

TM/UN/478

The Permanent Mission of Japan to the International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, with reference to the Note Verbal ref: AL JPN 7/2018, dated 11 September 2018, has the honour to transmit herewith the reply of the Government of Japan to the Communication from Mr. David KAYE, Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression.

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

Geneva, 5 November 2018

Enclosure mentioned



Response to the Communication from the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression

Regarding the Communication sent on 11 September 2018 on the case of Mr. Shunsuke Yamaoka from the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression to the Permanent Mission of Japan to the International Organization in Geneva, the response from the Government of Japan (GOJ) is as follows.

1 The Metropolitan Police Department looked into the possible reports that might include the case of Mr. Shunsuke Yamaoka, in which he was allegedly pushed and fell down the stairs at Shinjuku Station, Tokyo, left unconscious and taken to a hospital on 7 August 2018. Nevertheless, no report or record on "Mr. Shunsuke Yamaoka" was found.

2 Therefore, the alleged fact that the police has reportedly "refused to launch an investigation" was not confirmed, either.

3 Freedom of expression is guaranteed by Article 21 of the Constitution of Japan. It constitutes the political foundation of a democratic nation and is one of the most important fundamental human rights for the people in Japan. It cannot be restricted unjustifiably even by laws. In Japan, freedom of expression is fully guaranteed.

The GOJ has explained to the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression concerning specific measures taken to ensure freedom of expression in Japan on various occasions, including at the time of his official trip to Japan in April 2016.

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