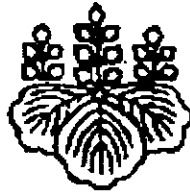


Please check against delivery



Japan

Statement by Ambassador Ichiro FUJISAKI

Head of the Delegation of Japan

on

Agenda Item 9

***Question of the Violation of Human Rights and
Fundamental Freedoms in Any Part of the World***

61st Session of the Commission on Human Rights

Geneva, 23 March 2005

Permanent Mission of Japan in Geneva

Thank you, Mr. Chairperson,

Mr. Chairperson,

No value exceeds that of human rights. No person in the world should be deemed an exception to the universality of human rights. No government can deny the notions of good governance, non-discrimination, the rule of law, and democracy. All of these are, of course, truisms. However, being true is not the same as being realized. This is where the Commission on Human Rights comes in. The OHCHR has striven long and hard for the promotion of the universality and protection of human rights. The Government of Japan commends the Office's effort.

Lamentably, in spite of the best efforts of the OHCHR and the international community, human rights violations do still exist. As long as they exist, the work of this Commission remains unfinished. The question is, how do we go about our work?

Mr. Chairperson,

Japan believes in and has been promoting a positive, constructive approach to improving the situation of human rights in any part of the world. Not by mere probation, but through dialogue and cooperation. Diversity should always be respected: that is, to take into account the history, culture, and customs of a country. Such an approach has proved to be more productive and effective in the long term.

Countries that have shown sincere willingness and have demonstrated concrete steps towards improving their human rights situation deserve the positive acknowledgement of this Commission. This Commission must give credit where credit is due. An appropriate differentiation of treatment with due evaluation is conducive to the overall effectiveness of this Commission, providing right impetus to

countries under item 9 and 19. When the situation of a country has sufficiently improved, that country should be allowed to rise out of the mire of repeated resolutions and graduate to a fresh relationship with the international community, so that it can feel a sense of achievement and become confident in moving on.

We have to acknowledge, of course, that there are still some countries that have not yet attained such a level.

Mr. Chairperson,

There are voices in this Commission calling for an end to Item 9. Japan strongly hopes for such a day to arrive. But, at present, it is too premature. It is a sad reality that this forum has yet a role to play. To do nothing is a negligence of our responsibility and undermines the credibility of this Commission. The citizens who are suffering under some country's callousness should be heard and encouraged. They are suffering this very moment.

In this light, Japan would once again like to draw the attention of this Commission to the situation of human rights in the Democratic People's Republic of Korea. Japan remains deeply concerned about the reports of systematic, widespread, and grave violations of human rights, including torture and forced labor in the DPRK.

In particular, Japan is deeply concerned with the lack of progress with regard to the abduction issue. For the last two years, this Commission passed resolutions calling upon the DPRK to resolve the issue of the abduction of foreigners, including Japanese nationals expeditiously. These abductions are a grave and flagrant violation of human dignity, human rights, and fundamental freedoms. It is unacceptable that the DPRK has been responding unfaithfully to repeated requests for resolving this issue by international community.

The Government of Japan once again strongly requests the DPRK to resolve this issue by returning the abductees to Japan immediately and provide satisfactory explanations about the cases in good faith, and to cooperate fully with the Special Rapporteur, the Working Group on Enforced or Involuntary Disappearances, and the OHCHR.

Mr. Chairperson,

Although the work of the Commission is important as I stated, it is sad that we have to address the same issues year and year again. Let all of us, especially those who are named under agenda Item 9, review our policies and stances sincerely. Let us not take the attitude of "I don't do it because you say so". Let us hope we can see tangible improvement in next year's session.

Thank you.