.

(Jinken Shimibun, December 1, 1992, No.283)

Right To Know / Mass Media

JCLU Supports Special Kokoku-Appeal Against Denial of Request to Inspect Kanamaru Trial Records

On October 14, 1992, Mr. Yasuji Nakamura, a JCLU member and journalism scholar, represented by three JCLU attorneys, Junichiro Hironaka, Masayoshi Iida, and Makoto Sakai, made a request to the Tokyo District Court to inspect the record of its judgment of former deputy prime minister Shin Kanamaru, LDP politician, under the Regulation of Political Funds. The Court denied that request. The Court's reasoning was that by granting Mr. Nakamura's request, it would hinder the affairs of the Public Prosecutor's Office (by influencing the criminal investigation of other related cases).

Consequently, Mr. Nakamura made a quasi-kokoku-appeal to Tokyo District Court on October 19. The Court rendered its judgment on the 26th, and although it made some progress towards the acceptance of Mr. Nakamura's request, it nevertheless denied his right to inspect the main portion of the record. Thus, he made a further special kokoku-appeal to the Supreme Court. The constitutionality and legality of the lower court's judgement will now be decided by the Supreme Court.

The Kanamaru case threatens the basis of our democracy and is a matter of major concern for the citizens of this nation. However, the content of the case is unknown to Japanese citizens because the case was a summary proceeding. Mr. Nakamura has continuously insisted that the records of the judgment be open to the public so that it can be subject to criticism regarding its procedures and content. The applicant regards the denial of the inspection as defeating "the right to know."



Mr. Yasuji Nakamura, the plaintiff, and attorney Hironaka at press conference.

The applicant and his three attorneys belong to the JCLU Mass Media and Human Rights Committee and have been studying "Criminal Procedures and the Right to Know" with other members of JCLU.

The committee began to study the above issue when the third court of the Supreme Court held that denying journalist Shoko Egawa the right to inspect records regarding a rape case committed in the Mishima police station did not violate the Constitution. The Media Committee strongly challenged the constitutionality of denying the inspection of the criminal records by referring to other Supreme Court cases such as "the Hokkai Times Case" (February 17, 1958) and the "Repeta Case" (March 8, 1989). The Committee concluded that the Supreme Court should have referred to the Court's judgment in the Repeta Case stating that the freedom of taking notes in courtrooms should be granted in light of the spirit of Constitution Article 21.1, which stipulates that "freedom of assembly and association as well as speech, press and all other forms of expression are guaranteed."

The applicant insists that denying inspection of criminal records is against (1) Code of Criminal Procedure Article 53 on the principle of opening the record of proceedings of a criminal case to the public; Article 21 of the Constitution on the right to know and the freedom of expression; and (2) Article 82 of the Constitution on the opening of the courts to the public which states the principle of making "political offenses" and "cases wherein the rights of people as guaranteed in ... Constitution are in question" public.

Although the main point of the special Kokoku-appeal is to advocate that Article 21 of the Constitution guarantees the right to know, it also criticizes in detail the unreasonableness, in form and substance, of stretching the meaning of "hindering the affairs of the Public Prosecutors Office" and "hindering the criminal investigation."

Special attention is also being given to the Supreme Court's judgment because there are no precedents interpreting Article 82 of the Constitution on political crimes mentioned above.

JCLU decided to support the case at its Board of Directors meeting on November 14.

(*Jinken Shimbun*, December 1, 1992, No.283)

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Supreme Court Denies the Right to Inspect Trial Record

On December 7, the first court of the Supreme Court rendered its judgment to dismiss the kokoku-appeal. The Court quoted the Repeta judgement and reasoned that the proviso of Article 82 (2) of the Constitution "does not recognize the right to inspect records as a right that can be demanded."

However, if the Court quotes the Repeta judgment, it should follow the reasoning that "the inspection of the record deserves respect and must not be hindered." It is truly regrettable that the right to inspect records was not recognized as the "right to know".

The JCLU Committee on Mass Media is planning to publish a book entitled "Criminal Procedure and the Right to Know" which will include the issues and course of development concerning this case.

(*Jinken Shimbun*, March 1, 1993, No.285)

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Mass Media and Human Rights

The theme of JCLU's Fifth Human Rights Seminar, led by attorney Masayoshi Iida was "the Mass Media and Human Rights." Mr. Iida gave abundant examples of how simplistic and self-righteous criminal news reporting aimed at "convicting" the suspects results in the infringement of human rights. The suspects are already handicapped by being under police custody, and such news reporting only serves to exaggerate suspects' "viciousness" and brand them as "criminals." As a result, the principle of presumed innocence so vital in the criminal courts becomes distorted.

In response to societal criticism, there have been some positive changes such as the use of the word "yogisha (suspect)" to refer to suspects instead of the former custom of using their name without any honorifics, the decreased use of real names, and fewer reports of petty offenses. However, as in the past, there are still examples of human rights violations resulting from excessive reporting.

Mr. Iida pointed out several tasks which are necessary to eliminate human rights violations rooted in the mass media. First, there must exist a "positive news reporting on human rights," he said. As part of this task, it is particu-

larly important for news reporting to “check the authority (police)”. This is because presently the mass media functions only to transmits information provided by the police. In this regard, Mr. Iida also pointed to the necessity of re-examining the Japanese press club system in which reporters for large news organizations spend most of their time in press clubs organized by government agencies or business associations. Although there may be good points about press clubs, they also tend to limit reporters’ objectivity.

Because the suspects are handicapped in such a way by the mass media, Mr. Iida also emphasized the important role of the legal counsel at the detention stage. For this reason, Mr. Iida called for expansion of systems such as the the Toban Bengoshi Seido (Duty Counsel System) started by the Oita Bar Association.

(Jinken Shimbun, December 1, 1992, No.283)

Medical Issues

JCLU Backed Case Wins: Damages Awarded in Tokyo Vaccination Injury Suit

The Tokyo High Court held on December 18, 1992, that the Japanese Government shall pay a total of approximately ¥ 2.3 billion in damages to 61 plaintiffs who sued the government for negligently carrying out smallpox and influenza vaccinations (excluding one plaintiff whose claim was dismissed due to the running out of extinctive prescription). These cases were brought by the families of the deceased as well as the injured. They alleged that injury and in some cases death resulted from smallpox and influenza vaccinations conducted by the government. The litigants sought a total of ¥ 6.3 billion in damages from the Government. The Government abandoned its appeal, apologized to the injured, and commenced a study of the entire vaccination system, including the possible establishment of a relief system for such victims. These cases were supported by JCLU.

The cases were initially brought in June 1973 and the Tokyo District Court (the court of first instance) held on May 14, 1984 that the injured would be compensated, for the first time, through the application by analogy of Article 29, paragraph 3 of the Constitution, which stipulates “pri-

vate property may be taken for public use upon just compensation therefor.” The Government appealed this judgment.

The Tokyo High Court denied the “loss compensation” granted by the Tokyo District Court, holding that Article 29, paragraph 3 did not apply to an injury to life or health. However, the Tokyo High Court also held that “the Government, which compelled the vaccinations, had an obligation toward its citizens to avoid serious injuries to the best of its ability,” and that “the Government placed an importance on increasing the number of people receiving vaccinations and failed to pay adequate attention to the possibilities of sufferings which may be caused by such vaccinations. The Government, thus, used the vaccinations without establishing an adequate preliminary diagnosis system.”

It further held that “the Government did not publicly disclose the actual cases of injuries before 1970 when the injuries by vaccination became a social issue. As a result, physicians continued to give and citizens continued to receive vaccinations because they lacked sufficient information on side effects and they did not fully recognize the importance of having certain people avoid the vaccinations. The High Court made it clear that the Minister of Health and Public Welfare was negligent in not taking full measures to exclude people who should not have been given preventive vaccinations. Although it came far too late, the decision of the High Court carries a great significance by finding an error in the Government’s vaccination policy. How the Government reviews its vaccination system after abandoning its appeal must be watched closely.

(Jinken Shimbun, March 1, 1993, No.284)

Court Recognizes the Deficiencies of the Vaccination Policies

by Takashi Kono
JCLU Board member,
Member of the Plaintiffs’ Counsels

In a group action filed by 62 victims, their parents, and other relatives against the Japanese government for suffering caused by injuries from vaccinations required or encouraged by the government, the Tokyo High Court rendered its decision on December 18, 1992 and ordered the

government to pay damages to 61 victims excluding one victim for whom the extinctive prescription period had expired. The decision constituted a sweeping victory for the plaintiffs.

The decision denied the plaintiffs' direct claims for compensation based on Article 29, Paragraph 3 of the Constitution which the Tokyo District Court had granted as the court of first instance. However, the High Court squarely faced the plaintiffs' argument alleging that the government's defective administration of the vaccinations constituted negligence on the part of the Minister of Health and Public Welfare, which was the starting point of the plaintiffs' case. The court found the government liable and severely criticized "the negligence on the part of the Minister of Health and Public Welfare in failing to take appropriate measures to ensure the safety of vaccinations."

On December 26, 1992, the government decided that it would not appeal the decision to the Supreme Court, and Mr. Niwa, Minister of Health and Public Welfare, expressed an official apology to the victims at a press conference, stating that the Ministry had decided to reform the system, including making amendments to the Vaccination Act. He further stated that the government would accept settlements in similar cases pending at various courts, in accordance with the Tokyo High Court decision. The government, which had previously denied its liability for the vaccination injuries, clearly changed its policies.

The decision came 19 years after the victims commenced the group action in 1973, as the last measure for compensation of their damages after a long period of isolation and neglect during which they were not even informed that the injuries were caused by vaccination. It seems almost self-evident that the government should be held liable for the vaccination-related injuries under the Vaccination Act. Why then was there a 19 year delay after the victims' commenced this suit?

The Vaccination Act, enacted in 1948, encouraged or required vaccinations under the penalty of punishment in order to prevent the spread of contagious diseases. However, it was also known that the vaccinations to some would inevitably cause death or sequela, particularly serious injuries to the nervous system. The mechanism of these side effects is not yet known and, hence, no measures have ever been devised to prevent them.

Nevertheless, the government carried out the vaccina-

tions, emphasizing that it was to prevent the spread of contagious diseases. It should be noted that until the 1976 amendment, the Vaccination Act had no provisions at all for remedies to the victims. The injuries were often hidden and the causes therefore were attributed to the "predisposition" or "heredity (genetics)" of the victims.

By virtue of the fact that vaccination-related injuries caused by the small pox vaccination became a social problem in 1970, thereby prompting victims' protests, the remedy system was established as an administrative measure by the Cabinet, which then matured into the statutory scheme in 1976. However, because these measures and schemes were not premised on the government's legal responsibility for the injuries, they did not aim for full compensation of the damages and were thus far from satisfactory.

The Tokyo suit for the vaccination-related injuries was filed in 1973 with the purpose of fully compensating the victims and the main focus in that suit was to hold the government legally responsible. At that time, it was often stated that since the mechanism of occurrence of the injuries was not medically clear, "the pursuit of legal responsibility was almost impossible although a pitiful situation did exist for the victims."

The Tokyo District Court, the court of first instance in this case, rendered its decision on May 18, 1984, and ordered the government to pay damages to compensate the plaintiffs for their losses. The court applied Article 29, Paragraph 3 of the Constitution *mutatis mutandis*, which was cited by the plaintiffs as the law governing injuries occurring under the Vaccination Act, and found that the victims suffered "individual sacrifices" for the protection of society.

The Tokyo High Court decision, which relied on a Supreme Court decision (the second petit bench) made on April 19, 1991, found the government to be negligent. This decision could be deemed to go back to the starting point of this suit, which started as a result of the fury triggered by the careless enforcement of vaccinations.

What is most important in this decision is that the government which administered the vaccination system, and not the individuals who enforced the vaccinations, should be held liable for the injuries caused by the vaccinations.

What remains unsolved after this decision is what should be the legal responsibility for injuries for which

“no negligence” is found. It is clear that no victim should be left without any remedy at all and without anybody taking any responsibility for the vaccination-related injuries. It goes without saying that the court’s determination of the government’s legal responsibility does not eliminate the pain and suffering of those with side effects nor reduce the burden of nursing care. It is imperative that a recovery system be established based upon the government’s responsibility to compensate for damages.

The victims themselves have started studying the possibility of establishing a foundation in order to lessen the various problems in their daily lives. Furthermore, there are also many problems with respect to the enforcement of the present remedy scheme under the Vaccination Act. Under this scheme, an application filed by a victim of a vaccination-related injury is reviewed by the Finding Committee established in the Ministry of Health and Public Welfare.

However, in some cases, the burden of proof for establishing the causation between the vaccination and the injury is laid upon the victim, and this practice should be stopped immediately. Other problems also persist, including the need to clarify the standards for determining causation, and the system for selecting Committee members, and the establishment of an appeals board. The Tokyo High Court decision should be the starting point for solving all these problems.

(Jinken Shimbun, May 20, 1993, No.285)

A New Group on AIDS Founded
by Isomi Suzuki
JCLU member, attorney,
founding member of the ‘Group’

Mr. Yutaka Hirata, together with approximately 250 supporters, started the “Group to Think about AIDS” on October 28, 1992. Mr. Hirata, representative of the new group, disclosed that he himself has AIDS, and said we must question a society in which gays and those afflicted with AIDS must hide their identities. He is the first AIDS patient in Japan to come out in public to disclose that he was infected through sexual contact. Many JCLU members showed their support and attended a party for Mr. Hirata.

It has been recognized internationally that the human rights of AIDS and HIV-positive patients should be protected in the battle against the disease. Unfortunately, such rights have not been recognized in Japan. This situation is best exemplified by the fact that Mr. Hirata came out with his pen name and not his real name because of possible prejudice against his family.

The “Group to Think about AIDS” will provide support to Mr. Hirata by looking into the cultural, social, and legal issues related to AIDS through activities in literature, fine arts, philosophy and human rights.

(Jinken Shimbun, December 1, 1992, No.283)

Right To Rest

The Vacation Suit: Reporter Fired After Taking Summer Vacation

by Kenji Araki

JCLU member, Reporter for Jiji News

During the recession of the last few years, there has been a move toward decreasing manpower and increasing layoffs. This goes against the trend of shortening working hours by taking holidays. A shocking incident has occurred concerning this issue.

Mr. Toshiaki Yamaguchi, a staff Reporter for Jiji News, who was suing his employer for the right to take a month-long summer vacation, was fired because he took a month-long vacation again this year. Mr. Yamaguchi’s dismissal symbolizes the difficult 90s, while it also reminds us of the significance of the 1930s when the right to take vacations was established in Europe.

Month-long Vacation Again This Year

Mr. Yamaguchi took a month-long paid vacation from July 27 to August 24, 1992, just as he did the previous year and the year before that. But in the beginning of August after Mr. Yamaguchi’s vacation began, the company ordered him to divide his vacation into two parts. It then proceeded to fire him on September 9 because he did not follow its order. Behind the company’s action was a Supreme Court ruling in June 1992 sustaining the company’s right to order Mr. Yamaguchi to split his month-long vacation into two parts during the summer of 1980. That ruling reversed a lower court ruling and was a loss for Mr.

Yamaguchi.

After the economic "bubble" burst in the early 1990s, Japan has been facing a serious recession resulting in low stock and land prices. It is as if Japan has returned to the 1930s when it was hit by the Great Depression. At that time in Japan's history, capitalism became endangered, resulting in the emergence of fascism.

Vacation System Established in the 1930s

It must be remembered that it was during the tumultuous 1930s when the Europeans won the right to take vacations. After the general election in 1936, Leon Blum's Popular Front cabinet was formed in France and the "40 Working Hours Per Week Act" and the "Annual Paid Vacation Act," which allowed two weeks, were passed. This was the beginning of the vacation system and 600 thousand workers and families took vacations that year. That number doubled to 1.2 million in the following year. It is astonishing that such an epoch-making system was actually established back in the 1930s, and also that there is a huge gap between then and Japan now, 60 years later, where a long vacation can be a sufficient reason to fire someone.

"My company has banned overtime. This has resulted in the loss of ¥100 thousand of my monthly income. On top of that, I have to work at home on Sundays to make up for the overtime I can't do on workdays," complains a friend who works for an electronics manufacturing company. It is a growing trend to work without pay during recessionary periods when companies are in danger.

Mr. Yamaguchi, however, went straight ahead and took a month-long vacation, claiming that taking vacations is a fundamental human right. As the recession worsens, moves to limit brave and rightful acts such as that of Mr. Yamaguchi will become even more prominent. For this reason, we must not mistake the age that we live in. Sixty years have passed since "the legacy of the 1930s." Time will not wait any longer.

(*Jinken Shimbun*, October 15, 1992, No.282)

Death Penalty

Statement of JCLU on the Death Penalty

The JCLU holds the following view concerning the resumption of executions in March, 1993.

Since the execution in November, 1989, the death penalty has not been carried out in Japan for a long period of 3 years and 4 months, and a wide and full discussion among the Japanese people whether to retain the death penalty was about to generate. We had been welcoming the Government's position until now of not carrying out the death penalty and of waiting for the outcome of public discussions.

This stance of the Japanese Government was in accordance with the spirit of Articles 6(2) and 6(6) of the International Covenant on Civil and Political Rights, which states that the application and execution of the death penalty should be carried out cautiously.

Therefore, it is utterly deplorable that the Japanese Government suddenly resumed executions on the occasion of the shift to a new Minister of Justice, without paying due consideration to the significant fact that no execution has been carried out for a long period of time, and without providing any explanation to the Japanese public.

Furthermore, the attitude of the Japanese Government, which insisted on the secrecy of the execution, not even disclosing the number of those executed, and not disclosing any information before the public, must be severely criticized.

The JCLU hopes that from now on the Japanese Government will stop executions again, enable the Japanese people to fully discuss the death penalty system, and make policies respecting the spirit of international treaties including the above Covenant and the Convention on the Abolition of the Death Penalty (the Second Optional Protocol to the Covenant).

May 17, 1993

*Japan Civil Liberties Union
Representative Director, Takao Yamada
Representative Director, Takehiro Uchida*

Editor's NOTE: This statement was issued in response to the execution of three persons on a single day in March, 1993, a particularly shocking incident since the Japanese Government had not carried out the death penalty for over 3 years since November 1989.

JCLU Members

Etsuro Totsuka Receives Tokyo Bar Association Human Rights Award



Mr. Etsuro Totsuka

On November 30, 1992, the Tokyo Bar Association decided to award its Human Rights Award, given annually to individuals and organizations active in the protection of human rights, to attorney Etsuro Totsuka and two other individuals and one group.

Mr. Totsuka, a member of the JCLU, is currently a visiting researcher at the University of London. He has been active in the international human rights activities, and has frequently participated in various United Nations bodies, including the Sub-Commission on Human Rights, as a NGO representative. JCLU nominated Mr. Totsuka for the Award last year, and did so again this year.

Mr. Totsuka began to work on the rights of the mentally ill in 1982. The amendment to the former Mental Health Law in 1987 was mostly a result of work of Mr. Totsuka, who was the driving force in the movement. He has been also active in the work for the rights of suspects and accused persons, and was instrumental in attracting international attention to the issue of Daiyo Kangoku (substitute detention system) of Japan. He is now concentrating on the issue of the former comfort women.

Many of the human rights problems in Japan have been brought into the international arena through Mr. Totsuka's work at the United Nations and with various human rights NGOs. This award is in recognition of Mr. Totsuka's tireless contributions to the improvement of human rights situations. The Tokyo Bar Association awarded Mr. Totsuka with a certificate and a monetary award of ¥ 300,000 at the Association's New Year ceremony on January 8, 1993.

(*Jinken Shimbun*, December 1, 1992, No.283)

Masao Ohno Appointed to Supreme Court

Attorney Masao Ohno was appointed to the Supreme Court on April 1, 1993. Mr. Ohno has long been a member of JCLU, and led JCLU's activities as its Representative Director for eight years from October 1968.

Mr. Ohno has long been active in the protection of human rights, having been counsel for numerous human rights cases including the "Mainichi Shimbun Reporter Nishiyama Ministry of Foreign Affairs Secret Documents" case.

Other members of JCLU have also been appointed to the Supreme Court in the past. As with the others, we expect that Mr. Ohno's appointment to the Supreme Court will also increase public recognition of JCLU.

(*Jinken Shimbun*, May 20, 1993, No.285)



Mr. Masao Ohno

Publication

Report on the Post War Responsibility of Japan for Reparation and Compensation

JCLU recently completed a report entitled *Report on Post War Responsibility of Japan for Reparation and Compensation*. The Report sets forth, from a human rights point of view, an analysis of the problems concerning military comfort women, forced laborers, soldiers, and civilian employees of the former Japanese colonies (Taiwan, Korea), to whom the Japanese Government has not yet discharged its post war responsibility for reparation and compensation.

How and to what extent it fulfills its post war responsibility is an essential touchstone for Japan to rectify its discrimination against ex-colonized countries. It is one of the critical human rights issues of international concern, and this English report was published to disseminate information about this issue.

Articles contained in this report were prepared by members of JCLU active in the post-war responsibility issues and include the following.

CHAPTER 1 Introduction
by Hiroshi Tanaka (Prof. Hitotsubashi Univ.)

CHAPTER 2 Report on Military Comfort Women
by Kenichi Takagi (Attorney)

CHAPTER 3 Report on the Problem of Restitution to Dead and Wounded Non-Japanese Soldiers and Civilians Serving the Japanese Armed Forces During World War II and the Sino-Japanese War (1937-1945)

by Shun Hashiba (Attorney)

CHAPTER 4 Report on Compensations for Korean People

by Seita Yamamoto (Attorney)

The publication of this English report was funded by contributions made by a group of lawyers representing former Taiwanese soldiers of the Japanese Forces seeking post-war compensation, which includes Mr. Isomi Suzuki, who is also a member of JCLU, and who edited the English translation of this report with the JCLU Committee on Post-War Responsibility.

(*Jinken Shimbun*, May 20, 1993, No.285)

Japanese Translation of ICJ "Attacks on Justice"

JCLU published a Japanese translation of *Attacks on Justice*, the 1991 annual report of the International Commission of Jurists (ICJ), in October 1992. The original report, produced by the Center for the Independence of Judges and Lawyers (CIJL) of the ICJ, documents the acts of persecution and harassment against judges and lawyers worldwide.

The original 143-page report discusses conditions in 51 countries and shows that attacks on jurists working for the protection of human rights continue, regardless of the country's political system. The Japanese translation includes 16 of these 51 countries.

Incidents in Japan contained in the report include the denial of judicial reappointments; interference in the affairs of attorneys; the Sakamoto Case (disappearance of attorney Sakamoto and his family); and the Naito Case (unlawful arrest and detention of attorney Naito while acting as a legal observer at a demonstration against the US-Japan Security Pact.) (Jinken Shimbun, December 1, 1992, No.283)

JCLU Publications In English

• Human Rights Report Series

Human Rights Report No.1.

Should Public School Teachers be Required to Have Japanese Nationality? —a Report on the Government's "Guidance" to Local Boards of Education to Exclude Persons of Foreign Nationality from Becoming Public School Teachers. (August 1983, ¥500)

Human Rights Report No.2

Medical Treatment of the Mentally Ill in Japan and Human Rights. (March 1984, ¥500)

Human Rights Report No.3

Unlawful Violation of Fingerprinting. (April 1984, ¥500)

Human Rights Report No.4

Unlawful Violation of the Right to Free Contact Between Attorneys and Criminal Suspects by Investigating Authorities in Japan. (October 1984, ¥500)

Human Rights Report No.5

Current Administration of the Bail System in Japan Vi-

olates the International Covenant on Civil and Political Rights. (October 1985, ¥500)

Human Rights Report No.6

The Disciplinary Punishment System in Japanese Criminal Detention Facilities and its Implementation Contravenes International Covenant on Civil and Political Rights. (November 1986, ¥500)

• Report Concerning the Present Status of Human Rights in Japan. (June 1988, ¥3,000)

• A Typical Example of Human Rights Violations Under the Daiyo Kangoku System in Japan. (July 1991, ¥500)

• Criminal Procedure and the Human Rights of Foreigners in Japan: Problems and Suggestions. (July 1991, ¥1,000)

• Report on Post War Responsibility of Japan for Reparation and Compensation. (April 1993, ¥1,000)

• 1993 Report Concerning the Present Status of Human Rights in Japan: A Report of JCLU with Regard to the Third Periodic Report of the Government of Japan Submitted under the International Covenant on Civil and Political Rights. (May 1993, ¥3,000)

ABOUT JCLU

The Japan Civil Liberties Union (JCLU) is an independent non-profit organization which aims to protect and promote human rights of all persons regardless of beliefs, religion or political opinion. JCLU's work is conducted in accordance with the internationally recognized human rights principles, namely the Universal Declaration of Human Rights. JCLU was founded in 1947, the year the new Constitution of Japan was promulgated. The American Civil Liberties Union (ACLU) played an important role in JCLU's foundation. JCLU is affiliated with the International Commission of Jurists (ICJ) and the International League for Human Rights (ILHR).

Membership is open to anyone who agrees with JCLU's purposes and is willing to work for the improvement of human rights situations. JCLU currently has about 800 members, 60% of whom are lawyers engaged in private practice, and others include citizens of various professions such as scholars, journalists, and students. JCLU is financed by membership dues and unconditional donations from its members and outside supporters. JCLU's work plan for each year is determined at a General Assembly of all its members. Day-to-day matters are left to the Secretary-General and the Board of Directors, which is comprised of 43 members. Two representative directors attend to external matters. Currently, JCLU has 19 committees which support its activities.

JCLU frequently issues opinions, memoranda, and advice on specific human rights cases relating to activities of the national and local government, the Diet, and the courts of Japan. In addition, it has acted as a leader in movements for new legislation and ratification of the international human rights treaties by the Japanese Government. Member attorneys are active in a Japan broad range of human rights litigations involving freedom of religion, freedom of information, postwar compensation, environmental pollution, refugees, and serious criminal cases. Recent activities include work on foreigners' rights, Official Development Assistance and human rights, and various international human rights activities. JCLU organizes seminars, meetings and symposiums, conducts research, and publishes reports, books and newsletter.

JCLU Officers: Takao Yamada, Representative Director; Takehiro Uchida, Representative Director; Masaru Satoh, Secretary-General.

Committees: Freedom of Information Committee, International Human Rights Treaties Committee, Mental Patients' Rights Committee, Asian Human Rights Committee, Supreme Court Study Committee, Criminal Procedure Committee, Taxpayers' Rights Committee, Mass Media Committee, Membership Promotion Committee, AIDS and Human Rights Committee, Human Rights Consulting Committee, Anti-Apartheid Committee, ODA Committee, Convention on the Elimination of Racial Discrimination Committee, Foreigners' Rights Committee, Abolition of Death Penalty Study Committee, Postwar Compensation Committee, Jinken Shimbun Committee, (Japanese-language newsletter), Universal Principle Committee (English-language newsletter)

Universal Principle is an English-language human rights newsletter edited by the Universal Principle Committee and published by JCLU at 306 Atagoyama Bengoshi Bldg., 1-6-7 Atago, Minato-ku, Tokyo 105 Japan. Telephone: (+813) 3437-6989 or 5466. Facsimile: (+813) 3578-6687. JCLU also has a chapter in Osaka.



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