



人权理事会

第四十一届会议

2019 年 6 月 24 日至 7 月 12 日

议程项目 3

促进和保护所有人权——公民权利、政治权利、
经济、社会及文化权利，包括发展权

日本常驻联合国日内瓦办事处代表团 2019 年 6 月 6 日致 联合国人权事务高级专员办事处的普通照会

日本常驻联合国日内瓦办事处和其他国际组织代表团向联合国人权事务高级专员办事处致意，并谨请将本普通照会连同日本政府对促进和保护意见和表达自由权特别报告员大卫·凯伊作为任务负责人正式访问后续行动所编写的报告(A/HRC/41/35/Add.2)的评论(见附件)* 作为人权理事会第四十一届会议议程项目 3 下的文件分发。

* 附件不译，原文照发。



Annex to the note verbale dated 6 June 2019 from the Permanent Mission of Japan to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

Comments by the Government of Japan on the draft follow-up report on the country visits of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Mr. David Kaye, the Special Rapporteur (SR) on the promotion and protection of the right to freedom of opinion and expression, provided the Government of Japan (GoJ) with his draft report as a follow-up to his mission to Japan in April 2016. The GoJ is informed that the report will be submitted to the 41st session of the Human Rights Council.

At the outset, the GoJ would like to reiterate that freedom of expression, including media independence, is fully guaranteed in Japan by Article 21 of the Constitution. The GoJ has consistently upheld fundamental values such as basic human rights, democracy, and freedom, including freedom of expression, and has made ceaseless efforts to achieve such values. In fact, the GoJ has explained to the SR its system and policies on various occasions.

The GoJ understands that the SR expresses his personal views on the situation of freedom of expression in Japan in his draft report.

Nonetheless, the GoJ finds that the views expressed in the draft report are unacceptable, as many of the descriptions continue to be based on incorrect and groundless allegations on the situation in Japan, as is the case in the report of the SR on his mission to Japan (A/HRC/35/22/Add.1). Moreover, the draft report does not reflect facts and positions repeatedly explained to the SR by the GoJ thus far. It is regrettable that the SR made a report which includes much incorrect and groundless content. The GoJ requests that the SR show specific evidence to substantiate his claims in his draft report.

As for relevant facts and the position of the GoJ with regard to the draft report, the GoJ requests that the SR refer to the explanations that the GoJ has repeatedly provided to the SR, including the comments by the GoJ on the report of the SR on his mission to Japan in 2016 (A/HRC/35/22/Add.5).

Taking this opportunity, the GoJ would like to underscore that it has not received any response to its questions and request for comments on the reliability of information concerning the alleged case mentioned by the SR in his Communication submitted through the Permanent Mission of Japan to the International Organizations in Geneva in September 2018 (AL JPN7/2018). The GoJ understands that the SR is mandated to seek and receive credible information from Governments, non-governmental organizations, and any other parties who have knowledge of the cases mentioned in his reports. The GoJ requests that the SR once again promptly respond to its questions.
