

October 9, 2018

## RESOLUTION

On August 16 and 17 the United Nations Committee on the Elimination of Racial Discrimination (hereinafter CERD) considered reports submitted by Japan. On August 30 CERD released its concluding observations, as well as recommendations to the Japanese government concerning problems stemming from alleged racial discrimination, e.g., the comfort-women issue.

These recommendations are exceedingly biased, and threaten to destroy the very fabric of our nation, Japan. We find it ironic, and extremely disappointing, that a committee entrusted with protecting human rights is instead fostering racial discrimination against the people of Japan, and infringing upon their human rights.

We urge the government of Japan to indicate to the United Nations, clearly and unsparingly, its objections to the workings of a committee that issues recommendations of this ilk, and to call for the reform of CERD. If no reform is forthcoming, we recommend that Japan withdraw its ratification of the International Convention on the Elimination of All Forms of Racial Discrimination in accordance with Article 21 of that agreement, or resign from the Human Rights Council, under the aegis of which CERD operates. We cannot think of a single justification for Japan's remaining a member of an organization that infringes upon Japanese human rights, especially given Japan's enormous financial contribution.

It was inappropriate for CERD to address the comfort-women issue for the following reasons: (1) it has absolutely no connection with racial discrimination, and (2) all events connected with it took place prior to 1995, when the Convention on the Elimination of All Forms of Racial Discrimination was concluded. Additionally, even if the comfort-women issue were within the committee's purview, we could not possibly expect an fair-minded, measured analysis from CERD, comprising as it does members like Gay McDougall, the author of *Contemporary Forms of Slavery: Systematic Rape, Sexual Slavery and Slavery-like Practices During Armed Conflict*, and Chinsung Chung, former co-chairperson of the Korean Council for the Women Drafted for Military Sexual Slavery by Japan.

Moreover, CERD seems to have wholeheartedly embraced positions adopted by certain NGOs in Japan, and thus has arrived at conclusions concerning the Ainu people, Okinawans, and minorities that are totally divorced from reality. It would be foolhardy to comply with these recommendations, which are ridiculous at best; in any case, CERD recommendations are not legally binding.

However, because the Japanese public is for the most part unaware of the disappointing truth about UN human-rights committees, an inordinate amount of importance is conferred on CERD recommendations. We can thank one of them for the enactment of

the Hate Speech Elimination Act. We feel compelled to issue a warning: Such recommendations are actually impinging on Japanese society. To cite one example, the judgment handed down in litigation involving the inheritance rights of children born out of wedlock contained a reference to a CERD recommendation.

In February 1919, at the Paris Peace Conference in Versailles, representatives of Japan introduced the Racial Equality Proposal to the international community; calling for an end to racial discrimination, it was the first of its kind. One hundred years later, rather than being saddled with gratuitous recommendations relating to nonexistent racial-discrimination problems, Japan should be lauded for its pioneering leadership in the effort to end racial discrimination.

To discourage allegations that the comfort women were sex slaves, which have spread all over the world, we must put an end to discussions about the comfort women at the United Nations. To that end, we request in the strongest terms that the Japanese government communicate its positions, explicitly and assertively, to the various UN human-rights committees, and take resolute action on behalf of the Japanese people and our national interests.

Members of the ALLIANCE FOR TRUTH ABOUT COMFORT WOMEN who participated in the 96<sup>th</sup> Session of CERD, Geneva