



JAPAN

UPDATED ASSESSMENT OF R2P IMPLEMENTATION 2022



 r2pasiapacific.org

 r2pinfo@uq.edu.au

The following Updated Assessment Annex provides an overview of Japan's efforts in implementing R2P as of 2022. For a full description of the methodology used in this study, see Part II of 'Implementing the Responsibility to Protect in the Asia Pacific: An Assessment of Progress and Challenges', available [here](#). For more information on R2P implementation in the Asia Pacific in 2022, see the updated assessment [here](#).

JAPAN

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. However, holding their first National R2P Dialogue in 2022 may signal 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. 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. 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.

It tends to support early preventive action, the significant exception being the 2017 crisis in Rakhine state, due to its comprehensive bilateral relationship with Myanmar. This relationship has continued to stymie stronger Japanese responses to the ongoing violence in Myanmar.

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.

JAPAN

Assessment	Indicator
Very Strong	Protection of populations from atrocity crimes
	Reduction of atrocity crime risks
	Appoint national R2P Focal Point
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court
	Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council
	Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations
	Ensure equal access to justice
	Cultivate and protect an active, diverse and robust civil society
	Ensure a legitimate, effective and civilian controlled security sector
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness
	Participate in international, regional and national discussions on the further advancement of R2P
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping
	Support UN Security Council veto restraint on issues relating to atrocity prevention
Strong	Sign, ratify and implement relevant instruments of international law
	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination
	Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity
	Take measures to counter and prevent violent extremism
	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence
	Prevent nationals committing atrocity crimes overseas
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect
	Support the development and work of regional human rights and other preventive capacities
	Support atrocity prevention through development and assistance partnerships
	Support preventive actions on atrocity crimes
Fair	Dealing with past atrocities
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships
	Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy
	Strengthen regional and international networks for atrocity crime prevention

	Strengthen the role and capacity of regional organisations
	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate)
Weak	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law
Very Weak	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles
	Conduct a national assessment of risk and resilience
	Support the Kigali Principles

Japan 2022 Score: 70

Japan 2019 Score: 78

Difference: - 8 

Japan showed the largest decline in the region between 2019 and 2022, although its score is only half the story. It is a strong supporter of atrocity prevention and human rights, although some domestic issues remain with discrimination. Japan maintains prioritisation of the preventive and structural aspects of R2P (such as good governance and functioning justice systems) through its international engagement and development policies. The widespread and continued acceptance of the norm ensures Japan remains one of the region's strongest performers in R2P implementation.

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	Despite recent changes in government and the onset of the pandemic, Japan's strong governance structure, civil society and functioning justice sector means the chances of atrocity crimes occurring in the country are remote.
	Dealing with past atrocities.	Fair Unchanged	Japan continues to have a contentious relationship with other Asia Pacific nations over its actions in the Second World War, and lingering questions of justice for the atrocities the Imperial Japanese forces committed in the region remain. The most pertinent issue is that of 'comfort women', the euphemism that relates to women who were forced to become sex slaves to Japanese soldiers during their occupation of their respective countries. While Japan considers the issue resolved (or over exaggerated), many survivors and their families are still seeking justice. ¹
Policy Mechanisms	Appoint national R2P Focal Point.	Very Strong Unchanged	Japan retains its national R2P Focal Point. ²
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships.	Fair Unchanged	Japan maintains the practice of undertaking atrocity prevention measures from the perspective of human security, with targeted development projects that are focused on structural prevention of atrocity crimes. These projects include poverty reduction, building sustainable and trustworthy government processes, and developing inclusive societies. ³ 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> . ⁴ While debate in the country to ratify the treaty has occurred in the past, new impetus was given in the wake of increased visibility of China's treatment of the Uighur's in Xinjiang. ⁵

¹ Amnesty International, 2021. *South Korea: Disappointing Japan ruling fails to deliver justice to 'comfort women'*, <https://www.amnesty.org/en/latest/news/2021/04/south-korea-disappointing-japan-ruling-fails-to-deliver-justice-to-comfort-women/>; McCarthy, Julie, 2020. 'PHOTOS: Why These World War II Sex Slaves Are Still Demanding Justice'. *npr*, 4 December. Available at: <https://www.npr.org/sections/goatsandsoda/2020/12/04/940819094/photos-there-still-is-no-comfort-for-the-comfort-women-of-the-philippines>.

² 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/>.

³ A list can be found here: Japan International Cooperation Agency (JICA), 2020. *Annual Report 2020*, <https://www.jica.go.jp/english/publications/reports/annual/2020/index.html>.

⁴ 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.

⁵ 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>.

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> , ⁶ and continues to invest in and support the work the Court carries out. ⁷
Establish and maintain National Human Rights Institutions in accordance with the Paris Principles.	Very Weak Decrease	Japan still does not possess an independent national human rights institution, despite propositions for the development of one for two decades. The closest the country comes to such an entity is the Human Rights Bureau, ⁸ yet this is under the command of the Ministry of Justice, and thus not an independent body. ⁹
Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination.	Strong Decrease	Japan has a strong record of respecting human rights and individual freedoms, and freedom of speech, expression, assembly, association, and movement are generally respected by Japanese authorities. ¹⁰ Despite this, discrimination in Japan is rather common, and the country does not possess a general law that prohibits discrimination based on race, ethnicity, religion, sexual orientation, or gender identity. ¹¹ Societal discrimination still exists regarding <i>burakumin</i> , ¹² ethnic Koreans and Chinese, foreigners, and those of indigenous groups such as the Ainu. ¹³ There are also reports of health workers and their families being discriminated against during the pandemic. ¹⁴
Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council.	Very Strong Unchanged	Japan is set to have its next UPR in November 2022. ¹⁵ Japan has two overdue reports on treaties it is a party to. They relate to the CAT and CESC and are both overdue by less than five years. ¹⁶
Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations.	Very Strong Unchanged	There has been no progress on the Special Procedure reports that are still overdue for Japan, potentially a circumstance of the pandemic. Many of the visits to Japan have finalised their reports,

⁶ 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.

⁷ 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.

⁸ Ministry of Justice, n.d. *Human Rights Bureau*, <https://www.moj.go.jp/ENGLISH/HB/hb.html>;

⁹ 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

¹⁰ U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Japan*, ‘Section 2. Respect for Civil Liberties, Including:’, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/japan/>; Freedom House, 2021. *Freedom in the World 2021: Japan*, <https://freedomhouse.org/country/japan/freedom-world/2021>.

¹¹ 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’.

¹² 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>.

¹³ The Economist, 2021. ‘The stories we tell’. *The Economist*, 26 June, vol. 439, no. 9251.

¹⁴ Amnesty International, 2021. *Japan: 2020*, ‘Discrimination’, <https://www.amnesty.org/en/location/asia-and-the-pacific/east-asia/japan/report-japan/>.

¹⁵ UPR-Info, 2022. *Japan*, <https://www.upr-info.org/en/review/Japan>.

¹⁶ 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.

Ensure equal access to justice.	Very Strong Unchanged	<p>and the country retains its open invitation to UN mandate holders.¹⁷</p> <p>Japan's justice system remains robust and efficient, with an independent judiciary and arrest procedures that respect a suspect's right to legal counsel.</p> <p>Of note is Japan's system of substitute prisons, where pre-indictment detention can last for 23 days or longer, with only access to a suspect's attorney being allowed.¹⁸ Japan's use of the death penalty and treatment of inmates on death row has drawn concern from some human rights groups.¹⁹</p>
Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity.	Strong Unchanged	<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'.²⁰</p>
Take measures to counter and prevent violent extremism.	Strong Unchanged	<p>Japan has continued to take a strong stance to counter extremism and terrorism. It has continued to participate in the Japan-ASEAN Counter-Terrorism Dialogue, and held its first bilateral counter-terror dialogue with Indonesia in June of 2021.²¹</p> <p>The country has also improved its response to terrorism financing and money laundering, although they are still lacking in some areas. The Mutual Evaluation Report for Japan in 2021 by the Asia Pacific Group on Money Laundering found that Japan's anti-terror financing architecture is, for the most part, moderately compliant.²²</p>
Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence.	Strong Decrease	<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. 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.²³</p> <p>Sexual and gender-based violence continues to be a problem in Japan, particularly in the wake of the COVID-19 pandemic. Domestic violence and sexual harassment remain widespread. However, laws have been recently changed to require companies, local governments and other entities to prevent discrimination based on sexual and gender identity.²⁴</p>

¹⁷ 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>.

¹⁸ For more information, see: U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Japan*, 'Section 1. Respect for the Integrity of the Person, Including Freedom from: Arrest Procedures and Treatment of Detainees'.

¹⁹ See: HRW, 2021. *Japan: Events of 2020*, 'Death Penalty'; Amnesty International, 2021. *Japan: 2020*, 'Death penalty'.

²⁰ Parliamentarians for Global Action, 2022. *Japan and the Rome Statute*, <https://www.pgaction.org/ilhr/rome-statute/japan.html>.

²¹ Ministry of Foreign Affairs, 2021. *Counter Terrorism*, <https://www.mofa.go.jp/policy/terrorism/index.html>. See also: Counter Extremism Project, 2021. *Japan: Extremism and Terrorism*, <https://www.counterextremism.com/countries/japan>.

²² See: Asia Pacific Group (APG), 2022. *Documents*, <http://www.apgml.org/members-and-observers/members/member-documents.aspx?m=e169e14f-ffc2-4b19-b18b-f2c9b37ac4bf>. (The 2021 report can be downloaded via the link).

²³ U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Japan*, 'Section 6. Discrimination, Societal Abuses, and Trafficking in Persons: Members of National/Racial/Ethnic Minority Groups'.

²⁴ HRW, 2021. *Japan: Events of 2020*, 'Women's Rights', 'Sexual Orientation and Gender Identity'; Amnesty International, 2021. *Japan 2020*, 'Lesbian, gay, bisexual, transgender and intersex (LGBTI) people', 'Violence against women'; Freedom House, 2021. *Freedom in the World 2021: Japan*, 'F. Rule of Law'.

	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law.	Weak Unchanged	<p>In 2019 Japan's refugee policy was altered to allow more migrant workers into the country, yet its refugee policy remains dismal, with roughly one percent of all applicants becoming legal refugees after an average of three years in detention.</p> <p>In early 2021, the <i>Immigration Control and Refugee Recognition Act</i>, the legislation that governs refugee applications, was set for revision due to criticism from the UN and domestically. The revisions received a mixed reaction from human rights groups, and they were scrapped following criticism of the system stemming from the death of a Sri Lankan woman in detention.²⁵</p>
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	<p>Japan is widely recognised as possessing a strong civil society sector, and the country has maintained that reputation with strong safeguards against corruption, a free press, and strong institutions.</p> <p>There is some concern over media freedom, especially regarding laws on state secrets and the prevalence of <i>kisha</i> (reporter) clubs that could limit independent and foreign reporting.²⁶</p>
	Ensure a legitimate, effective and civilian controlled security sector.	Very Strong Unchanged	<p>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.²⁷</p> <p>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.²⁸</p>
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness.	Very Strong Unchanged	<p>Japan maintains an effective education system, with a compulsory nine years of schooling and high rates of both enrolment and academic achievement.²⁹</p> <p>A case study report on Japan, developed by UNESCO and UNICEF, examined the impact of COVID-19 on its education system and the response to it. It found that Japan's already high investment in education placed it in a good position to adapt to online learning, although access to data</p>

²⁵ See: Yoshikawa, Yusaku, 2021. *Japan's intensifying refugee debate*, <https://www.eastasiaforum.org/2021/10/27/japans-intensifying-refugee-debate/#:~:text=Japan's%20refugee%20acceptance%20rate%20is,applications%20in%20the%20following%20year.>; BBC, 2021. 'Japan pulls controversial asylum seeker bill after criticism', *BBC News*, 19 May. Available at: <https://www.bbc.com/news/world-asia-57167004>; Akimoto, Daisuke, 2021. 'Japan's Changing Immigration and Refugee Policy'. *The Diplomat*, 12 March. Available at: <https://thediplomat.com/2021/03/japans-changing-immigration-and-refugee-policy/>.

²⁶ Reporters Without Borders, 2021. *Japan*, <https://rsf.org/en/japan>; Freedom House, 2021. *Freedom in the World 2021: Japan*; U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Japan*, 'Section 2. Respect for Civil Liberties, Including: A. Freedom of Expression, Including for the Press'.

²⁷ 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>.

²⁸ The Economist, 2022. 'RAAring to go'. *The Economist*, 14 January, vol. 442, no. 9278.

²⁹ National Center on Education and the Economy, 2021. *Top Performing Countries: Japan*, <https://ncee.org/country/japan/>.

	Prevent nationals committing atrocity crimes overseas.	Strong Unchanged	and devices for some students and those in poverty was a concern. ³⁰ 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.
Bilateral and Multilateral Relations	Participate in international, regional, and national discussions on the further advancement of R2P.	Very Strong Unchanged	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. ³¹ They were also part of a statement given by Costa Rica on behalf of the Group of Friends of R2P in 2021, which supported the adoption of the resolution to include R2P on the UN General Assembly's annual agenda. ³² In March 2022, Japan held its first National Dialogue on R2P and Atrocity Prevention. ³³ Japan's understanding of and engagement with R2P has stagnated in favour of human security, which is seen as the primary purpose of Japan's development aid. While Japan is still broadly supportive of R2P, the national dialogue is an encouraging sign that the country will engage with the principle more actively in the future.
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect.	Strong Increase	Japan has voted in favour of all resolutions that reference R2P. UN General Assembly Resolutions: ³⁴ <ul style="list-style-type: none"> • 2018: Extrajudicial, summary or arbitrary executions A/RES/73/172: yes. • 2018: Situation of human rights in the Democratic People's Republic of Korea A/RES/73/180: adopted without vote. • 2018: Situation of human rights in the Syrian Arab Republic A/RES/73/182: yes. • 2019: Situation of human rights in the Democratic People's Republic of Korea A/RES/74/166: adopted without vote. • 2019: Situation of human rights in the Syrian Arab Republic A/RES/74/169: yes. • 2020: Situation of human rights in the Democratic People's Republic of Korea A/RES/75/190: adopted without vote.

³⁰ 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>.

³¹ 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.google.it/pr_ja/hoshino062518.html? x tr sl=ja& x tr tl=en& x tr hl=en& x tr pto=sc.

³² GCR2P, 2021. *Statement delivered on behalf of members of the Group of Friends of R2P at the 2021 UN General Assembly Debate on R2P*, <https://www.globalr2p.org/resources/statement-delivered-on-behalf-of-members-of-the-group-of-friends-of-r2p-at-the-2021-un-general-assembly-debate-on-r2p/>.

³³ Asia Pacific Centre for the Responsibility to Protect (APR2P), 2022. *Japan: First National Dialogue on R2P and Atrocities Prevention*, https://r2pasiapacific.org/files/8117/Spotlight_mar2022_Japan_1st_national_dialogue.pdf.

³⁴ GCR2P, 2021. *UN General Assembly Resolutions Referencing R2P*, <https://www.globalr2p.org/resources/un-general-assembly-resolutions-referencing-r2p-2/>. (Voting records for each resolution were accessed using the UN's Digital Library: General Assembly of the United Nations, n.d. *Voting Records*, <https://www.un.org/en/ga/documents/voting.asp>.)

- 2020: Extrajudicial, summary or arbitrary executions A/RES/75/189: **yes**.
- 2020: Situation of human rights in the Syrian Arab Republic A/RES/75/193: **yes**.
- 2021: Promoting a culture of peace and tolerance to safeguard religious sites A/RES/75/258: **adopted without vote**.
- 2021: The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity A/RES/75/277: **yes**.

UN Human Rights Council Resolutions:³⁵

Japan was elected to the Human Rights Council for a second consecutive three-year term in 2020.³⁶ They have voted in favour of resolutions that have referenced R2P.

2020

- Situation of human rights in the Democratic People's Republic of Korea A/HRC/RES/43/25: **adopted by consensus**.
- Situation of human rights in South Sudan A/HRC/RES/43/27: **adopted by consensus**.
- Situation of human rights in the Syrian Arab Republic A/HRC/RES/43/28: **in favour**.
- Prevention of genocide A/HRC/RES/43/29: **adopted by consensus**.
- Fifteenth anniversary of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, as enshrined in the World Summit Outcome in 2005 A/HRC/RES/44/14: **adopted by consensus**.
- Situation of human rights in the Syrian Arab Republic A/HRC/RES/44/21: **in favour**.
- Situation of human rights in the Syrian Arab Republic A/HRC/RES/45/21: **in favour**.
- Technical assistance and capacity-building in the field of human rights in the Central African Republic A/HRC/RES/45/35: **adopted by consensus**.

2021

- Situation of human rights in the Democratic People's Republic of Korea A/HRC/RES/46/17: **adopted by consensus**.
- Situation of human rights in the Syrian Arab Republic A/HRC/RES/46/22: **in favour**.

³⁵ GCR2P, 2021. *UN Human Rights Council Resolutions Referencing R2P*, <https://www.globalr2p.org/resources/un-human-rights-council-resolutions-referencing-r2p/>. Voting records for Japan during its tenure in the HRC can be found by using the appropriate filters here: Universal Rights Group Geneva, 2021. *Country Voting History Portal: Japan*, <https://www.universal-rights.org/country-voting-history-portal/country/?country=Japan>.

³⁶ United Nations, General Assembly, Note verbale dated 11 January 2019 from the Permanent Mission of Japan to the United Nations addressed to the President of the General Assembly, 26 February 2019, A/74/74.

- Situation of human rights in South Sudan A/HRC/RES/46/23: **in favour**.
- Technical assistance and capacity building for South Sudan A/HRC/RES/46/29: **adopted by consensus**.
- Situation of human rights in the Tigray region of Ethiopia A/HRC/RES/47/13: **in favour**.
- Situation of human rights in the Syrian Arab Republic A/HRC/RES/47/18: **in favour**.

Unfortunately, Japan's excellent support for R2P in UN fora continues to be undermined by its lacklustre and contradictory stance on Myanmar and the Tatmadaw's actions to the Rohingya and Myanmar citizens following the coup in February 2021.³⁷

Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy.	Fair Unchanged	Japan has continued to abstain from resolutions in the Human Rights Council that have referenced Myanmar. The country seems to be walking a line between condemning the violence of the coup and maintaining close ties with Myanmar to stave off a turn to Chinese investment and influence. ³⁸
Strengthen regional and international networks for atrocity crime prevention.	Fair Unchanged	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, ³⁹ but through a lens of establishing strategic viability vis-à-vis China, rather than promotion of atrocity prevention.
Strengthen the role and capacity of regional organisations.	Fair Unchanged	Its engagement with APR2P and APPAP member Asia Human Community at Waseda University to deliver their first national dialogue may be a portent for future advocating of atrocity prevention. Japan continues to be an important partner to ASEAN and its individual members, in aspects of both development and governance. ⁴⁰ 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. ⁴¹ As such, atrocity prevention is not explicitly mentioned in relationships between Japan and ASEAN countries.
Support the development and work of regional human rights and other preventive capacities.	Strong Unchanged	Japan's close relationship with ASEAN and the large amounts of development assistance it provides to countries in the global South does not, perhaps

³⁷ Sasamori, Keiho, 2021. 'Japan's Myanmar Missteps Are Damaging Its Image'. *The Diplomat*, 10 March. Available at: <https://thediplomat.com/2021/03/japans-myanmar-missteps-are-damaging-its-image/>; The Irrawaddy, 2021. 'Japan's Much-Touted Go-Between Has Little Sway Over Myanmar Junta'. *The Irrawaddy*, 9 September 2021. Available at: <https://www.irrawaddy.com/news/burma/japans-much-touted-go-between-has-little-sway-over-myanmar-junta.html>.

³⁸ 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/>.

³⁹ 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>.

⁴⁰ Ministry of Foreign Affairs of Japan, 2020. *ASEAN Policy Speech by Foreign Minister Motegi Toshimitsu*, https://www.mofa.go.jp/sa/sea2/page3e_001148.html.

⁴¹ 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-aucus-and-asean/>.

surprisingly, emphasise the promotion of human rights above all else. Their approach with regional partners is much more pragmatic, and targets things such as good governance and the rule of law.⁴² 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.

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.⁴³

Japan provides a wide range of development assistance to countries throughout Asia and Africa, and it was the largest donor in Asia in the 2020 financial year.⁴⁴ 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.⁴⁵

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.⁴⁶

Support atrocity prevention through development and assistance partnerships.

Strong
Increase

United Nations, prevention, Peacekeeping, and assistance

Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P.

Fair
Decrease

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. Through their emphasis on human security, Japan focuses on women’s empowerment, ending violence against children, and ending discrimination against people with disabilities.⁴⁷

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
Decrease

Since its first deployment of its Self-Defense Forces in 1992, Japan has participated in operations in Cambodia, Mozambique, Timor-Leste and the

⁴² Ministry of Foreign Affairs of Japan, 2020. *ASEAN Policy Speech by Foreign Minister Motegi Toshimitsu*; Glosserman, Brad, 2020. *A Japanese Perspective*, <https://theasianforum.org/a-japanese-perspective-12/>.

⁴³ 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>.

⁴⁴ Donor Tracker, n.d. *Japan*, ‘ODA funding trends’, <https://donortracker.org/country/japan>.

⁴⁵ Japan International Cooperation Agency, n.d. *Thematic Issues*, https://www.jica.go.jp/english/our_work/thematic_issues/index.html.

⁴⁶ Donor Tracker, n.d. *Japan*, ‘Policy Priorities’.

⁴⁷ Ministry of Foreign Affairs, 2019. *Japan’s Human Rights Commitments and Pledges*, <https://www.mofa.go.jp/files/000175306.pdf>.

Golan Heights, as well as providing logistical support and aid in a number of other operations.⁴⁸

The country currently has four staff officers attached to UNMISS,⁴⁹ which has a protection of 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).⁵⁰

Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping.

Very Strong
Increase

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.⁵¹

Japan's peacekeeping training consists of three courses, each promoting the protection of civilians as well as gender sensitivity and civil-military cooperation.⁵²

Support the Kigali Principles.

Very Weak
Unchanged

Perhaps due to its relatively low levels of peacekeeper deployments, Japan remains a non-signatory to the Kigali Principles on the Protection of Civilians.

Support UN Security Council veto restraint on issues relating to atrocity prevention.

Very Strong
Unchanged

Japan still supports both the UN Security Council Code of Conduct,⁵³ and the French/Mexican initiative on veto restraint.⁵⁴

⁴⁸ 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.

⁴⁹ 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.)

⁵⁰ 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>.

⁵¹ 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/>.

⁵² Japan Peacekeeping Training & Research Center, n.d. *Course Curricula*, <https://www.mod.go.jp/js/jsc/jpc/english/education/index.html>.

⁵³ 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/>.

⁵⁴ 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/>.