

TM/UN/505

OHCHR REGISTRY

- 5 DEC. 2006

Recipients :...J. Heenan...
.....
.....
.....

The Permanent Mission of Japan to the International Organizations in Geneva presents its compliments to the United Nations Office of the High Commissioner for Human Rights, and has the honour to refer to the latter's letter sent on 13 October on the Commission on Human Rights resolution 2005/84 of 21 April 2005, as well as decisions 1/102, 1/105 and 2/102 of the Human Rights Council, entitled "the protection of Human Rights in the context of HIV and AIDS".

The Permanent Mission of Japan has further the honour to transmit to the latter the reply from the Government of Japan to contribute to the Report of the Secretary General on this issue, which focuses on the steps governments have taken to promote and implement, where applicable, programmes to address the urgent HIV-related human rights of women, children and vulnerable groups in the context of prevention, care and access to treatment as described in the guidelines on HIV/AIDS and human rights in E/CN.4/1997/37.

The Permanent Mission of Japan to the International Organizations in Geneva avails itself of this opportunity to renew to the United Nations Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 1 December 2006



Information on the “The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS)”

-Japan, November 2006-

I Domestic measures

【Measures against HIV/AIDS】

The Government takes measures against HIV/AIDS in accordance with the “Guidelines of the specified infectious diseases related to HIV/AIDS (HIV/AIDS prevention guidelines),” which was developed based upon “the Law on prevention of infectious diseases and medical care for patients of infectious diseases.” The Guidelines were revised drastically reflecting the changes in the trend of incidences of HIV/AIDS and went into effect in April 2006.

The three basic ideas of the new HIV/AIDS prevention guidelines are as follows;

- *Promotion of policies responding to the changes in the concept of diseases
 - >from “irremediable special disease” to “controllable general disease”
 - >Since 1997, the mortal rate has been improved due to the introduction of multi-drug therapy.

- *Clarification of division of the roles between the central government and local governments
 - >realizing prefecture-centered measures

- *Policy focus and policy planning
 - >focusing targets of policies (homosexuals, youth)
 - >nominating core stronghold hospitals at prefectural levels
 - >nominating prefectures for focused guidance, developing measures against HIV/AIDS at prefectural levels

【Support for women’s health through lifetime】

Taking into account the importance of reproductive health, the Government promotes the improvement and preservation of women’s life-long health by establishing health education and counseling system so that women will be able to, according to their health condition, have control over their own health appropriately. Moreover, the Government has established a system which responds to the specific problems of each phase of women’s life from

adolescence, pregnancy and birth, menopause through advanced years.

【Protection of HIV/AIDS related human rights】

The Human Rights Organs of the Ministry of Justice actively organize promotion campaigns such as conducting promotion activities on the streets, holding lectures or discussion meetings, using television or radio broadcasts, and distributing pamphlets in order to promote the principle of respect for human rights to make a wider audience aware of the importance of the rights of all people including AIDS patients and HIV carriers. In addition to the regular promotion activities, various other promotion activities are carried out during the Human Rights Week (every year from December 4 to 10), with emphasis on raising awareness in certain issues including "Eliminate Prejudice and Discrimination against AIDS Patients and HIV Carriers".

The human rights organs under the Ministry of Justice aim to remedy and prevent harm from human rights infringement with respect to a variety of human rights issues, including HIV/AIDS-related discrimination, through consultations on human rights and investigation and resolution of human rights infringement cases.

※With regard to the measures taken in accordance with Guideline 4 (human rights obligations in criminal laws and correctional systems) of the Guidelines on HIV/AIDS and Human Rights, see the annexation.

II International Cooperations

> Japan implemented assistance to fight against infectious diseases such as HIV/AIDS under the Okinawa Infectious Diseases Initiative (IDI), announced in 2000, in which 5.8 billion US dollars were disbursed in the five years. Through this initiative, Japan promoted prevention, treatment and care to control HIV/AIDS, and also contributed to measures against malaria and tuberculosis.

With the completion of IDI in March 2005, on the occasion of G8 Gleneagles Summit in July 2005, Japan announced to provide comprehensive assistance amounting to 5 billion US dollars over the next five years from FY2005, based on the "Health and Development Initiative" launched in June 2005, in order to contribute to achieving the health-related MDGs which include actions against HIV/AIDS.

With HDI, Japan makes efforts to develop human resources, control sexually transmitted infections, expand VCT and take other actions to support measures against

HIV/AIDS.

> Japan has played a leading role consistently in tackling infectious diseases including HIV/AIDS. The issue of infectious diseases was for the first time focused as one of the main themes of G-8 agenda at the Kyushu-Okinawa G-8 Summit in July 2000. The then-Prime Minister Yoshihiro Mori stressed the importance of tackling infectious diseases and announced an initiative. This initiative led to the creation of "the Global Fund to Fight AIDS, Tuberculosis and Malaria" in 2002, following the Genoa G-8 Summit and the United Nations General Assembly Special Session on HIV/AIDS of 2001.

Japan has played an active role in the management of the Global Fund as a Board member and through serving on Policy and Strategy committee and Finance and Audit committee. Japan has so far contributed 476 million dollars to the Fund. Moreover, at the end of June last year, then Prime Minister Junichiro Koizumi expressed further commitment to increase Japan's contribution to the Global Fund and pledged an additional half a billion US dollars to the Fund in the coming years (out of which 130 million dollars have already been disbursed).

> Japan has supported UNAIDS and WHO's "3 by 5" initiative (to provide antiretroviral therapy to 3 million people with HIV/AIDS in developing countries by the end of 2005) and also actively participated in the June 2006 General Assembly High Level Meeting on AIDS where a broad goal of universal access to comprehensive programme, treatment, care and support by 2010 was agreed. Japan has served on the Programme Coordinating Body of UNAIDS since its establishment and has so far contributed 46 million dollars to its activities.

Annexation

※【Measures taken in accordance with Guideline 4 of Guidelines on HIV/AIDS and Human Rights】

(1) Each correctional institution has a medical affairs division or section according to the size of the institution. Doctors and medical staff in these divisions or sections are in charge of providing appropriate medical services for the health care of inmates.

HIV antibody tests are given to inmates on voluntary basis.

With regard to inmates with AIDS, depending on the symptoms displayed, if the correctional institution is unable to provide treatment, the inmate will be transferred to a medical prison which has special medical equipment for treatment or a specialist hospital outside the grounds of the correctional institution. Article 482 of the Code of Criminal Procedure stipulates that if the health of the sentenced inmate is likely to be seriously harmed as the result of the execution of the sentence or where there is fear that he/she will not survive the sentence, the execution of imprisonment or penal detention may be stayed, subject to the direction of a public prosecutor. Further, there is also a provision to suspend the execution of detention of unsentenced inmates (Article 95 of the Code of Criminal Procedure), and accordingly, the provisions given above are being properly implemented.

(2) The training of the staff is conducted by doctors and other medical professionals in order to provide correct knowledge of infectious diseases. Each correctional institution drafts manuals of treatment for inmates with HIV and takes measures to ensure that staff do not discriminate against such inmates.