

UN CRC	Ratification Date	Care-Related Concluding Observations
	<p>22 Apr 1994</p>	<p><b>CRC/C/JPN/CO/4-5</b>  <b>5 March 2019</b></p> <p><a href="https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fJPN%2fCO%2f4-5&amp;Lang=en">https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fJPN%2fCO%2f4-5&amp;Lang=en</a></p> <p><b>III. Main areas of concern and recommendations</b></p> <p>4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party’s attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: non-discrimination (para. 18), respect for the views of the child (para. 22), corporal punishment (para. 26), children deprived of a family environment (para. 29), reproductive and mental health (para. 35) and juvenile justice (para. 45).</p> <p><b>C. General principles (arts. 2, 3, 6 and 12)</b></p> <p><b>Best interests of the child</b></p> <p>19. The Committee notes that the right of the child to have his or her best interests taken as a primary consideration is not appropriately integrated and consistently interpreted and applied, particularly in education, alternative care, family disputes and juvenile justice, and that the judicial, administrative and legislative bodies do not take into account the best interests of the child in all decisions relevant to children. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party establish compulsory processes for ex ante and ex post impact assessments of all laws and policies relevant to children. It also recommends</p>

		<p>that a best-interests-of-the-child assessment always be carried out in individual cases concerning the child by a multidisciplinary team with the obligatory participation of the concerned child.</p> <p><b>Respect for the views of the child</b></p> <p>21. While noting that the 2016 amendments to the Child Welfare Act refer to respect for the views of the child, and that the Domestic Relations Case Procedure Act consolidates the provisions concerning the child's participation in such proceedings, the Committee remains seriously concerned that the right of children to express their views freely in all matters affecting them is not respected.</p> <p>22. Recalling its general comment No. 12 (2009) on the right of the child to be heard, the Committee urges the State party to assure to any child who is able to form views the right to freely express those views, without age limitations, in all matters affecting the child, and that due weight be given to the child's views, while providing safeguards against intimidation and punishment of a child. It further recommends that the State party provide an environment that enables the child to exercise her or his right to be heard and actively promote meaningful and empowered participation of all children in the family, schools, alternative care and health and medical settings, judicial and administrative proceedings concerning them and the local community, and on all relevant issues, including environmental matters.</p> <p><b>E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</b></p> <p><b>Corporal punishment</b></p> <p>25. The Committee notes that corporal punishment in schools is prohibited by law. However, it is seriously concerned that:</p> <p>...</p> <p>(b) Corporal punishment in the home and in alternative care settings is not fully prohibited by law;</p> <p>...</p>
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		<p>including by providing accessible and safe channels for reporting, monitoring and remedying maltreatment of children;</p> <p>(e) Redirect financial resources from institutions to family-like settings, such as foster families, and strengthen the municipal capacity to implement deinstitutionalization and simultaneously strengthen family-based arrangements, ensuring that all foster parents receive comprehensive support, adequate training and monitoring;</p> <p>(f) Amend the Foster Parent Placement Guidelines to clearly instruct child guidance centres to bring cases to family court when the biological parents' decision on their children's placement is against their children's best interests.</p> <p><b>Adoption</b></p> <p>30. The Committee recommends that the State party:</p> <p>(a) Ensure that all adoptions, including those by a lineal relative of the person or the guardian, are subject to judicial authorization and are in accordance with the best interests of the child;</p> <p>(b) Maintain a registry of all adopted children and set up a central authority for intercountry adoption;</p> <p>(c) Consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.</p> <p><b>Illicit transfer and non-return</b></p> <p>31. The Committee recommends that the State party take all necessary efforts to prevent and combat illicit transfer and non-return of children, harmonize its legislation with the Hague Convention on the Civil Aspects of International Child Abduction and ensure the proper and expeditious implementation of judicial decisions on the return of children and contact rights. It also recommends that the State party strengthen dialogue and consultation with relevant countries, notably those with which the State party has signed an agreement regarding custody or visitation rights.</p> <p><b>I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)</b></p>
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<b>OPSC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	24 Jan 2005	
<b>OPAC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	2 Aug 2004	

<b>ICCPR</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	21 Jun 1979	
<b>ICESCR</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	21 Jun 1979	
<b>CEDAW</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	25 Jun 1985	
<b>CRPD</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	20 Jan 2014	
<b>UPR</b>	<b>Date of Consideration</b>	<b>Link to Page</b>
	14 Nov 2017	<a href="https://www.ohchr.org/EN/HRBodies/UPR/Pages/JPIndex.aspx">https://www.ohchr.org/EN/HRBodies/UPR/Pages/JPIndex.aspx</a>
<b>Hague Intercountry Adoption</b>	<b>Ratification Date</b>	<b>Link to Country Profile</b>
	N/A	N/A

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities

ICCRP	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review