

YT/UN/276

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 2/2019, dated 3 April 2019, has the honour to transmit herewith the reply from the Government of Japan to the Joint Communication sent by Mr. Ahmed REID, Chair-Rapporteur of the Working Group of Experts on People of African Descent, Mr. Surya DEVA, Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises, Ms. Koumbou Boly BARRY, Special Rapporteur on the right to education, Mr. David R. BOYD, Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, Ms. Hilal ELVER, Special Rapporteur on the right to food, Mr. Dainius PURAS, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Ms. Leilani FARHA, Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Ms. Urmila BHOOLA, Special Rapporteur on contemporary forms of slavery, including its causes and consequences and Mr. Léo HELLER, Special Rapporteur on the human rights to safe drinking water and sanitation.

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, 13 June 2019

Enclosure mentioned



Reply of the Government of Japan to the Joint Communication from Special Procedures (AL JPN2/2019)

In reference to the joint communication dated 3 April 2019, sent to the Permanent Mission of Japan to the International Organizations in Geneva, the Government of Japan provides the following response.

1 Regarding the aforementioned joint communication, the Government of Japan has received the following information from Furukawa Plantaciones CA del Ecuador, an Ecuadorian company, and from FPC Marketing Co. Ltd., which is a parent company owning shares in Furukawa Plantaciones CA del Ecuador.

- (1) According to the report from Furukawa Plantaciones CA del Ecuador, the general manager of Furukawa Plantaciones CA del Ecuador makes all the management decisions regarding the operation of Furukawa Plantaciones CA del Ecuador. The Board of Directors of Furukawa Plantaciones CA del Ecuador decides on and oversees the execution of the company's policies and sales strategies, while the company's shareholders analyze the annual general performance of the company, make general decisions about the company's financial situation, and allocate budgets based on plans presented by the Board of Directors and the general manager.
- (2) According to FPC marketing Co. Ltd., it owns approximately 100% of the shares of Furukawa Plantaciones CA del Ecuador and has voting rights on management issues for Furukawa Plantaciones CA del Ecuador. FPC Marketing Co. Ltd. has entrusted Furukawa Plantaciones CA del Ecuador with the task of responding to the joint communication from the UN Special Procedures.

2 The Government of Japan is committed to implementing the UN Guiding Principles on Business and Human Rights. As one of the important measures to achieve the Sustainable Development Goals (SDGs), Japan is working to formulate its National Action Plan (NAP) on Business and Human Rights. In the initial stage of the NAP formulation process, the Government of Japan decided to undertake a Government-led baseline study with the aim of assessing to what extent current legislation and policies provide for the protection of human rights in the context of business. As part of this process, the Government conducted a desk review undertaken by all relevant ministries and agencies, and organized consultation meetings with multi-stakeholders. Subsequently, in December 2018, the Government of Japan issued a report which summarizes the

outcomes of the study. The Government takes the view that such efforts could contribute to protecting and promoting human rights in the business activities of Japanese companies.

(Further information is available on the website of the Ministry of Foreign Affairs of Japan: https://www.mofa.go.jp/mofaj/fp/hr_ha/page22_001608.html)

June 2019

(1) According to the report from Furukawa Plantation CA del Ecuador, the general manager of Furukawa Plantation CA del Ecuador stated in the management decisions regarding the operation of Furukawa Plantation CA del Ecuador, the Board of Directors of Furukawa Plantation CA del Ecuador discussed and made the decision of the company's policy and sales strategies with the company's general manager. The general manager stated that the company's general decision about the company's financial situation and business strategy is based on data presented by the Board of Directors and the general manager. (2) According to FPC Marketing Co. Ltd., it owns approximately 50% of the shares of Furukawa Plantation CA del Ecuador and has contributed to the company's general decision-making. FPC Marketing Co. Ltd. stated that the company's general decision-making is based on data presented by the Board of Directors and the general manager. (3) According to the report from Furukawa Plantation CA del Ecuador, the general manager of Furukawa Plantation CA del Ecuador stated in the management decisions regarding the operation of Furukawa Plantation CA del Ecuador, the Board of Directors of Furukawa Plantation CA del Ecuador discussed and made the decision of the company's policy and sales strategies with the company's general manager. The general manager stated that the company's general decision about the company's financial situation and business strategy is based on data presented by the Board of Directors and the general manager.

The Government of Japan is committed to implementing the UN Guiding Principles on Business and Human Rights. As one of the national means to implement the Guiding Principles, Japan is working to promote the SDGs (Sustainable Development Goals) and Human Rights. In the initial stage of the SDGs, the Government of Japan decided to establish a Guiding Principles on Business and Human Rights. The Guiding Principles on Business and Human Rights is a voluntary framework for companies to promote human rights in their business activities. As part of the implementation of the Guiding Principles, the Government of Japan is working to promote the SDGs and Human Rights. The Government of Japan is committed to implementing the UN Guiding Principles on Business and Human Rights. As one of the national means to implement the Guiding Principles, Japan is working to promote the SDGs (Sustainable Development Goals) and Human Rights. In the initial stage of the SDGs, the Government of Japan decided to establish a Guiding Principles on Business and Human Rights. The Guiding Principles on Business and Human Rights is a voluntary framework for companies to promote human rights in their business activities. As part of the implementation of the Guiding Principles, the Government of Japan is working to promote the SDGs and Human Rights.