



JAPAN

# UPDATED ASSESSMENT OF R2P IMPLEMENTATION 2023



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Japan remains a leading regional advocate of R2P and plays a role in supporting its implementation. It performs well in regard to most aspects of R2P implementation, both domestic and international. However, Japan has stopped short of developing measures to ensure or promote implementation of R2P, such as a national assessment of risk and resilience and domestic mechanisms to hold the government accountable. They have however held two National R2P Dialogues (2022, 2023), which indicates that there may be further action in this area in the future.

Japan performs particularly well in terms of the implementation of existing international legal instruments and the domestic applicability of the covenant. Japan has ratified eleven of the twelve key international law instruments most relevant to R2P and actively participates in the Universal Periodic Review of the Human Rights Council. Additionally, Japan has relatively strong mechanisms ensuring the promotion and protection of human rights, equal access to judicial institutions, and the protection of vulnerable segments of society (particularly in relation to sexual and gender-based violence). Significantly, it has still not established a National Human Rights Institution, though enabling legislation has been debated for two decades, although it has supported the recommendation to make one in the Fourth Cycle of the Universal Periodic Review. Japan has a robust civil society sector, an inclusive education system, and civilian authorities maintain effective control over the security sector.

Japan has been a strong supporter of humanitarian and atrocity prevention activities in crisis contexts, though it has stopped short of developing a leadership role. Its leadership in the Asia Pacific more broadly maintains a strategic security focus, rather than a human-rights one.

Japan continues to be an active supporter of the United Nations, including its various organs and initiatives, and has invested considerable resources into strengthening the UN's ability to recruit, train and deploy human rights experts.

Japan tends to support early preventive action, the significant exception being the 2017 crisis in Rakhine state, due to its comprehensive bilateral relationship with Myanmar. Japan has continued supplying aid to Myanmar, and has been accused of normalising ties with the junta.

Japan focuses heavily on peacebuilding and humanitarian assistance, with a strong gender and development focus. Japan is one of the region's greatest financial contributors to peacekeeping and continues to be so, despite a minor presence in current peacekeeping operations.

Its index score has risen by one point since 2022.

Thematic Area	Indicator	Assessment	Notes
Basic Compliance	Protection of populations from atrocity crimes.	Very Strong Unchanged	Japan's government, together with its strong institutions, has protected its population from atrocity crimes.
	Reduction of atrocity crime risks.	Very Strong Unchanged	Japan's strong governance structure, civil society and functioning justice sector means that the chances of atrocity crimes occurring in the country remain remote.
	Dealing with past atrocities.	Fair Unchanged	Japan's relationship with its neighbours, particularly China and South Korea, remains turbulent in no small part because of historical memory. There is a sense amongst its neighbours that Japan has not apologised or provided reparations for its war crimes committed in the Second World War. Recently, Japan's new industry minister, Yasutoshi Nishimura, inflamed tensions by visiting the controversial Yasukuni Shrine. <sup>1</sup>  While Japan considers the issue resolved (or over exaggerated), the legal battle for survivors seeking reparations is ongoing. This year, a South Korea court has ordered Japan to compensate victims who were treated as 'comfort women' – women who were forced to become sex slaves to Japanese soldiers during their occupation of their respective countries. <sup>2</sup>
Policy Mechanisms	Appoint national R2P Focal Point.	Very Strong Unchanged	Japan retains its national R2P Focal Point. <sup>3</sup>
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships.	Fair Unchanged	Japan targeted development projects are focused on the structural prevention of atrocity crimes. These projects include poverty reduction, building sustainable and trustworthy government processes, and developing inclusive societies. <sup>4</sup>  There is no specific mention of atrocity crimes in these development projects.
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect.	Very Weak Unchanged	There remains no evidence that Japan has put in place domestic accountability mechanisms related to R2P.
International Human Rights Obligations	Sign, ratify and implement relevant instruments of international law.	Strong Unchanged	Japan has signed and ratified all of the relevant international human rights laws relevant to R2P bar one: the <i>Convention on the Prevention and Punishment of the Crime of Genocide</i> . <sup>5</sup> Although new impetus to ratify the treaty was given in the wake of increased visibility of China's treatment of

<sup>1</sup> Al Jazeera, 2022. 'Japanese minister visits Yasukuni Shrine for war dead: report'. *Al Jazeera*, 13 August. Available at: <https://www.aljazeera.com/news/2022/8/13/japanese-minister-visits-yasukuni-shrine-for-war-dead-report>.

<sup>2</sup> BBC, 2023. 'Japan ordered to compensate wartime 'comfort women''. *BBC*, 24 November. Available at: <https://www.bbc.com/news/world-asia-67512578>.

<sup>3</sup> Global Centre for the Responsibility to Protect (GCR2P), 2020. *Members of the Global Network of R2P Focal Points*, <https://www.globalr2p.org/resources/members-of-the-global-network-of-r2p-focal-points/>.

<sup>4</sup> A list can be found here: Japan International Cooperation Agency (JICA), 2023. *Annual Report 2022*, <https://www.jica.go.jp/english/about/disc/report/2022/index.html>.

<sup>5</sup> United Nations Treaty Collection, 2022. *1. Convention on the Prevention and Punishment of the Crime of Genocide*, [https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-1&chapter=4](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-1&chapter=4).

		the Uighur's in Xinjiang, <sup>6</sup> there is still strong resistance. This is mainly because signing the convention would necessitate a change to Japan's Criminal Code, which would likely prompt political opposition. <sup>7</sup>
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court.	Very Strong Unchanged
	Japan remains a signatory to the <i>Rome Statute of the International Court</i> , <sup>8</sup> and continues to invest in and support the work the Court carries out. <sup>9</sup>	
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles.	Very Weak Unchanged
	Japan still does not possess an independent national human rights institution, although it has supported the recommendation to create one in the fourth cycle of the UPR. <sup>10</sup> At this stage, this has not been met with a serious effort to fulfill this recommendation.	
	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination.	Strong Unchanged
	Japan has a strong record of respect for civil liberties; freedom of speech, expression, assembly, association, and movement are generally respected by Japanese authorities. <sup>13</sup>	
	The closest the country comes to such an entity is the Human Rights Bureau, <sup>11</sup> yet this is under the command of the Ministry of Justice, and thus not an independent body. <sup>12</sup>	
	Discrimination in Japan is rather common, and the country does not possess a general law that prohibits discrimination based on race, ethnicity or religion. <sup>14</sup> Societal discrimination is still a large issue for <i>burakumin</i> , <sup>15</sup> ethnic Koreans and Chinese,	

<sup>6</sup> The Sankei Shimbun, 2021. 'Japan Must Move Quickly to Fix Its Domestic Law so it can Sign Genocide Convention'. *Japan Forward*, 1 March. Available at: <https://japan-forward.com/japan-must-move-quickly-to-fix-its-domestic-law-so-it-can-sign-genocide-convention/>; Okuyama, Miki, 2021. 'Japan ruling party calls for joining genocide convention'. *Nikkei Asia*, 15 May. Available at: <https://asia.nikkei.com/Politics/International-relations/Japan-ruling-party-calls-for-joining-genocide-convention>.

<sup>7</sup> Michinari Nishida and Kazusa Yoda, 2021. Domestic legislation blocks Japan on Genocide Convention. *Japan News*, 10 May. Available at: <https://japannews.yomiuri.co.jp/society/general-news/20210510-61972/>. For an exploration of other reasons, see Greenhill, Brian, and Michael Strausz, 2014. 'Explaining Nonratification of the Genocide Convention, *Foreign Policy Analysis*. Vol. 10, No. 4, p. 371-391.

<sup>8</sup> International Criminal Court (ICC), n.d. *The States Parties to the Rome Statute*, [https://asp.icc-cpi.int/en\\_menus/asp/states%20parties/pages/the%20states%20parties%20to%20the%20rome%20statute.aspx#J](https://asp.icc-cpi.int/en_menus/asp/states%20parties/pages/the%20states%20parties%20to%20the%20rome%20statute.aspx#J).

<sup>9</sup> ICC, 2019. *Statement by H.E. Mr. Horinouchi Hidehisa Ambassador of Japan to the Netherlands*, [https://asp.icc-cpi.int/iccdocs/asp\\_docs/ASP18/GD.JPN.3.12.pdf](https://asp.icc-cpi.int/iccdocs/asp_docs/ASP18/GD.JPN.3.12.pdf).

<sup>10</sup> United Nations Human Rights Council, 2023. *Thematic list of recommendations: Japan Universal Periodic Review Fourth Cycle*, [https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session42/jp/UPR42\\_Japan\\_Thematic\\_List\\_of\\_Recommendations.doc](https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session42/jp/UPR42_Japan_Thematic_List_of_Recommendations.doc).

<sup>11</sup> Ministry of Justice, n.d. *Human Rights Bureau*, <https://www.moj.go.jp/ENGLISH/HB/hb.html>;

<sup>12</sup> Koike, Osamu, 2014. *Reform of Human Rights Institutions in Japan*, p. 86, [https://ynu.repo.nii.ac.jp/?action=repository\\_action\\_common\\_download&item\\_id=3428&item\\_no=1&attribute\\_id=20&file\\_no=1](https://ynu.repo.nii.ac.jp/?action=repository_action_common_download&item_id=3428&item_no=1&attribute_id=20&file_no=1).

<sup>13</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Japan*, 'Section 2. Respect for Civil Liberties', [https://www.state.gov/wp-content/uploads/2023/03/415610\\_JAPAN-2022-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/03/415610_JAPAN-2022-HUMAN-RIGHTS-REPORT.pdf)

<sup>14</sup> Human Rights Watch (HRW), 2021. *Japan: Events of 2020*, <https://www.hrw.org/world-report/2021/country-chapters/japan>; U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Japan*, 'Section 6. Discrimination, Societal Abuses, and Trafficking in Persons'. [https://www.state.gov/wp-content/uploads/2023/03/415610\\_JAPAN-2022-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/03/415610_JAPAN-2022-HUMAN-RIGHTS-REPORT.pdf)

<sup>15</sup> Translated as "hamlet people", *burakumin* are those within Japanese society that are discriminated against due to having low-status occupations related to death, such as abattoir and sanitation workers, and are considered "unclean". The discrimination dates back to feudal times and continues in modern Japan, despite measures to rectify it. Gates, James, 2018. *Who Are The Burakumin, Japan's "Untouchables"?*, <https://theculturetrip.com/asia/japan/articles/a-look-at-the-burakumin-japans-untouchables/>; Sunda, Mike, 2015. 'Japan's hidden caste of untouchables'. *BBC News*, 23 October. Available at: <https://www.bbc.com/news/world-asia-34615972>.

foreigners, and those of indigenous groups such as the Ainu.<sup>16</sup>

However, in June 2023, the Japanese Diet passed its first-ever law on sexual orientation and gender identity. It states that “all citizens, irrespective of their sexual orientation and/or gender identity, are to be respected as individuals with inherent and inviolable fundamental human rights”.<sup>17</sup> It does not lay out penalties for those engaging in “unfair discrimination”. Critics have challenged the legislation for not going far enough.<sup>18</sup>

Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council.

Very Strong  
Unchanged

Japan’s most recently participated in the fourth cycle of its UPR in early 2023.<sup>19</sup> It considered 300 recommendations and supports 180 of them.<sup>20</sup>

Japan has three overdue reports on treaties it is a party to. They relate to the CAT, CESCR and CERD.<sup>21</sup>

Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations.

Very Strong  
Unchanged

There has been some progress on the Special Procedure reports that are still overdue for Japan. Most recently, the Working Group on Business and Human Rights visited Japan in late July/early August 2023. The Working Group commended Japan’s commitment to promoting human rights norms.<sup>22</sup>

The country retains its open invitation to UN mandate holders.<sup>23</sup>

Ensure equal access to justice.

Very Strong  
Unchanged

Japan’s justice system remains robust and efficient, with an independent judiciary and arrest procedures that respect a suspect’s right to legal counsel.

However, Japan has come under criticism for its treatment and conditions of detainees.<sup>24</sup> A range of issues have been raised, from the length of detention to interrogation practices.<sup>25</sup>

In the UPR, it was recommended that Japan amend these practices, and take steps towards a moratorium on the death penalty.<sup>26</sup>

<sup>16</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Japan*, ‘Section 6. Discrimination and Societal Abuses’, [https://www.state.gov/wp-content/uploads/2023/03/415610\\_JAPAN-2022-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/03/415610_JAPAN-2022-HUMAN-RIGHTS-REPORT.pdf).

<sup>17</sup> Kanae Doi and Minky Worden, 2023. ‘Japan Passes Law to ‘Promote Understanding’ of LGBT People’. *Human Rights Watch*, 12 July. Available at: <https://www.hrw.org/news/2023/07/12/japan-passes-law-promote-understanding-lgbt-people>.

<sup>18</sup> Alice French, 2023. ‘Japan passes controversial LGBT Law: 5 Things to Know’. *Nikkei Asia*, 16 July. Available at: <https://asia.nikkei.com/Spotlight/Gender/Japan-passes-controversial-LGBT-law-5-things-to-know>.

<sup>19</sup> United Nations Human Rights Council, Universal Periodic Review – Japan, <https://www.ohchr.org/en/hr-bodies/upr/jp-index>.

<sup>20</sup> United Nations Human Rights Office of the High Commissioner, 2023. *Report of the Working Group on the Universal Periodic Review: Japan Addendum*, A/HRC/53/15/Add.1.

<sup>21</sup> United Nations Human Rights Office of the High Commissioner (UNOHCHR), n.d. *Late and non-reporting States*, [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/LateReporting.aspx](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/LateReporting.aspx).

<sup>22</sup> United Nations Office of the United Nations High Commissioner for Human Rights, 2023. *UN experts say Japan has made strides on business and human rights, but must tackle systemic challenges*, <https://www.ohchr.org/en/press-releases/2023/08/un-experts-say-japan-has-made-strides-business-and-human-rights-must-tackle>.

<sup>23</sup> UNOHCHR, n.d. *View Country visits of Special Procedures of the Human Rights Council since 1998*, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=JPN&Lang=en>.

<sup>24</sup> Riyo Yoshioka, 2023. ‘Survivors Demand Change to Japan’s ‘Hostage Justice’ System’. *Human Rights Watch*, November 17. Available at: <https://www.hrw.org/news/2023/11/17/survivors-demand-change-japans-hostage-justice-system>.

<sup>25</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Japan*, ‘Section 1. Respect for the Integrity of the Person’, [https://www.state.gov/wp-content/uploads/2023/03/415610\\_JAPAN-2022-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2023/03/415610_JAPAN-2022-HUMAN-RIGHTS-REPORT.pdf).

<sup>26</sup> Office of the United Nations High Commissioner for Human Rights, 2023. *Letter by the High Commissioner to the Foreign Minister*, <https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session42/hc-letter-japan-en.pdf>.

<p>Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity.</p>	<p>Strong Unchanged</p>	<p>Japan's Criminal Code covers atrocity crimes and their commission abroad. However, such crimes are punished under traditional crimes such as murder or rape. Thus, there are no crimes in Japan's domestic legislation specifically termed 'genocide' or 'crimes against humanity'.<sup>27</sup> Efforts to change the criminal code are typically met with resistance.</p>
<p>Take measures to counter and prevent violent extremism.</p>	<p>Strong Unchanged</p>	<p>Japan has taken a strong stance to counter extremism and terrorism. It has participated in eleven Japan-ASEAN Counter-Terrorism Dialogues, and held its second bilateral counter-terror dialogue with Indonesia in October of 2023.<sup>28</sup></p> <p>Although the country has worked to improve its response to terrorism financing and money laundering, the Financial Action Task Force – an independent inter-governmental body that develops and promotes policies to protect the global financial system against money laundering, has been rated as partially compliant.<sup>29</sup></p>
<p>Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence.</p>	<p>Strong Unchanged</p>	<p>Japan has laws in place to prevent discrimination against persons with disabilities, but there are no prescribed penalties for those that do discriminate, nor are there remedies for those suffering from discrimination over disabilities. The Fourth Cycle of the UPR raised concerns specific to this.<sup>30</sup></p> <p>Furthermore, societal discrimination against foreigners or "foreign-looking" persons was also widespread, and there were restrictions in access to education, healthcare, and housing for such persons.<sup>31</sup></p> <p>Sexual and gender-based violence continues to be a problem in Japan. Domestic violence and sexual harassment remain widespread.<sup>32</sup></p> <p>However, women's rights activists made important leeway in 2023. In April, Japan approved medical abortion, although spousal authorisation remains a requirement.<sup>33</sup></p> <p>In June, Japan revised the penal code's definition of rape to be more expansive, and removed requirements of "violence or intimidation".<sup>34</sup></p>
<p>Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law.</p>	<p>Weak Unchanged</p>	<p>In June 2023, the Japanese Diet approved a set of controversial revisions to the Immigration Control and Refugee Recognition Act.<sup>35</sup> Whilst this was meant to be a positive step to increase transparency,</p>

<sup>27</sup> Parliamentarians for Global Action, 2022. *Japan and the Rome Statute*, <https://www.pgaction.org/ilhr/rome-statute/japan.html>.

<sup>28</sup> Ministry of Foreign Affairs, 2023. *Counter Terrorism*, <https://www.mofa.go.jp/policy/terrorism/index.html>. See also: Counter Extremism Project, 2022. *Japan: Extremism and Terrorism*, <https://www.counterextremism.com/countries/japan>.

<sup>29</sup> FATF, 2023. *Anti-money laundering and counter-terrorist financing measures – Japan, 2nd Enhanced Follow-up Report*, <https://www.fatf-gafi.org/content/fatf-gafi/en/publications/Mutualevaluations/japan-fur2023.html>.

<sup>30</sup> Office of the United Nations High Commissioner for Human Rights, 2023. *Letter by the High Commissioner to the Foreign Minister*, <https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session42/hc-letter-japan-en.pdf>.

<sup>31</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Japan*, 'Section 6. Discrimination and Societal Abuses'.

<sup>32</sup> U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Japan*, 'Section 6. Discrimination and Societal Abuses'.

<sup>33</sup> Human Rights Watch, 2024. *Japan: Events of 2023*, <https://www.hrw.org/world-report/2024/country-chapters/japan#49dda6>.

<sup>34</sup> Ibid.

<sup>35</sup> Yunchen Tian, 2023. 'Refugee rights in Japan are fading fast'. *East Asia Forum*, 16 August. Available at: <https://www.eastasiaforum.org/2023/08/16/refugee-rights-in-japan-are-fading-fast/>.

			it appears to have had the opposite effect. One of the revisions authorises the deportation of asylum seekers. Ostensibly, this is supposed to close a ‘loophole’ where migrants reapplying for asylum seeker status use temporary employment permits. <sup>36</sup> The revisions however have received immense criticism from human rights groups, <sup>37</sup> as well as states in the fourth cycle of the UPR.
Domestic Implementation	Conduct a national assessment of risk and resilience.	Very Weak Unchanged	There is no evidence that Japan has assessed risk and resilience regarding the commission of atrocity crimes.
	Cultivate and protect an active, diverse and robust civil society.	Very Strong Unchanged	Japan is widely acknowledged for its robust civil society sector, and it has upheld this reputation through effective measures to combat corruption, a free and independent press, and resilient institutions.  However in recent years, concerns have emerged regarding media freedom, especially laws on state secrets and the prevalence of <i>kisha</i> (reporter) clubs that could limit independent reporting. <sup>38</sup> These issues were raised in the fourth cycle of the UPR and the seventh periodic review of Japan by the Human Rights Committee. <sup>39</sup>
	Ensure a legitimate, effective and civilian controlled security sector.	Very Strong Unchanged	Japan maintains effective control over its security forces, and its military is seen as a well-trained and professional fighting force, particularly by the U.S. <sup>40</sup>  Japan’s forces have recently become more involved in supporting their allies, both overseas in places like Afghanistan but also in the region. Japan recently signed a security agreement with Australia to increase the interoperability of their respective militaries in the face of the changing security environment in Asia and the increased threat of Chinese aggression. <sup>41</sup>
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness.	Very Strong Unchanged	Japan maintains an effective education system, with a compulsory nine years of schooling and high rates of both enrolment and academic achievement. <sup>42</sup>  Like other states, Japan’s education system was effected by COVID-19. Japan’s already high investment in education meant that it was relatively well-equipped to adapt to online learning, although

<sup>36</sup> Ibid.

<sup>37</sup> Kasai, Teppei, 2023. ‘Japan Immigration Law Creates New Obstacles for Asylum Seekers’. *Human Rights Watch*, June 14. Available at: <https://www.hrw.org/news/2023/06/15/japan-immigration-law-creates-new-obstacles-asylum-seekers>; Amnesty International, 2023. ‘Japan: ‘Endless detention’: Migrants speak out as government proposes harsh immigration bill’. *Amnesty International*, 14 March. Available at: <https://www.amnesty.org/en/latest/news/2023/03/japan-endless-detention-migrants-speak-out-as-government-proposes-harsh-immigration-bill/>.

<sup>38</sup> Reporters Without Borders, 2023. *Japan*, <https://rsf.org/en/japan>; Freedom House, 2022. *Freedom in the World 2022: Japan*; U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Japan*, ‘Section 2. Respect for Civil Liberties’.

<sup>39</sup> Civicus Monitor Tracking Civic Space, 2023. *UN Body raises concerns about laws restricting press freedom and stifling of protests while foreign journalists in Japan face threats*. <https://monitor.civicus.org/explore/un-body-raises-concerns-about-laws-restricting-press-freedom-and-stifling-protests-while-foreign-journalists-japan-face-threats/>; United Nations Human Rights Council, 2023. *Thematic list of recommendations: Japan Universal Periodic Review Fourth Cycle*, [https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session42/jp/UPR42\\_Japan\\_Thematic\\_List\\_of\\_Recommendations.doc](https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session42/jp/UPR42_Japan_Thematic_List_of_Recommendations.doc).

<sup>40</sup> Hornung, Jeffrey W., 2021. *Japanese Public Needs to Know SDF to Appreciate It*, <https://www.rand.org/blog/2021/02/japanese-public-needs-to-know-sdf-to-appreciate-it.html>.

<sup>41</sup> The Economist, 2022. ‘RAAring to go’. *The Economist*, 14 January, vol. 442, no. 9278.

<sup>42</sup> National Center on Education and the Economy, 2021. *Top Performing Countries: Japan*, <https://ncee.org/country/japan/>.

	<p>Prevent nationals committing atrocity crimes overseas.</p>	<p>access to data and devices for some students and those in poverty was a concern.<sup>43</sup></p> <p>Japan's focus has now turned to opening up university places for international students to increase its position in a competitive global higher education market to help deal with a worsening labour shortage after the pandemic.<sup>44</sup></p> <p>As mentioned in a previous Indicator, Japan does prevent their nationals committing atrocity crimes overseas. However, there are no explicit crimes in the Japanese Criminal Code labelled as atrocity crimes.</p>
<p>Bilateral and Multilateral Relations</p>	<p>Participate in international, regional, and national discussions on the further advancement of R2P.</p> <p>Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect.</p>	<p>Very Strong <b>Unchanged</b></p> <p>Japan by itself has not participated in any international discussions regarding R2P since 2018, where it gave a statement at the UN General Assembly's General Debate on R2P. It remained committed to the norm, highlighting its efforts to strengthen the rule of law through its development assistance and hence improve structural atrocity prevention efforts.<sup>45</sup></p> <p>More generally, Japan is committed to reforming the UN, and has actively spoken on the necessity to shift the power dynamics, particularly away from the permanent five members of the Security Council. It also has put itself forward as a potential new permanent member.<sup>46</sup></p> <p>In February 2023, Japan held its second National Dialogue on R2P and Atrocity Prevention.<sup>47</sup> While Japan still maintains a strong focus on human security, Japan has demonstrated a commitment to deepening its understanding of and engagement with R2P.</p> <p>Japan has voted in favour of all resolutions that reference R2P. Japan has previously served on the United Nations Human Rights Council. It will begin a new term in January 2024.<sup>48</sup></p> <p><b>UN General Assembly Resolutions:</b><sup>49</sup></p> <ul style="list-style-type: none"> <li>• 2021: Terrorism and human rights A/RES/76/169: <b>adopted without vote.</b></li> <li>• 2021: Situation of human rights in the Democratic People's Republic of Korea A/RES/76/177: <b>adopted without vote.</b></li> </ul>

<sup>43</sup> UNESCO and UNICEF, 2021. *Japan Case Study: Situation Analysis on the Effects of and Responses to COVID-19 on the Education Sector in Asia*, p. 12-13, <https://www.unicef.org/eap/media/9331/file/Sit%20An%20-%20Japan%20Case%20study.pdf>.

<sup>44</sup> Khan, Zahra, 2023. 'Japan unveils plans to breathe new life into its higher education institutions'. *Chemistry World*, 22 November. Available at: <https://www.chemistryworld.com/news/japan-unveils-plans-to-breathe-new-life-into-its-higher-education-institutions/4018348.article>.

<sup>45</sup> Permanent Mission of Japan to the United Nations, 2018. *Ambassador Hoshino's statement in the 72nd UN General Assembly agenda 132 "Responsibility to Protect (R2P)"*, [https://www.un-emb-japan-go.jp.translate.googleusercontent.com/translate\\_itpr\\_ja/hoshino062518.html?x\\_tr\\_sl=ja&x\\_tr\\_tl=en&x\\_tr\\_hl=en&x\\_tr\\_pto=sc](https://www.un-emb-japan-go.jp.translate.googleusercontent.com/translate_itpr_ja/hoshino062518.html?x_tr_sl=ja&x_tr_tl=en&x_tr_hl=en&x_tr_pto=sc).

<sup>46</sup> Permanent Mission of Japan to the United Nations, 2012. 'Security Council Reform', [https://www.un-emb-japan.go.jp/topics/en/security\\_council\\_reform.html](https://www.un-emb-japan.go.jp/topics/en/security_council_reform.html).

<sup>47</sup> Asia Pacific Centre for the Responsibility to Protect (APR2P), 2023. *Second Japan National Dialogue on the Responsibility to Protect and Atrocities Prevention*, [https://r2pasiapacific.org/files/9903/Spotlight\\_2nd\\_Japan\\_National\\_Dialogue\\_2023.pdf](https://r2pasiapacific.org/files/9903/Spotlight_2nd_Japan_National_Dialogue_2023.pdf).

<sup>48</sup> United Nations, 2023. *General Assembly Elects 15 Members to Human Rights Council*, <https://press.un.org/en/2023/ga12543.doc.htm>.

<sup>49</sup> GCR2P, 2022. *UN General Assembly Resolutions Referencing R2P*, <https://www.globalr2p.org/resources/un-general-assembly-resolutions-referencing-r2p-2/>. (Voting records for UN resolutions can be found here: <https://digitallibrary.un.org/?ln=en>.)



- 2021: Situation of human rights in the Syrian Arab Republic A/RES/76/228: **in favour**.
- 2022: Extrajudicial, summary or arbitrary executions A/RES/77/218: **in favour**.
- 2022: Situation of human rights in the Democratic People's Republic of Korea A/RES/77/226: **adopted without vote**.
- 2022: Situation of human rights of Rohingya Muslims and other minorities in Myanmar A/RES/77/227: **adopted without vote**.
- 2022: Situation of human rights in the Syrian Arab Republic A/RES/77/230: **in favour**.

#### UN Human Rights Council Resolutions:<sup>50</sup>

- 2021: Situation of human rights in the Syrian Arab Republic A/HRC/RES/48/15: **in favour**.
- 2021: Technical assistance and capacity building in the field of human rights in the Central African Republic A/HRC/RES/48/19: **adopted by consensus**.
- 2022: Advancing human rights in South Sudan A/HRC/RES/49/2: **in favour**.
- 2022: Situation of human rights in the Democratic People's Republic of Korea A/HRC/RES/49/22: **adopted by consensus**.
- 2022: Situation of human rights in the Syrian Arab Republic A/HRC/RES/49/27: **in favour**.
- 2022: Situation of human rights in the Syrian Arab Republic A/HR/RES/50/19: **in favour**.
- 2022: Human rights and transitional justice A/HRC/RES/51/23: **adopted by consensus**.
- 2022: Situation of human rights in the Syrian Arab Republic A/HRC/RES/51/26: **against**.
- 2022: Situation of human rights in Burundi A/HRC/RES/51/28: **in favour**.
- 2022: Technical assistance and capacity-building in the field of human rights in the Central African Republic A/HRC/RES/51/37: **adopted by consensus**.

Despite Japan's strong backing for R2P in United Nations discussions, its effectiveness is diminished by its inconsistent and unenthusiastic position regarding Myanmar and the Tatmadaw's actions towards the Rohingya and Myanmar citizens post the February 2021 coup.

Japan has historically abstained from resolutions in the Human Rights Council that have referenced Myanmar. Whilst Japan has continued supplying

Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such

Fair  
Unchanged

<sup>50</sup> GCR2P, 2023. *UN Human Rights Council Resolutions Referencing R2P*, <https://www.globalr2p.org/resources/un-human-rights-council-resolutions-referencing-r2p/>. (Voting records for UN resolutions can be found here: <https://digitallibrary.un.org/?ln=en>.)

	<p>as good offices and preventive diplomacy.</p>		<p>aid to Myanmar,<sup>51</sup> many have critiqued the state for playing a ‘diplomatic double game’ – it has officially condemned the coup, but also normalised ties with the junta.<sup>52</sup> Japan has a strategic interest to maintain positive relations with the junta to prevent a shift towards increased Chinese investment and influence.<sup>53</sup></p> <p>Perhaps its new term in the Human Rights Council in 2024 will be an opportunity for Japan to take a greater leadership role in the conflict and utilise its diplomatic credibility to work towards a solution in Myanmar through the United Nations or ASEAN.<sup>54</sup> The shadow government in Japan and the United Nations have urged Japanese leadership to step up the pressure on the junta.<sup>55</sup></p>
	<p>Strengthen regional and international networks for atrocity crime prevention.</p>	<p>Fair Unchanged</p>	<p>There is no evidence that Japan has advocated for atrocity prevention in networks it is a part of. It has certainly been pursuing regional ties,<sup>56</sup> but through a lens of establishing strategic viability vis-à-vis China, rather than promotion of atrocity prevention.</p>
	<p>Strengthen the role and capacity of regional organisations.</p>	<p>Strong Increase</p>	<p>In 2023, Japan and ASEAN agreed to strengthen ties and deepen relations regarding security and economic issues.<sup>57</sup></p> <p>Efforts to maintain a strong relationship with the block are fostered on mutual interests that take on a strategic tone given the competition between China and other regional partnerships.<sup>58</sup> As such, atrocity prevention is not explicitly mentioned in the relationships between Japan and ASEAN countries.</p>
	<p>Support the development and work of regional human rights and other preventive capacities.</p>	<p>Strong Unchanged</p>	<p>Japan’s close relationship with ASEAN and the large amounts of development assistance it provides to countries in the global South does not, perhaps surprisingly, emphasise the promotion of human rights above all else. Their approach with regional partners is much more pragmatic, and targets things</p>

<sup>51</sup> Kyodo News, 2021. ‘Japan to extend \$5.8 mil. in humanitarian aid for crisis-hit Myanmar’. *Kyodo News*, 13 July. Available at: <https://english.kyodonews.net/news/2021/07/f2eb730d82b2-japan-to-extend-58-mil-in-humanitarian-aid-for-crisis-hit-myanmar.html>

<sup>52</sup> Kasai, Teppei, 2021. ‘Japan Plays a Diplomatic Double Game on Rights in Myanmar’. *Human Rights Watch*, 2 December. Available at: <https://www.hrw.org/news/2021/12/02/japan-plays-diplomatic-double-game-rights-myanmar>.

<sup>53</sup> Sasamori, Keiho, 2021. ‘Japan’s Myanmar Missteps Are Damaging Its Image’; Vasisht, Cchavi, 2021. *Japan’s Economic and Geo-Strategic Interests in Myanmar*, <https://www.vifindia.org/article/2021/august/04/japans-economic-and-geo-strategic-interests-in-myanmar>; Park, Ju-min, Antoni Slodkowski, 2021. ‘Japan business lobbyist back Myanmar coup, urges investment’. *Reuters*, 20 December. Available at: <https://www.reuters.com/business/autos-transportation/japan-business-lobbyist-backs-myanmar-coup-urges-investment-2021-12-17/>.

<sup>54</sup> Renshaw, Catherine, 2022. ‘Can the world stop Myanmar from becoming a failed state?’ *The Conversation*, 1 February. Available at: <https://theconversation.com/can-the-world-stop-myanmar-from-becoming-a-failed-state-174868>.

<sup>55</sup> Japan Times, 2023. ‘Myanmar shadow government urges more pressure on junta’. *Japan Times*, 22 November. Available at: <https://www.japantimes.co.jp/news/2023/11/22/japan/myanmar-shadow-government-tokyo-visit/>; United Nations, 2023. ‘UN expert urges Japan to ‘step up pressure’ on Myanmar junta’. *UN News*, 28 April. Available at: <https://news.un.org/en/story/2023/04/1136182>.

<sup>56</sup> Pajon, Céline, 2019. *Japan’s Indo-Pacific Strategy: Shaping A Hybrid Regional Order*, <https://warontherocks.com/2019/12/japans-indo-pacific-strategy-shaping-a-hybrid-regional-order/>; Armstrong, Shiro, 2022. ‘Turn defence ties with Japan into bigger regional partnership’. *Australian Financial Review*, 6 January. Available at: <https://www.afr.com/policy/foreign-affairs/turn-defence-ties-with-japan-into-bigger-regional-partnership-20220105-p59m45>.

<sup>57</sup> The Japan Times, 2023. ‘Japan and ASEAN vow to widen cooperation after 50 years of ties’ *The Japan Times*, 17 December. Available at: <https://www.japantimes.co.jp/news/2023/12/17/japan/politics/japan-asean-summit/>.

<sup>58</sup> These include the Quad, of which Japan is a part, and AUKUS. While not related to atrocity prevention, an examination of Japan’s potential to be a mediator between ASEAN and security partnerships in the region can be found here: Irsadanar, Rafyoga Jehan Pratama, 2021. ‘Can Japan Be a Bridge Between AUKUS and ASEAN?’ *The Diplomat*, 26 October. Available at: <https://thediplomat.com/2021/10/can-japan-be-a-bridge-between-aukus-and-asean/>.

			<p>such as good governance and the rule of law.<sup>59</sup> These procedures certainly aid in structural or ‘upstream’ prevention of atrocities, which is in line with previous Japanese efforts to perceive R2P through the lens of human security. Its first dialogue discussing Japanese idiosyncrasies around R2P will likely reframe the norm as similar yet distinct from human security, potentially creating impetus for more targeted preventive capacities.</p> <p>Japan is an outlier with G7 countries in not explicitly condemning China for its abuses against Uighurs in Xinjiang. It has not imposed sanctions on China, most likely due to political and strategic concerns.<sup>60</sup></p>
	Support atrocity prevention through development and assistance partnerships.	Strong Unchanged	<p>Japan provides a wide range of development assistance to countries throughout Asia and Africa, and it was the largest donor in Asia in the 2021 financial year.<sup>61</sup> In line with Japan’s view of promoting atrocity prevention through the rubric of human security, thematic issues of Japan’s ODA include education, health, peace-building, gender and development, and poverty reduction.<sup>62</sup></p> <p>Recently, Japan’s focus for its assistance has changed to a ‘Free and Open Indo-Pacific’, with a continuing priority on Asia and increasing development in Africa.<sup>63</sup> In 2023, the launched a New Plan for a “Free and Open Indo-Pacific”.<sup>64</sup></p>
United Nations, prevention, Peacekeeping, and assistance	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P.	Fair Unchanged	No recent evidence could be found of Japan explicitly supporting or hindering the UN Office on Genocide Prevention and R2P. Given its previous support for the Office, it can be assumed it maintains at least rhetorical support for its activities.
	Support the strengthening of the UN’s capacity for atrocity prevention, including through the UN Human Rights system.	Very Strong Unchanged	Japan maintains strong support for human rights in cooperation with the UN, as their voting record on the Human Rights Council suggests.
	Support preventive actions on atrocity crimes.	Strong Unchanged	Japan, through its development assistance and international emphasis on human security, supports structural atrocity prevention efforts by strengthening governance structures and the rule of law, particularly in Asian and African countries.
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate).	Fair Unchanged	<p>Since its first deployment of its Self-Defense Forces in 1992, Japan has participated in operations in Cambodia, Mozambique, Timor-Leste and the Golan Heights, as well as providing logistical support and aid in a number of other operations.<sup>65</sup></p> <p>The country currently has four staff officers attached to UNMISS,<sup>66</sup> which has a protection of</p>

<sup>59</sup> Ministry of Foreign Affairs of Japan, 2020. *ASEAN Policy Speech by Foreign Minister Motegi Toshimitsu*; Glosserman, Brad, 2020. *A Japanese Perspective*, <https://theasanforum.org/a-japanese-perspective-12/>.

<sup>60</sup> Harold, Scott, W., 2021. *Upcoming Summit an Opportunity for Japan to Reconsider Whether to Join Rest of G-7 in Sanctioning China Over Genocide*, <https://www.rand.org/blog/2021/04/upcoming-summit-an-opportunity-for-japan-to-reconsider.html>.

<sup>61</sup> Donor Tracker, n.d. *Japan*, ‘ODA funding’, <https://donortracker.org/country/japan>.

<sup>62</sup> Japan International Cooperation Agency, n.d. *Thematic Issues*, [https://www.jica.go.jp/english/our\\_work/thematic\\_issues/index.html](https://www.jica.go.jp/english/our_work/thematic_issues/index.html).

<sup>63</sup> Donor Tracker, n.d. *Japan*, ‘Policy Priorities’.

<sup>64</sup> Ministry of Foreign Affairs, 2023. *New Plan for a “Free and Open Indo-Pacific (FOIP)*, [100484990.pdf \(mofa.go.jp\)](https://www.mofa.go.jp/100484990.pdf).

<sup>65</sup> Ministry of Foreign Affairs, 2015. *Japan’s Contributions Based on the International Peace Cooperation Act*, [https://www.mofa.go.jp/fp/ipc/page22e\\_000684.html](https://www.mofa.go.jp/fp/ipc/page22e_000684.html).

<sup>66</sup> United Nations Peacekeeping, 2021. *Troop and Police Contributors*, <https://peacekeeping.un.org/en/troop-and-police-contributors>. (Japan can be selected from the drop down menus.)

		civilians mandate. It had a significant deployment of personnel but withdrew them in 2017. The reasons for this have much to do with Japan's political context at the time and the widespread aversion for actual warfighting in Japanese politics and society (a consequence of the Second World War). <sup>67</sup>
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping.	Very Strong Unchanged
	Support the Kigali Principles.	Very Weak Unchanged
	Support UN Security Council veto restraint on issues relating to atrocity prevention.	Very Strong Unchanged
		While Japan's actual deployment of peacekeepers on operations may be lacking, the country's training facilities and support for peace cooperation through peacekeeping is palpable and is used alongside its development assistance. This includes not only the training of its own peacekeepers, but peacekeepers of other countries. <sup>68</sup>
		Perhaps due to its relatively low levels of peacekeeper deployments, Japan remains a non-signatory to the Kigali Principles on the Protection of Civilians.
		Japan still supports both the UN Security Council Code of Conduct, <sup>69</sup> and the French/Mexican initiative on veto restraint. <sup>70</sup>

<sup>67</sup> For more information and commentary about Japan's withdrawal, see: Hornung, Jeffrey W., 2017. *Japan's Mistaken South Sudan Withdrawal*, <https://www.rand.org/blog/2017/06/japans-mistaken-south-sudan-withdrawal.html#:~:text=The%20Japanese%20government%20has%20officially,and%20largest%20UN%20peacekeeping%20mission.&text=Prime%20Minister%20Shinzo%20Abe's%20decision,Sudan%20is%20an%20unfortunate%20choice>; Tatsumi, Yuki, 2017. 'Japan Self-Defense Force Withdraws From South Sudan'. *The Diplomat*, 13 March. Available at: <https://thediplomat.com/2017/03/japan-self-defense-force-withdraws-from-south-sudan/>; Hutchinson, Emma, Adam Day, 2018. *Is the Cruz Report the End of Peacekeeping for Japan?*, <https://ourworld.unu.edu/en/is-the-cruz-report-the-end-of-peacekeeping-for-japan>.

<sup>68</sup> United Nations Peacekeeping, 2021. *Statement by Mr. Akihiro Tsuchimichi Vice-Minister of Defense for International Affairs*, <https://peacekeeping.un.org/sites/default/files/japan.pdf>; Kim, Felix, 2020. 'Japan's military puts priority on peacekeeping operations'. *Indo-Pacific Defense Forum*, 10 August. Available at: <https://ipdefenseforum.com/2020/08/japans-military-puts-priority-on-peacekeeping-operations/>.

<sup>69</sup> GCR2P, 2019. *List of Signatories of the ACT Code of Conduct*, <https://www.globalr2p.org/resources/list-of-signatories-to-the-act-code-of-conduct/>.

<sup>70</sup> GCR2P, 2020. *List of Supporters of the Political Declaration on Suspension of Veto*, <https://www.globalr2p.org/resources/list-of-supporters-of-the-political-declaration-on-suspension-of-veto/>.