



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Fifty-fourth session

25 May-11 June 2010

### Implementation of the Convention on the Rights of the Child

#### List of issues related to the consideration of the third periodic report of Japan (CRC/C/JPN/Q/3)

*The Committee may take up all aspects of children's rights contained in the Convention during the dialogue with the State party. The present list of issues covers only some priority questions on which the Committee would like additional information before the dialogue.*

#### Part I

**In this section the State party is requested to submit additional, updated information in writing, if possible before 6 April 2010.**

1. In light of information that the Convention is a part of Japanese law, please indicate any efforts undertaken to promote the use of and reference to the Convention in the courts of law.
2. Does the State party have plans to enact a Fundamental Law on the Rights of the Child covering all areas of the Convention?
3. Please indicate how the Headquarters for Youth Development coordinates the implementation of the Convention and how authorities at all levels of the State party and civil society are effectively included in the coordination efforts? Does the State party consider establishing a body, which includes all actors and is provided with a mandate to coordinate activities referring to all aspects of the Convention on all levels?

4. Please give the Committee information on how the implementation of child rights will be covered by the mandate of the Human Rights Commission (to be established by a Bill which is under revision) and whether the Commission will deal with complaints which children may file. Furthermore the Committee would like to inquire about the mandate and the resources of local ombudspersons.
5. Please give details of any steps taken to disseminate the Convention to all bodies and institutions which affect children by their actions and to provide training on its provisions to all professionals working with children or in the area of children's rights.
6. Please indicate whether a more systematic approach to cooperation with civil society is foreseen in the future regarding the formulation of policies on children's rights and the implementation of the Convention.
7. Given that Japan's overseas development assistance, in absolute terms, is sizeable, please inform the Committee whether the assistance provided is underpinned by human rights considerations, especially children's rights, and whether this includes any aspects of the Convention.
8. What steps has the State party taken to address the continuing discrimination against children born out of wedlock and children belonging to ethnic minorities?
9. Please indicate whether and how the principle of the best interests of the child has been expressly incorporated into any legislation relating to children, including in relation to decisions in immigration and refugee cases.
10. Please detail any legislation requiring the views of children to be given due weight in matters affecting them and any plans to incorporate the principle of the respect for the views of the child in all laws and regulations for institutions whose operations affect the lives and development of children.
11. Please inform the Committee of any specific measures taken or programmes set up to implement the Child Abuse Prevention Law, which was amended in 2004, and of any other measures which have been adopted to address violence, abuse and neglect of children.
12. Please provide information on measures taken to provide children from disadvantaged backgrounds with financial and other support adequate for the child's physical, mental, spiritual, moral and social development,

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particularly children from single-parent families. What is being done to ensure that laws relating to the enforcement of maintenance obligations are effectively implemented?

13. Please give additional information on the kind of measures provided and planned under the Basic Law on Measures for Society with Decreasing Birthrate and the respective Outline of Measures as well as the Law for Measures to Support the Development of the Next Generation?
14. Please indicate the measures being taken to address aggressive, self-destructive and reclusive behaviours, such as violence, bullying, withdrawal and suicide, in children? Is the State party taking any steps to support the communication and relationships between children and their parents and teachers, and to improve the social climate in schools and in the classroom?
15. Please provide information on efforts to combine high achievement with a holistic development of the personality and its talents and mental and physical abilities in schools and other educational institutions on all levels. How has the State party included human rights into school curricula at all levels and to what extent are the rights of the child practised in school?
16. With regard to juvenile justice, please specify what steps have been taken to guarantee the full implementation of the provisions of the Convention, particularly with a view to ensuring that children are not treated as adults?
17. In light of the resources available to the State party, please provide information on factors which have contributed to the limited implementation of the Committee's previous concluding observations.
18. Please indicate the issues affecting children that the State party considers to be priorities, requiring the most urgent attention with regard to the implementation of the Convention.

## **Part II**

**Under this section, the State party is invited to briefly (3 pages maximum) update the information provided in its report with regard to:**

- New bills or laws, and their respective regulations;
- New institutions (and their mandates) or institutional reforms;

- Recently introduced policies, programmes and action plans and their scope;
- Recent ratifications of human rights instruments.

### **Part III**

#### **Data and statistics, if available:**

Please provide, if available, statistical data (disaggregated by nationality, age, sex, ethnic origin, geographic location, and socio-economic status) for the period 2006-2009 on:

- (a) the budgetary allocations for programmes aimed at implementing the Convention or otherwise for the benefit of children, including in relation to allocations for other programmes and activities in the State and local government budgets;
- (b) the number of children who have been deprived of a family environment and the budgetary allocations for residential care institutions, foster homes and other forms of alternative care for children;
- (c) the number of children who have been abused, neglected or sexually exploited. Please include details of any investigations conducted, as well as their outcomes;
- (d) the number of suicides committed by children;
- (e) the enrolment rates at primary and secondary school level for children of non-Japanese origin, including in comparison with Japanese children; and
- (f) the number of children who have been victims of trafficking both within and outside of the State party's borders, as well as any prosecutions carried out in this regard.

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