

MISSION PERMANENTE DU JAPON

AUPRÈS DES ORGANISATIONS INTERNATIONALES
GENÈVE-SUISSE

TK/UN/244

The Permanent Mission of Japan to the International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, with reference to the latter's Note Verbale Reference: AL JPN 1/2026 dated 9 April 2026, has the honour to transmit herewith the comments of the Government of Japan to the Joint Communication from the Special Procedures.

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

Geneva, 5 June 2026



Enclosure mentioned

RESPONSE OF THE GOVERNMENT OF JAPAN TO THE JOINT
COMMUNICATION FROM THE SPECIAL PROCEDURES 9 April 2026
REFERENCE AL JPN 1/2026

5 June 2026

We note that several mandate holders of Special Procedures of the Human Rights Council, including the Working Group on the issue of human rights and transnational corporations and other business enterprises, have expressed interest in the efforts of the Government of Japan (hereinafter “the GoJ”) in relation to the business activities of the mining company Antamina in Peru, in which a Japanese company and other companies are principal shareholders. In this response, we first outline the GoJ’s efforts and position on business and human rights in our response to Question 1. We then address specific questions in our responses to Questions 2 through 5.

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.

1. In October 2020, the GoJ formulated its National Action Plan on Business and Human Rights (hereinafter “the NAP”) and revised it in December 2025. The NAP was developed with the aim of ensuring the steady implementation of the United Nations Guiding Principles on Business and Human Rights (hereinafter “the UNGPs”). The revised NAP outlines the Government’s future policy direction and measures related to business and human rights across eight priority areas. It also sets out expectations for business enterprises to promote the introduction of human rights due diligence (hereinafter “Human Rights DD”), which consists of a series of actions including identifying, preventing, and mitigating adverse impacts on human rights arising from their business activities, assessing the effectiveness of the initiatives, as well as explaining and disclosing information on how such impacts were addressed.
2. With regard to the scope of the State duty to protect human rights, Guiding Principle 1 of the UNGPs states that “States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises.” In addition, Guiding Principle 2 of the UNGPs sets forth the concept that “States should set out clearly the expectation that all business enterprises domiciled in their territory and/or jurisdiction respect human rights throughout their operations,”

while at the same time stating in the commentary that “[a]t present States are not generally required under international human rights law to regulate the extraterritorial activities of businesses domiciled in their territory and/or jurisdiction.” In the NAP, Japan expects business enterprises to respect internationally recognized human rights and the principles concerning fundamental rights as set out in the ILO Declaration on Fundamental Principles and Rights at Work, to introduce the process of Human Rights DD based on the UNGPs and other related international standards, and to engage in dialogue with stakeholders, including those that are part of supply chains. In addition to outlining the aforementioned position, we would like to respond below to the following questions concerning the measures undertaken by the GoJ.

2. Please provide information on the measures the Government of your Excellency has taken, or is considering taking, to ensure that business enterprises domiciled in your territory and/or jurisdiction respect human rights in all their activities, including in their supply chain, in line with the UNGPs.

3. Please provide information on concrete progress made by the Government of your Excellency in requiring or encouraging business enterprises domiciled in your territory and/or jurisdiction to implement human rights due diligence processes, including their supply chain, in line with the UNGPs.

5. Please provide information regarding the measures that your Excellency’s Government has taken, in response to the recommendation provided in the Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on its visit to Japan in 2024 (A/HRC/56/55/Add.1), in particular with regard to adopting national legislation mandating, in consultation with relevant stakeholders.

3. As Questions 2, 3 and 5 are on related matters, the GoJ will provide a collective response to these questions. As indicated in paragraph 2, since the formulation of the NAP, the GoJ has continued to publicize the NAP and to raise awareness on Human Rights DD in regard to supply chains among business enterprises through various seminars, websites, and industry groups and other relevant bodies.

4. In September 2022, the GoJ released the Guidelines on Respecting Human Rights in Responsible Supply Chains (hereinafter “the Guidelines”) to support business efforts to respect human rights. Based on the UNGPs and other international

standards, the Guidelines aim to help deepen business enterprises' understanding and promote their efforts by explaining the activities that all business enterprises are requested to undertake to respect human rights, in a concrete and easy-to-understand manner that is tailored to the actual situations of business enterprises engaging in business activities in Japan. The Guidelines require all business enterprises operating in Japan to strive to take efforts to respect human rights in their business enterprise, group companies, suppliers, etc., regardless of whether they are located in Japan or outside of Japan (business enterprises in supply chains and other business partners, which are not limited to direct business partners) to the fullest extent possible in line with the Guidelines, which are based on international standards. All business enterprises engaging in business activities in Japan are required to formulate and publicize their human rights policies, conduct Human Rights DD, and provide remedy when business enterprises cause or contribute to adverse human rights impacts.

5. In April 2023, recognizing that the GoJ itself is an economic actor and should lead by example in promoting respect for human rights, a policy on human rights considerations in public procurement was introduced. Specifically, it was decided to promote the requirement of including provisions in tender documents, contracts, and other documents related to public procurement stating that bidders and contractors will make efforts to respect human rights in light of the Guidelines. Accordingly, all relevant ministries and agencies have taken measures in line with this policy.
6. In addition to these initiatives, relevant ministries and agencies have carried out various efforts, including (i) holding seminars and events both in Japan and abroad for Japanese business enterprises—including those expanding overseas and small and medium enterprises (SMEs)—and their suppliers; (ii) compiling collections of good practices on Human Rights DD initiatives, such as “A Compilation of Case Studies on Business and Human Rights: Towards the Expansion and Establishment of Efforts Based on the UN Guiding Principles on Business and Human Rights,” “Responsible Business Conduct and Human Rights Due Diligence: Good Practices of Japanese Companies,” and “Business and Human Rights: First Steps — A Compilation of Initiatives for SMEs;” (iii) preparing various guidance documents, such as the “Reference Material on Practical Approaches for Business Enterprises to Respect Human Rights in Responsible Supply Chains” (the Practical Reference Material), released in April 2023, and the “Guidebook for Respecting Human Rights in Food Enterprises,” released in December of the same year; (iv) issuing

the “Business and Human Rights at Work Checklist” in October 2024; (v) releasing the “Quick Guide to Business and Human Rights” and establishing consultation desks operated by the Japan External Trade Organization (JETRO); (vi) fostering professional human resources in cooperation with international organizations and the Japan Federation of Labor and Social Security Attorney’s Associations; (vii) sharing information through bilateral frameworks and international conferences; and (viii) carrying out awareness-raising activities using websites and pamphlets.

7. In particular, the GoJ organizes seminars on promoting business and human rights and responsible business conduct of Japanese business enterprises operating mainly in the Asia region and their business partners. The Ministry of Foreign Affairs (hereinafter “MOFA”) and diplomatic missions overseas, in line with the NAP and in cooperation with relevant local agencies and related organizations, have also been introducing the NAP and the Guidelines and raising awareness on Human Rights DD among Japanese companies operating overseas. For example, contact points for Japanese business enterprises (Japanese business support officers) have been set up at diplomatic missions overseas to enhance support for overseas operations of Japanese business enterprises. Furthermore, MOFA and its diplomatic missions also present the outline of the NAP and the Guidelines and emphasize the importance of efforts related to business and human rights, including Human Rights DD, at international conferences and various other forums.
8. Moreover, in collaboration with international organizations such as UNDP and the ILO, and through dialogue with stakeholders, the GoJ is working to promote Human Rights DD and responsible business conduct among Japanese companies operating overseas, while also supporting the efforts of the partner governments concerned to formulate National Action Plans.

4. Please provide information on the steps the Government of your Excellency is taking or considering taking to ensure that individuals affected by the activities of business enterprises domiciled in your jurisdiction have access to remedy in your country, through judicial or extrajudicial State mechanisms.

9. In general, various judicial remedies are developed in Japan and such remedies might be available on a case-by-case basis according to the details of specific instances of business-related human rights violations. For instance, the Japan Legal Support Center (hereinafter “the JLSC”) was established as the central organization to provide legal assistance to citizens, based on the goal of “realizing a society

where legal information and services are accessible anywhere in the country.” The JLSC provides civil legal aid to Japanese citizens and foreign nationals lawfully residing in Japan who face legal issues but do not have the financial means to seek legal assistance. Another way to resolve legal problems is to use Alternative Dispute Resolution procedures, such as conciliation and mediation conducted by private businesses (including private dispute resolution services provided by private businesses that are certified by the Ministry of Justice). With this method, an impartial third party acts as a mediator in a civil dispute between parties who seek a resolution without resorting to litigation.

10. Moreover, the Japanese National Contact Point (hereinafter “the Japanese NCP”) was established in 2000 in accordance with the Decision of the Council on the OECD Guidelines for Multinational Enterprises (2000). The Japanese NCP is composed of MOFA, the Ministry of Health, Labour and Welfare, and the Ministry of Economy, Trade and Industry. The Japanese NCP is responsible for promoting the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (renamed as part of the 2023 revision), responding to enquiries on the OECD Guidelines, and contributing to the resolution of issues that arise relating to the implementation of the Guidelines in specific instances, including human rights-related issues.