Template for Civil Society Actors
Follow-up Information on the CERD recommendations

Introduction: This template is developed by the International Movement Against All Forms of Discrimination and Racism (IMADR) and the US Human Rights Network (USHRN). The template aims to help civil society actors prepare information for the Committee on the Elimination of Racial Discrimination (CERD) to assess the implementation of its recommendations at the national level.

Content of the Submission: Within one year of the adoption of concluding observations, a State party (government) is required to provide information on its implementation of the specific recommendations identified by the CERD (follow-up recommendations).¹ In this regard, civil society actors can submit alternative reports on the follow-up recommendations (follow-up alternative reports) in order to enable the CERD to objectively assess the implementation level. Any information on recommendations which are not follow-up recommendations will not be considered by the CERD.

Practical tips: Describe briefly what actions has the government taken to implement the follow-up recommendations. It is encouraged to critically analyse whether the information in the government follow-up report is accurate, inaccurate or incomplete. The submission should include links to existing websites, reports, and other resources that further elaborate on the topic. Submit in English, French or Spanish. The most commonly used language of the Committee is English, reports in French and Spanish should, to the extent possible, be translated into English. The CERD has not adopted a grading system to assess the implementation of follow-up recommendations, but civil society actors are free to use the grading scale below.

Word Limit: Civil society actors are encouraged to submit concise and brief follow-up reports. Reports are preferred not to exceed 5 pages (approximately 2,500 words max).

Deadline: Follow-up alternative reports should be submitted within one month after the government follow-up report is presented. Regardless of the submission of the government report, civil society may consider submitting reports within one year of the adoption of concluding observations.

Instructions for Submission: Reports in MS Word or PDF format should be sent to: cerd@ohchr.org

¹ In accordance with article 9 (1) of the Convention and rule 65 of its rules of procedure, the Committee requests the State party to provide, within one year of the adoption of the concluding observations, information on its implementation of the recommendations contained in paragraphs selected. See also, CERD, Guidelines to follow-up on concluding observations and recommendations, 2 March 2006, CERD/C/68/Misc.5/Rev.1, available at http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/1_Global/INT_CERD_FGD_5554_E.pdf.
Suggested grades by the civil society organization

A: The response of the government to the recommended measure is satisfactory.
B: The response of the government to the recommended measure is partially satisfactory.
C: The government has not taken any actions to implement the recommendation.
D: The government has taken actions that are contrary to the recommendation.

Paragraph XX: Title

[Original text of the paragraph]

Suggested grade by the civil society organization

1. Any measures taken in accordance with the recommendation, and its effects

2. Any measures taken that contradict the purposes of the recommendation

3. Current status of the problem (especially changes after the adoption of concluding observations)
Suggested grades by the civil society organization

A: The response of the government to the recommended measure is satisfactory.
B: The response of the government to the recommended measure is partially satisfactory.
C: The government has not taken any actions to implement the recommendation.
D: The government has taken actions that are contrary to the recommendation.

Paragraph 17: Violence against foreign and minority women

In the light of its general recommendation No. 25 (2000) on the gender-related dimensions of racial discrimination and No. 30 (2004) on discrimination against non-citizens, the Committee recommends that the State party take adequate measures to effectively address the issue of violence against migrant, minority and indigenous women by prosecuting and sanctioning all forms of violence against them, and to ensure that victims have access to immediate means of redress and protection.

| Suggested grade by the civil society organization | D |

1. Any measures taken in accordance with the recommendation, and its effects

Since August 2014, the government has not taken any specific and positive measures. Currently, the government invites public opinions on the draft “Basic Concept for the Development of the Fourth Basic Plan for Gender Equality,” in which we do not find any indication that suggests a possible implementation of specific measures in this regard.

2. Any measures taken that contradict the purposes of the recommendation

For the 2015 Ordinary Diet Session, the government has submitted the bill concerning the revision of the Immigration Control Law with the addition of conditions for the revocation of the resident status. It is concerned that the addition may cause further deterioration of the rights of migrants and reinforcement of the control.

3. Current status of the problem (especially changes after the adoption of concluding observations)
In the Third Basic Plan for Gender Equality, the government states that “In improving the environment to ensure safe living, it is important to note that in addition to factors such as disabilities, working as foreigners, the Ainu and Dowa-problem, their status as women may multiply difficulties that they face.” Under this basic policy, the government indicates, “In case that women are in more difficult conditions caused by their status as women, the government makes efforts to investigate the situation if available, promotes human rights education and gives remedy to victims while taking any necessary measures from the gender-equal perspective.” However, it has not yet conducted a survey necessary for developing policies focusing on minority women. Meanwhile, it is strongly suggested that the government should name each minority group in the Basic Plan, rather than collectively classifying it.

In regard to “violence against women,” the revised law on the prevention of domestic violence stipulates the importance of “respect of human rights of victims regardless of nationality or disabilities.” However, the implementation of measures under the law is mainly left to local governments, and concrete actions regarding persecution, redress and protection have not been taken at the national level.