

Reply of the Government of Japan  
to the list of issues  
relating to the second periodic report of Japan  
of the Convention of the Rights of the Child

Government of Japan  
January 2004

## A. Data and statistics

1. Please provide disaggregated data (by gender, age groups, minority and ethnic groups, urban and rural areas) for the years 2000, 2001 and 2002 on the number and proportion of children under 18 living in the State party.

Population of children under the age of 18 (As of October 1, 2000)

¿Total population? (Unit: No. of people)

	Total population			Japanese population			Non-Japanese population		
	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female
All ages	126'925'843	62'110'764	64'815'079	125'386'737	61'341'527	64'045'210	1'539'106	769'237	769'869
Child population									
??0	1'171'652	600'466	571'186	1'160'750	594'995	565'755	10'902	5'471	5'431
??1	1'166'160	596'910	569'250	1'155'107	591'236	563'871	11'053	5'674	5'379
??2	1'192'157	610'326	581'831	1'180'836	604'562	576'274	11'321	5'764	5'557
??3	1'189'303	607'950	581'353	1'178'398	602'338	576'060	10'905	5'612	5'293
??4	1'184'826	606'869	577'957	1'174'289	601'435	572'854	10'537	5'434	5'103
??5	1'204'133	615'685	588'448	1'193'690	610'395	583'295	10'443	5'290	5'153
??6	1'207'742	618'234	589'508	1'198'107	613'368	584'739	9'635	4'866	4'769
??7	1'188'966	608'946	580'020	1'179'758	604'179	575'579	9'208	4'767	4'441
??8	1'210'282	620'484	589'798	1'201'297	615'909	585'388	8'985	4'575	4'410
??9	1'210'666	620'082	590'584	1'201'340	615'366	585'974	9'326	4'716	4'610
??0	1'239'516	634'159	605'357	1'229'381	629'032	600'349	10'135	5'127	5'008
??1	1'262'345	646'345	616'000	1'252'229	641'247	610'982	10'116	5'098	5'018
??2	1'314'403	673'706	640'697	1'304'101	668'413	635'688	10'302	5'293	5'009
??3	1'352'506	692'224	660'282	1'342'376	687'133	655'243	10'130	5'091	5'039
??4	1'377'842	706'716	671'126	1'367'649	701'545	666'104	10'193	5'171	5'022
??5	1'442'928	738'536	704'392	1'432'055	733'084	698'971	10'873	5'452	5'421
??6	1'494'054	765'613	728'441	1'481'874	759'363	722'511	12'180	6'250	5'930
??7	1'509'872	772'956	736'916	1'497'017	766'390	730'627	12'855	6'566	6'289
0-17 years old	22'919'353	11'736'207	11'183'146	22'730'254	11'639'990	11'090'264	189'099	96'217	92'882

¿Urban Population? (Unit: No. of people)

Urban Population	Total Population			Total Population in Japan			Total Population outside Japan		
	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female
All ages	99'865'289	49'005'691	50'859'598	98'494'531	48'314'475	50'180'056	1'370'758	691'216	679'542
Child Population									
??0	946'482	485'130	461'352	936'801	480'286	456'515	9'681	4'844	4'837
??1	937'806	479'948	457'858	928'001	474'925	453'076	9'805	5'023	4'782
??2	953'214	487'994	465'220	943'206	482'898	460'308	10'008	5'096	4'912
??3	944'534	483'238	461'296	934'879	478'273	456'606	9'655	4'965	4'690
??4	936'170	479'250	456'920	926'797	474'411	452'386	9'373	4'839	4'534
??5	946'500	484'245	462'255	937'199	479'550	457'649	9'301	4'695	4'606
??6	944'926	483'916	461'010	936'261	479'533	456'728	8'665	4'383	4'282
??7	924'215	472'975	451'240	915'902	468'678	447'224	8'313	4'297	4'016
??8	936'692	479'941	456'751	928'613	475'790	452'823	8'079	4'151	3'928
??9	934'233	478'611	455'622	925'855	474'403	451'452	8'378	4'208	4'170
??0	952'693	487'657	465'036	943'589	483'046	460'543	9'104	4'611	4'493
??1	965'508	494'186	471'322	956'436	489'615	466'821	9'072	4'571	4'501
??2	1'004'034	514'358	489'676	994'847	509'636	485'211	9'187	4'722	4'465
??3	1'030'035	527'285	502'750	1'020'981	522'735	498'246	9'054	4'550	4'504
??4	1'048'286	537'310	510'976	1'039'138	532'671	506'467	9'148	4'639	4'509
??5	1'099'162	562'175	536'987	1'089'400	557'276	532'124	9'762	4'899	4'863
??6	1'143'299	586'311	556'988	1'132'406	580'740	551'666	10'893	5'571	5'322
??7	1'156'082	592'137	563'945	1'144'669	586'331	558'338	11'413	5'806	5'607
0-17 years old	17'803'871	9'116'667	8'687'204	17'634'980	9'030'797	8'604'183	168'891	85'870	83'021

? Rural Population?

(Unit: No. of people)

	Total Population			Total Population in Japan			Total Population outside Japan		
	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female
All ages	27'060'554	13'105'073	13'955'481	26'892'206	13'027'052	13'865'154	168'348	78'021	90'327
Child Population									
0	225'170	115'336	109'834	223'949	114'709	109'240	1'221	627	594
1	228'354	116'962	111'392	227'106	116'311	110'795	1'248	651	597
2	238'943	122'332	116'611	237'630	121'664	115'966	1'313	668	645
3	244'769	124'712	120'057	243'519	124'065	119'454	1'250	647	603
4	248'656	127'619	121'037	247'492	127'024	120'468	1'164	595	569
5	257'633	131'440	126'193	256'491	130'845	125'646	1'142	595	547
6	262'816	134'318	128'498	261'846	133'835	128'011	970	483	487
7	264'751	135'971	128'780	263'856	135'501	128'355	895	470	425
8	273'590	140'543	133'047	272'684	140'119	132'565	906	424	482
9	276'433	141'471	134'962	275'485	140'963	134'522	948	508	440
10	286'823	146'502	140'321	285'792	145'986	139'806	1'031	516	515
11	296'837	152'159	144'678	295'793	151'632	144'161	1'044	527	517
12	310'369	159'348	151'021	309'254	158'777	150'477	1'115	571	544
13	322'471	164'939	157'532	321'395	164'398	156'997	1'076	541	535
14	329'556	169'406	160'150	328'511	168'874	159'637	1'045	532	513
15	343'766	176'361	167'405	342'655	175'808	166'847	1'111	553	558
16	350'755	179'302	171'453	349'468	178'623	170'845	1'287	679	608
17	353'790	180'819	172'971	352'348	180'059	172'289	1'442	760	682
0-17 years old	5'115'482	2'619'540	2'495'942	5'095'274	2'609'193	2'486'081	20'208	10'347	9'861

Percentage of Total Child Population in Urban Areas 77.69%

Percentage of Total Child Population in Japan 0.83%

Note: The National Census is held once every five years in Japan. Because 2000 was a census year detailed data exists including data showing the percentage of children living in urban areas.

Population of Children under the age of 18 (As of October 1, 2001)

(Unit: 1,000 people)

Age	Total Population			Total Population in Japan			Total Population outside Japan		
	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female
All ages	127'291	62'244	65'047	125'908	61'595	64'313	1'383	649	734
Child Population									
0	1'177	605	572	1'165	599	567	12	6	5
1	1'168	599	569	1'157	593	563	11	6	6
2	1'169	598	570	1'157	593	565	12	5	5
3	1'195	612	583	1'184	606	577	11	6	6
4	1'192	610	582	1'181	604	577	11	6	5
5	1'187	608	578	1'176	603	573	11	5	5
6	1'205	616	588	1'194	611	583	11	5	5
7	1'208	619	589	1'199	614	585	9	5	4
8	1'190	610	580	1'180	605	575	10	5	5
9	1'211	621	590	1'202	617	586	9	4	4
10	1'211	621	590	1'202	616	586	9	5	4
11	1'240	635	605	1'230	630	600	10	5	5
12	1'263	647	616	1'253	642	611	10	5	5
13	1'315	675	640	1'305	669	635	10	6	5
14	1'353	693	660	1'343	688	655	10	5	5
15	1'380	709	672	1'370	703	666	10	6	6
16	1'441	739	702	1'430	733	697	11	6	5
17	1'495	767	728	1'482	760	721	13	7	7
0-17 years old	22'600	11'584	11'014	22'410	11'486	10'922	190	98	92

Population of Children under the age of 18 (As of October 1, 2002)

(Unit: 1,000 people)

Age	Total Population			Total Population in Japan			Total Population outside Japan		
	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female
All ages	127'435	62'252	65'183	126'008	61'591	64'417	1'427	661	766
Child Population									
0	1'168	599	569	1'157	594	563	11	5	6
1	1'171	601	569	1'159	595	563	12	6	6
2	1'168	599	569	1'157	594	563	11	5	6
3	1'170	599	571	1'159	594	566	11	5	5
4	1'198	614	584	1'187	608	579	11	6	5
5	1'192	610	582	1'182	604	577	10	6	5
6	1'186	608	578	1'176	602	573	10	6	5
7	1'205	617	589	1'195	612	584	10	5	5
8	1'209	619	590	1'200	615	585	9	4	5
9	1'191	610	580	1'182	606	576	9	4	4
10	1'212	622	590	1'203	617	586	9	5	4
11	1'212	621	591	1'203	616	586	9	5	5
12	1'241	635	606	1'231	630	601	10	5	5
13	1'264	647	617	1'254	642	612	10	5	5
14	1'316	675	641	1'305	670	636	11	5	5
15	1'354	694	660	1'344	689	655	10	5	5
16	1'379	708	671	1'368	703	665	11	5	6
17	1'439	738	701	1'427	732	695	12	6	6
0-17 years old	22'275	11'416	10'858	22'089	11'323	10'765	186	93	93

2. In light of article 4 of the Convention, please provide additional disaggregated data for 2001- 2003, on budget allocations and trends (in percentages of the national and regional budgets or GDP) allocated to the implementation of the Convention for the following areas:

- a) education (different types of education, i.e. pre-primary, primary and secondary education);

Total education expenditure by type of education

(Unit: 1,000 yen)

Classification	Total educational expenditure
Total educational expenditure	18'375'709'626
School education expenditure	14'793'453'451
Kindergartens	268'823'589
Elementary schools	6'559'606'065
Lower secondary schools	3'736'977'853
Schools for students with visual, hearing or physical impairments	832'638'219
Upper secondary schools {	
Full-day school	3'111'312'946
Day/evening school	200'292'669
Correspondence courses	23'579'500
Special training colleges	47'488'001
Miscellaneous schools	2'743'528
Colleges of technology	9'991'081
Social education expenditure	2'514'796'146
Educational Administration and Finance Expenditure	1'067'460'029

\* A day/evening school is one with courses where instruction is given in the daytime or

evening, during a certain period of time.

- b) health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children);

A□Measures for maternal and child health

(Unit: million yen)

Item	FY2001 Budget allocated	FY2002 Budget allocated	FY2003 Budget allocated	Notes (outline of projects)
Maternal and child health measures: total budget	15,923	16,308	20,950	
1. Promotion of health management for pregnant women and infants	2,583	2,598	2,223	
(1) 18-month and 3-year old infant medical examination services	1,571	1,567	1,415	□ Implementation of comprehensive medical examinations aiming at early detection of disabilities, etc.
(2) Support for the health of women throughout their lives	136	154	159	□ Developments for dealing with medical disorders, such as sterility, etc.
(3) Measures for children's mental health building	434	435	0	□ Building networks, etc. to prevent child abuse
(4) Health support for infants etc.	387	387	500	(Go to (4)) □ Consultation, etc. concerning child-rearing
(5) Training of staff who are engaged in maternal and child health	55	55	54	□ Implementation of training for health professionals such as doctors, public health nurses, etc.
(6) Consultation and guidance on infant development	0	0	95	□ Consultation project and dispatch of expert and guidance
2. Measures to prevent physical and mental disabilities	392	392	398	
(1) Examination of neuroblastoma, etc. (Examination of inborn error of metabolism, etc.)	392	392	398	□ Implementation of examinations for early detection of neuroblast and neonatal hearing difficulties, etc.
3. Measures for maternal and child medical treatment	1,398	1,676	3,035	
(1) Network of medical treatment for pre-natal, natal and post-natal period (Measures for medical treatment for pre-natal, natal and post-natal period)	135	188	670	□ Construction of cooperation between maternity hospitals in general and hospitals with high quality medical treatment facilities
(2) Management of general pregnant and infant medical treatment center	387	455	0	(Go to (5)) □ Development assistance for the pregnant and infant medical treatment center with an ICU for the natal
(3) Consultation and guidance project on infant development	110	96	0	□ Consultation project and dispatch of staff
(4) Temporary day care project as infant health support	766	937	1,098	□ Development of temporary day care facilities and dispatch of nursery teachers to homes
(5) Maintenance of maternal and child health care facilities	0	0	1,267	□ Development assistance for the pregnant and infant medical treatment center with an ICU for the natal
4. Recuperation support etc.	11,540	12,024	15,228	□ Provision of medical allowances for premature babies
(1) Medical allowances for	1,705	1,776	2,457	

premature babies rearing				
(2) Research on the treatment of children with specific chronic diseases	9,835	9,450	9,651	□ Implementation of support for applicable patients
(3) Research project on child and family	0	798	698	□ Research on infants
(4) Research to overcome intractable diseases	0	0	2,422	□ Research and development on intractable diseases
5. Others	10	10	9	□ Implementation of the presentation of directions of measures in the 21 <sup>st</sup> century concerning maternal and child health
(1) Measures to promote, etc., "Sukoyaka Family 21 Plan"	10	10		
(2) Promotion of "food education," etc.	0	0	57	□ Implementation of measures for the improvement of child nutrition, etc.

#### B. Vaccination Measures

In order to make the process of vaccinations even safer, the Government promoted various vaccination measures implementation of training for people engaging in the vaccination; improving the relief benefit system for injury to health with vaccination, and improving health and welfare.

The Government promotes development of function of vaccination center in vaccinating, providing medical consultations and information to people who need to be vaccinated with due care due to the potential systematic anthera, and in supporting system where people can be vaccinated on holidays or outside regular hours.

(Unit: million yen)

Item	FY2001 Budget allocated	FY2002 Budget allocated	FY2003 Budget allocated	Notes (FY2003 budget breakdown)
Vaccination measures: Total	1,169	1,184	1,200	
1. Relief benefit for injury to health expenses	983	1,005	1,203	(1) Relief benefit for class one diseases 1,015 Breakdown: (a) Pension for rearing disabled children 26 (b) Disability pension 745 (c) Nursing addition 78 (d) Medical treatment, etc. 166 (2) Relief benefit expenses for class two diseases 8 (1) Health and welfare consultation project 74 (2) Training project expenses 5 (3) Enlightenment and dissemination campaign projects 15
2. Health and welfare consultation project	97	95	93	(1) Research on after-vaccination side effects and health condition 20 (2) Deliberation on after-vaccination side effects 6
3. Research project on after-vaccination side effects	27	27	26	Training project for people engaging in the vaccination 8 The number of places that operate on holidays and outside regular hours newly increased from 5 to 8
4. Training project for people engaging in the vaccination	17	8	8	(1) Vaccination guidance 2 (2) Measures for vaccination accident 8 (3) Investigation on occurrence of vaccination 3
5. Project to develop function of vaccination center	29	34	36	

6. Others	16	15	13	
-----------	----	----	----	--

c) programmes and services for children with disabilities;

Summary of the special support education budget

(Unit: 1,000 yen)

Item	FY2001 Budget amount	FY2002 Budget amount	FY2003 Budget amount
<input type="checkbox"/> Allowances to encourage special education, etc.	6,417,203	6,485,146	6,527,033
<input type="checkbox"/> Subsidies to develop equipments for special education, etc.	379,403	449,476	404,528
<input type="checkbox"/> Promotion of understanding and awareness of children with disabilities. Surveys and research in special support education. Research in and improvement of contents of education.	409,190	317,267	278,650
<input type="checkbox"/> State subsidies for compulsory education, etc. *	166,499,807	168,779,110	152,757,397
<input type="checkbox"/> Induction training for beginning teachers	1,125,852 (Of this, 909,069 yen was allocated to the item marked with an asterisk above)	1,281,539 (Of this, 1,028,862 yen was allocated to the item marked with an asterisk above)	1,206,026 (Of this, 953,796 yen was allocated to the item marked with an asterisk above)
<input type="checkbox"/> Expenditure to develop public special education facilities	3,498,000	3,036,000	2,578,000
<input type="checkbox"/> Subsidies for aid for current expenditure of private upper secondary schools, etc. (Special subsidies (operational expenses for special education schools, etc.))	2,787,000	2,787,000	2,898,000
<input type="checkbox"/> Operation of the National Institute of Special Education	2,006,713	1,788,086	1,429,345
<b>Total</b>	<b>182,214,099</b>	<b>183,894,762</b>	<b>167,125,183</b>

(Unit: 1,000 yen)

	FY2001	FY2002	FY2003
--	--------	--------	--------

In-home child-care service programs (Home-helper program for disabled children/persons)	2,732,160	3,004,057	3,148,382
Day services for children	3,082,882	3,183,203	2,681,567
Institutional welfare facilities (*Breakdown by type of institution as below.)	266,047,123	276,335,736	270,688,764
	271,862,165	282,522,996	276,518,713

d) support programmes for families;

	FY2001	FY2002	FY2003
Measures to support families rearing children	About 12.9 billion yen	About 14.4 billion yen	About 14.7 billion yen

\* Funds for measures to support families rearing children include funds for the regional child-rearing support center project, the project of after-school measures for healthy growth of children and the family support center project.

	FY2001	FY2002	FY2003
Child allowance	About 431 billion yen	About 451 billion yen	About 437 billion yen
Donations from business proprietors	About 120 billion yen	About 123 billion yen	About 118 billion yen
Central Government	About 194 billion yen	About 206 billion yen	About 199 billion yen
Local Government	About 117 billion yen	About 122 billion yen	About 120 billion yen

	FY2001	FY2002	FY2003
Child-rearing allowance	About 347.3 billion yen	About 347.7 billion yen	About 342.4 billion yen
Central Government	About 262.1 billion yen	About 261.7 billion yen	About 257.2 billion yen
Local Government	About 85.2 billion yen	About 86.1 billion yen	About 85.3 billion yen

e) support for children living below the poverty line;

f) the protection of children who are in need of alternative care including the support of care institutions;

(No applicable data)

g) programmes and activities for the prevention of and protection from child abuse and child sexual exploitation and child labour;

	FY2001	FY2002	FY2003
Improving measures to prevent child abuse	2.96 billion yen	3.204 billion yen	4.79 billion yen

h) juvenile justice.

Amount allocated in the budget for juveniles measures (Unit: 1000 yen□)

Classification	FY2001 Budget amount	FY2002 Budget amount	FY2003 Budget amount
<b>□Strengthening and improvement of prosecution of juveniles□</b>	<b>1,764,609</b>	<b>1,723,882</b>	<b>1,853,395</b>
<b>□Revision of the Juvenile Law□</b>	<b>5,841</b>	<b>5,841</b>	<b>5,809</b>
<b>□Improvement of educational activities at juvenile training school□</b>	<b>23,095,010</b>	<b>22,972,526</b>	<b>22,697,504</b>
Improving the management of juvenile training school	19,950,873	19,758,205	19,418,657
Improving treatment of detainee	2,552,806	2,615,228	2,680,841
Improving correctional education	591,331	599,093	598,006
<b>□Improvement of the operations of the juvenile classification home□</b>	<b>11,626,843</b>	<b>11,553,898</b>	<b>11,341,037</b>
Improving the management of the juvenile classification home	10,479,747	10,386,464	10,189,969



Improving treatment of detainee	962,209	982,689	968,469
Improving classification functions	184,887	184,745	182,599
<b>□Improvement of the vocational training of juvenile prisoners□</b>	<b>130,434</b>	<b>134,879</b>	<b>125,852</b>
(item) Prison operation expenditure			
Expenditure of vocational training for prisoners	130,434	134,879	125,852
<b>□Maintenance of juvenile training school and other facilities□</b>	<b>2,323,007</b>	<b>1,225,372</b>	<b>2,202,138</b>
Juvenile training school	1,166,649	816,667	712,851
Juvenile classification home	1,156,358	408,705	1,489,287
<b>□Improvement of probation of juveniles□</b>	<b>17,047,861</b>	<b>17,164,973</b>	<b>16,833,676</b>
Improving guidance and care for juveniles	557,395	551,628	480,022
Improving the management of regional parole boards and probation offices	11,445,400	11,439,847	11,144,926
Improving the activities of volunteer probation officers	2,824,353	2,871,326	2,913,195
Improving subsidies for juridical persons for offenders rehabilitation services	2,220,713	2,302,172	2,295,533
<b>□Budget for courts□</b>	<b>18,096</b>	<b>13,896</b>	<b>13,824</b>
Strengthening cooperation with organizations concerned	8,515	4,993	4,993
Improving traffic training courses for juveniles	9,581	8,903	8,831
<b>Total</b>	<b>56,011,701</b>	<b>54,795,267</b>	<b>55,073,235</b>

No items apply to the private sector.

Please also indicate the expenses of the private sector, in particular for health and education.

Percentage of private schools (for the question in the last paragraph)

Classification		Number of schools				Number of pupils/students			
		Total	Elementary schools	Lower secondary schools	Upper secondary schools	Total	Elementary schools	Lower secondary schools	Upper secondary schools
2001	Total Private schools	40,634	23,964	11,191	5,479	15,350,587	7,296,920	3,991,911	4,061,756
		2,176	172	686	1,318	1,488,647	67,227	233,553	1,187,867
2002	Total Private schools	40,439	23,808	11,159	5,472	15,031,528	7,239,327	3,862,849	3,929,352
		2,187	175	691	1,321	1,445,560	67,377	231,308	1,146,875
2003	Total Private schools	40,217	23,633	11,134	5,450	14,785,031	7,226,911	3,748,319	3,809,801
		2,197	179	700	1,318	1,415,938	68,063	232,728	1,115,147

Note: The figures for 2003 are preliminary.

Source: "School Basic Survey," The Ministry of Education, Culture, Sports, Science and Technology

3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by gender, age groups, minority and ethnic groups, urban and rural areas) for the last three years on the number of children:

a) separated from their parents;

Juveniles committed to juvenile welfare institutions and juveniles in the care of foster parents	FY1999	FY2000	FY2001
	47,292	48,064	47,468

\*The point in time is different (as of October 1 and as of the end of the FY). Just for reference, the number is obtained by adding A3 (b) and A3 (c) below.

b) placed in institutions;

Juveniles committed to juvenile welfare institutions	FY1999	FY2000	FY2001
0-4 years old	8,992	8,628	8,461
5-9 years old	12,451	11,832	11,290
10-14 years old	11,835	13,512	13,484
15- years old	11,892	11,935	12,022
Total Number	45,170	45,907 (Male)22,757 (Female)23,150	45,257

\* Juvenile welfare institutions refer to infant homes, homes of living assistance for mothers and children, children's homes, short-term clinics for emotionally disturbed children and homes for resocialization of minors.

\* Figures for homes of living assistance for mothers and children include both mothers and children.

\* As of October 1 each year.

\* The figures for each sex in 1999 and 2001 are not available.

\* Based on a report on a survey of social welfare institutions.

c) placed with foster families;

Juveniles in the care of foster parents	FY1999	FY2000	FY2001
0 years old	72	68	68
1-6 years old	747	803	837
7-12 years old	623	641	675
13-15 years old	355	341	325
16- years old	325	304	306
Total number	2,122	2,157	2,211
	□ Males □ 1,107	1,103	1,141
	□ Females □ 1,015	1,054	1,070

\* As of the end of each year.

\* Based on a report on a social welfare administration.

d) adopted domestically or through inter-country adoptions.

(No applicable data)

4. Please specify the number of children with disabilities, disaggregated by sex, age ethnic and minority group, for the years 2000, 2001 and 2002:

a) living with their families;  
(No applicable data)

b) in institutions;

Changes in the number of home-helpers

1998	1999	2000	2001
1,533	2,058	3,681	5,722

\* Helpers specially designated for physically or mentally disabled children.

Day services for children

1998	1999	2000	2001	2002
452	502	552	592	632

Current status of institutions for disabled children

Institution	1999			2000			2001			2002		
	Number of institutions (facilities)	Capacity (persons)	Size of staff	Number of institutions (facilities)	Capacity (persons)	Size of staff	Number of institutions (facilities)	Capacity (persons)	Size of staff	Number of institutions (facilities)	Capacity (persons)	Size of staff
Residential Facility for Children with Intellectual Disabilities	278	15,659	12,586	272	14,975	12,276	270	14,520	11,927	266	13,968	11,618
Facilities for Children with Autism	7	338	283	7	338	258	7	338	251	7	338	240
Day-care Center for Pre-schoolers with Intellectual Disabilities	230	8,404	7,581	234	8,657	7,911	239	8,788	8,102	240	8,862	8,216
Facilities for Children with Motional Disabilities	66	6,972	4,457	65	6,295	4,248	65	5,968	3,800	66	5,969	3,801
Day-care Centers for Children with Motional Disabilities	83	3,400	2,614	85	3,400	2,932	88	3,500	2,802	88	3,500	2,809
Homes for Children with Motional Disabilities	7	400	264	7	400	257	6	360	236	6	360	240
Residential Facility for Children with Visual Disabilities	14	429	188	14	411	178	13	351	163	13	338	149
Residential Facility for Children with Auditory and Speech Disabilities	16	561	218	16	547	231	15	497	231	15	497	222
Day-care Center for Children with Hearing Difficulty	27	893	849	26	850	944	25	848	755	25	848	740
Facilities for Children and Adults with Severe Multiple Disabilities	88	8,887	8,629	91	9,211	9,322	97	9,631	9,329	101	9,838	9,582
Special Wards in National Sanatoriums for Children and Adults with Severe Multiple Disabilities	27	1,772	596	27	1,772	572	27	1,772	470	27	1,772	413
Special Wards in National Sanatoriums for Children and Adults with Progressive Muscular Dystrophy	79	8,000	7,795	79	8,000	7,861	78	7,880	7,761	76	7,680	7,456
Rehabilitation facilities for the intellectually disabled	1,250	84,083	83,027	1,303	86,823	86,035	1344	89,242	88,122	1,389	91,610	90,477
(Commuting-style centers)	339	12,820	11,946	350	13,661	12,829	366	14,376	13,694	384	15,164	14,437
Sheltered workshops for the intellectually disabled	226	14,200	13,927	228	14,307	14,111	229	14,261	13,903	227	14,254	14,041
(commuting style centers)	839	31,670	30,827	890	34,140	33,420	957	36,620	35,856	1,058	40,207	39,480
Commuter dormitory for the intellectually disabled	119	2,805	2,628	120	2,827	2,662	121	2,847	2,671	124	2,902	2,729
Welfare homes for the intellectually disabled	68	856	708	68	856	692	70	871	711	72	895	750

c) attending regular schools; and

□umber of children with disabilities

(C) Number of children with disabilities attending regular schools

The number of pupils and students enrolled in special classes or resource rooms, out of all pupils and students attending regular schools

Special classes	2000			2001			2002		
	Elementary schools	Lower secondary schools	Number of pupils and students	Elementary schools	Lower secondary schools	Number of pupils and students	Elementary schools	Lower secondary schools	Number of pupils and students
Intellectual disabilities	31,558	17,154	48,712	33,119	17,767	50,886	34,963	18,212	53,175
Physical disabilities	1,936	582	2,518	2,178	638	2,816	2,444	687	3,131
Health impairment	1,304	462	1,766	1,212	475	1,687	1,194	499	1,693
Visual impairment	130	44	174	139	55	194	164	52	216
Hearing impairment	744	306	1,050	745	323	1,068	762	347	1,109
Speech impairment	1,151	42	1,193	1,155	56	1,211	1,103	63	1,166
Emotional disturbance	12,690	4,818	17,508	14,003	5,375	19,378	15,333	6,004	21,337
Total	49,513	23,408	72,921	52,551	24,689	77,240	55,963	25,864	81,827

Resource rooms	2000			2001			2002		
	Elementary schools	Lower secondary schools	Number of pupils and students	Elementary schools	Lower secondary schools	Number of pupils and students	Elementary schools	Lower secondary schools	Number of pupils and students
Speech impairment	23'180	110	23'290	24'725	125	24'850	26'329	124	26'453
Emotional disturbance	2'184	476	2'660	2'571	515	3'086	3'016	504	3'520
Visual impairment	134	12	146	148	12	160	164	9	173
Hearing impairment	1'197	223	1'420	1'235	231	1'466	1'325	285	1'610
Physical disabilities	4	3	7	2	1	3	2	1	3
Health impairment	19	5	24	0	0	0	2	6	8
Total	26'718	829	27'547	28'681	884	29'565	30'838	929	31'767

d) attending special schools.

(D) Number of children attending special schools

Classification		2000	2001	2002
Schools for the blind		4,089	4,001	3,926
Schools for the deaf		6,818	6,829	6,719
Schools for children with intellectual disabilities, physical disabilities and health impairments	Sub-total	79,197	81,242	83,526
	Intellectual disabilities	57,078	58,866	61,243
	Physical disabilities	17,886	18,289	18,362
	Health impairments	4,233	4,087	3,921
Total		90,104	92,072	94,171

5. With reference to child abuse, please provide disaggregated data (by age, gender, minority and ethnic group and types of violations reported) for the years 2000, 2001 and 2002 on the:

a) number of reports received per year in the last three years;

	FY2000	FY2001	FY2002
Number of consultations received concerning child abuse	18,804	24,792	24,254

\* As of the end of each year.

b) number and percentage of reports which have resulted in either a court decision or other types of follow-up.

		FY2000	FY2001	FY2002
Number of consultations dealt with concerning child abuse		17,725	23,274	23,738
By age	Under 3 years old	3,522	4,748	4,940
	Pre-schoolers from 3 years old	5,147	6,847	6,928
	Primary school students	6,235	8,337	8,380
	Lower secondary school students	1,957	2,431	2,495
	Upper secondary school students and others	864	911	995
	Total number	17,725	23,274	23,738
Type of abuse	Physical abuse	8,877	10,828	10,932
	Sexual abuse	754	778	820
	Psychological abuse	1,776	2,864	3,046
	Neglect by guardian	6,318	8,804	8,940
	Total number	17,725	23,274	23,738

\* As of the end of each year.

6. Please provide disaggregated data (by gender, age groups, minority and ethnic groups, urban and rural areas) for the years 2000, 2001 and 2002 on:

a) the enrolment, attendance and completion rates in percentages of the relevant group in pre-primary schools, in primary schools and in secondary schools;

**Percentage of attendance in kindergarten, elementary and lower secondary schools**

Classification	Kindergarten	Elementary schools	Lower secondary schools
2000	61.1	99.98	99.98
2001	60.6	99.98	99.98
2002	59.9	99.98	99.98

Notes: 1. The percentage of attendance at kindergarten: the number of children who completed kindergarten divided by the number of students in the first year of elementary school.

2. The percentage of enrollment in compulsory education: the number of students attending school (excluding non-Japanese) divided by the population of students in compulsory education (the number of students in school (excluding non-Japanese) + the number of children exempted or temporarily exempted from enrollment at school + number of children whose whereabouts are unknown for over a year.

Source: "School Basic Survey," Ministry of Education, Culture, Sports, Science and Technology.

b) number and percentage of drop-outs and repetitions;  
(No applicable data)

c) ratio of teachers to students

**Number of students (pupils) per teacher**

Classification	Kindergarten	Elementary schools	Lower secondary schools
2000	16.7	18.1	15.9
2001	16.4	17.9	15.6
2002	16.4	17.6	15.2

Source: "School Basic Survey," Ministry of Education, Culture, Sports, Science and Technology.

d) number and proportion of students attending supplementary tuition or tutoring outside of school.  
(No applicable data)

7. Please provide disaggregated statistical data (by gender, age groups, minority and ethnic groups, urban, and rural areas) on infant and child mortality, early pregnancy, sexually transmitted diseases (STDs) including HIV/AIDs, suicide, drug, alcohol and tobacco abuse for the years 2000, 2001 and 2002.

a) Number of Deaths from Suicide, JAPAN

Year	Sex	All Ages	Age 0 year	0-4	5-9	10-14	15-19
Number							
2000	Both	30 251	-	-	-	74	473
	Male	21 656	-	-	-	58	335
	Female	8 595	-	-	-	16	138
2001	Both	29 375	-	-	1	60	481
	Male	21 085	-	-	1	38	314
	Female	8 290	-	-	-	22	167
2002	Both	29 949	-	-	-	37	410
	Male	21 677	-	-	-	25	276
	Female	8 272	-	-	-	12	134
Rate over 100 000 population							
2000	Both	24.1	-	-	-	1.1	6.4
	Male	35.2	-	-	-	1.7	8.8
	Female	13.4	-	-	-	0.5	3.8
2001	Both	23.3	-	-	0	0.9	6.6
	Male	34.2	-	-	0	1.2	8.4
	Female	12.9	-	-	-	0.7	4.7
2002	Both	23.8	-	-	-	0.6	5.8
	Male	35.2	-	-	-	0.8	7.6
	Female	12.8	-	-	-	0.4	3.9

i) Annual number of HIV-infected and AIDS patients by age group

Diagnostic Classification	Age Group	2000	2001	2002	Total	% of Total
□□□	Under 10 years old	3	1	3	7	0.4
	10-14	0	0	1	1	0.0
	15-19	4	7	6	17	1.0
	20-24	52	68	59	179	10.5
	25 and over	403	545	545	1,493	88.1
	Unknown	0	0	0	0	0.0
	Total	462	621	614	1697	100.0
□□□□	Under 10 years old	2	1	0	3	0.3
	10-14	0	0	0	0	0.0
	15-19	0	0	0	0	0.0
	20-24	10	8	5	23	2.4
	25 and over	317	323	383	943	91.3
	Unknown	0	0	0	0	0.0
	Total	329	332	308	969	100.0

ii) Annual changes in the number of HIV-infected persons by nationality, sex and age group

Nationality	Sex	Age group	2000	2001	2002	Total	% of Total
Japanese	Males	Under 10 years old	2	1	1	4	0.3
		10-14	0	0	0	0	0.0
		15-19	4	2	4	10	8.8
		20-24	34	49	43	126	9.8
		25 and over	296	423	433	1182	89.1
		Unknown	0	0	0	0	0.0
		<b>Total</b>	<b>336</b>	<b>475</b>	<b>481</b>	<b>1292</b>	<b>100</b>
	Females	Under 10 years old	1	0	0	1	0.8
		10-14	0	0	0	0	0.0
		15-19	0	4	1	5	4.1
		20-24	5	13	5	23	18.9
		25 and over	26	33	34	93	76.2
		Unknown	0	0	0	0	0.0
		<b>Total</b>	<b>32</b>	<b>50</b>	<b>40</b>	<b>122</b>	<b>100</b>
Non-Japanese	Males	Under 10 years old	0	0	1	1	0.6
		10-14	0	0	1	1	0.2
		15-19	0	0	0	0	0.0
		20-24	6	0	2	8	4.8
		25 and over	47	59	51	157	94.6
		Unknown	0	0	0	0	0.0
		<b>Total</b>	<b>53</b>	<b>59</b>	<b>55</b>	<b>167</b>	<b>100</b>
	Females	Under 10 years old	0	0	1	1	0.9
		10-14	0	0	0	0	0.0
		15-19	0	1	1	2	1.3
		20-24	7	6	9	22	19.0
		25 and over	34	30	27	91	78.8
		Unknown	0	0	0	0	0.0
		<b>Total</b>	<b>41</b>	<b>37</b>	<b>38</b>	<b>116</b>	<b>100</b>

iii) Annual changes in the number of AIDS patients by nationality, sex, and age group

Nationality	Gender	Age Group	2000	2001	2002	Total	% of Total
Japanese	Males	Under 10 years old	1	0	0	1	0.1
		10-14	0	0	0	0	0.0
		15-19	0	0	0	0	0.0
		20-24	6	7	2	15	2.1
		25 and over	232	214	230	676	97.8
		Unknown	0	0	0	0	0.0
	<b>Total</b>	<b>239</b>	<b>221</b>	<b>232</b>	<b>692</b>	<b>100</b>	
	Females	Under 10 years old	0	0	0	0	0.0
		10-14	0	0	0	0	0.0
		15-19	0	0	0	0	0.0
20-24		1	0	1	2	3.1	

		25 and over	20	24	19	63	96.9
		Unknown	0	0	0	0	0.0
		<b>Total</b>	<b>21</b>	<b>24</b>	<b>20</b>	<b>65</b>	<b>100</b>
Non-Japanese	Males	Under 10 years old	0	0	0	0	0.0
		10-14	0	0	0	0	0.0
		15-19	0	0	0	0	0.0
		20-24	1	0	0	1	0.7
		25 and over	40	61	36	137	99.3
		Unknown	0	0	0	0	0.0
		<b>Total</b>	<b>41</b>	<b>61</b>	<b>36</b>	<b>138</b>	<b>100</b>
	Females	Under 10 years old	1	1	0	2	2.7
		10-14	0	0	0	0	0.0
		15-19	0	0	0	0	0.0
20-24		2	1	2	5	6.8	
25 and over		25	24	18	67	90.5	
Unknown		0	0	0	0	0.0	
	<b>Total</b>	<b>28</b>	<b>26</b>	<b>20</b>	<b>74</b>	<b>100</b>	

iv) Annual number of HIV-infected persons and AIDS patients by nationality and sex

Diagnostic Classification	Nationality	Sex	2000	2001	2002	Total	% of Total	
HIV	Japanese	Males	336	475	481	1292	76.1	
		Females	32	50	40	122	7.2	
		<b>Total</b>	<b>368</b>	<b>525</b>	<b>521</b>	<b>1414</b>	<b>83.3</b>	
	Non-Japanese	Males	53	59	55	167	9.9	
		Females	41	37	38	116	6.9	
		<b>Total</b>	<b>94</b>	<b>96</b>	<b>93</b>	<b>283</b>	<b>16.7</b>	
	<b>Total</b>		<b>462</b>	<b>621</b>	<b>614</b>	<b>1697</b>	<b>100</b>	
	AIDS	Japanese	Males	239	221	232	692	71.4
			Females	21	24	20	65	6.7
<b>Total</b>			<b>260</b>	<b>245</b>	<b>252</b>	<b>757</b>	<b>78.1</b>	
Non-Japanese		Males	41	61	36	138	14.2	
		Females	28	26	20	74	7.7	
		<b>Total</b>	<b>69</b>	<b>87</b>	<b>56</b>	<b>212</b>	<b>21.9</b>	
<b>Total</b>			<b>329</b>	<b>332</b>	<b>308</b>	<b>969</b>	<b>100</b>	

v) Annual changes in the number of HIV-infected persons and AIDS patients by classification of nationality

Diagnostic Classification	Classification of nationality	2000	2001	2002	Total	% of Total
HIV	Western Europe	1	2	1	4	0.2
	North Africa/the Near East	0	0	1	1	0.1
	Sub-Saharan Africa	4	16	16	36	2.1
	South Asia	5	0	6	11	0.6
	South East Asia	35	33	18	86	5.1
	Eastern Europe/Central Asia	0	0	2	2	0.1
	East Asia/Pacific Region (excluding Japan)	7	9	13	29	1.7
	Australia and New Zealand	2	0	0	2	0.1
	North America	3	2	3	8	0.5



	Caribbean Basin	0	0	0	0	0.0	
	Latin America	19	17	11	47	2.8	
	Japan	368	525	521	1414	83.3	
	Unknown	18	17	22	57	3.5	
	<b>Total</b>	<b>462</b>	<b>621</b>	<b>614</b>	<b>1697</b>	<b>100.0</b>	
AIDS	Western Europe	1	0	2	3	0.3	
	North Africa/the Near East	1	0	0	1	0.1	
	Sub-Saharan Africa	8	7	4	19	2.0	
	South Asia	3	5	2	10	1.0	
	South East Asia	33	34	30	97	10.0	
	Eastern Europe and Central Asia	0	1	0	1	0.1	
	East Asia/Pacific Region (excluding Japan)	0	8	1	9	0.9	
	Australia and New Zealand	0	0	0	0	0.0	
	North America	2	2	1	5	0.5	
	Caribbean Basin	0	0	0	0	0.0	
	Latin America	14	14	11	39	4.0	
	Japan	260	245	252	757	78.1	
	Unknown	7	16	5	67	3.0	
		<b>Total</b>	<b>329</b>	<b>332</b>	<b>308</b>	<b>969</b>	<b>100.0</b>

c) Annual changes in the number of reported sexually transmitted diseases (STD) reported by age group (range of 5 years per group)

i) Syphilis

		Number of cases	0-4 years old	5-9 years old	10-14 years old	15-19 years old
Total	2000	759	7	0	0	17
	2001	585	4	0	0	20
	2002	567	6	0	1	21
Males	2000	512	4	0	0	8
	2001	400	1	0	0	5
	2002	...	...	...	...	...
Females	2000	247	3	0	0	9
	2001	185	3	0	0	15
	2002	...	...	...	...	...

ii) Gonococcal Infection

		Number of cases	0-4 years old	5-9 years old	10-14 years old	15-19 years old
Total	2000	16,926	6	6	15	1,653
	2001	20,662	4	0	29	2,031
	2002	21,805	9	4	40	2,305
Males	2000	14,196	2	1	7	1,081
	2001	17,205	0	0	14	1,286
	2002	17,489	1	0	13	1,421
Females	2000	2,730	4	5	8	572
	2001	3,457	4	0	15	745
	2002	4,316	8	4	27	884



iii) Cndylomata Auminata

		Number of cases	0-4 years old	5-9 years old	10-14 years old	15-19 years old
Total	2000	4,553	1	2	3	654
	2001	5,178	2	4	6	640
	2002	5,666	3	2	8	692
Males	2000	2,511	1	1	2	231
	2001	2,814	1	3	4	209
	2002	3,029	2	1	2	178
Females	2000	2,042	0	1	1	423
	2001	2,364	1	1	2	431
	2002	2,637	1	1	6	514

iv) Genital Chlamydia Infection

		Number of cases	0-4 years old	5-9 years old	10-14 years old	15-19 years old
Total	2000	37,028	8	0	51	5,646
	2001	40,836	7	0	84	6,359
	2002	43,524	5	1	99	6,750
Males	2000	15,856	1	0	6	1,544
	2001	17,497	2	0	17	1,656
	2002	18,203	3	1	15	1,738
Females	2000	21,172	7	0	45	4,102
	2001	23,339	5	0	67	4,703
	2002	25,321	2	0	84	5,012

v) Genital Herpes Virus Infection

		Number of cases	0-4 years old	5-9 years old	10-14 years old	15-19 years old
Total	2000	8,946	7	4	13	462
	2001	9,314	6	8	15	509
	2002	9,598	7	5	15	513
Males	2000	3,907	2	1	1	113
	2001	3,957	3	3	4	117
	2002	4,065	3	2	1	117
Females	2000	5,039	5	3	12	349
	2001	5,357	3	5	11	392
	2002	5,533	4	3	14	396

Note 1. Data until March 1999 are from the reports based on the Venereal Diseases Prevention Law and the data from April 1999 are from the reports based on the Venereal Law concerning the Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases. The quality and quantity of the number of reporting medical institutions in this study, therefore, varies.

2. The data for 2002 is approximate figure.

Source: Annual Report on the Infectious Disease Surveillance Projects (Until March 1999), Survey on the Trend of Outbreak of Infectious Diseases (From April 1999)

d) Survey on the current status of drug abuse

Survey Implementation Organization: National Institute of Mental Health of the National Center of Neurology and Psychiatry

i) Nationwide survey subjects: ordinary citizens of the age of 15 and above

(1) Proportion of people who have abused illegal drugs (lifetime experience rate) (%)

	1995	1997	1999	2001
cannabis	0.5	0.6	1.0	1.1
Stimulant drugs	0.3	0.3	0.4	0.3
Heroin	*	*	*	*
Cocaine	0.1	*	0.2	0.1
LSD	(Unsurveyed)	(Unsurveyed)	0.1	0.1
One of above	0.8	0.8	1.3	1.3

\* Within the margin of statistical error

(2) Comparison of experience rate of illegal drug abuse in Japan and the United States (%)

	Japan (2001)	(Reference □ U.S.: experience rate (Age of 12 and above) (2001))		
	Lifetime experience rate	Within the last month	Within the last year	Lifetime
Cannabis	1.1	5.4	9.3	36.9
Stimulant drugs	0.3	0.5	1.1	4.3
Heroin	*	0.1	0.2	1.4
Cocaine	0.1	0.7	1.9	12.3
LSD	0.1	0.1	0.7	9.0
One of above	1.3	7.1	12.6	41.7

ii) Nationwide survey of lower secondary school students

Proportion of lower secondary school students with experience of cannabis or stimulant drug abuse (lifetime experience rate) (%)

	1996	1998	2000	2002
Cannabis	0.56	0.68	0.44	0.52
Stimulant drugs	0.38	0.51	0.39	0.44
One of above	0.67	0.80	0.57	0.65

8. Please provide appropriate disaggregated data (including by gender, age, minority and ethnic groups, and type of crime) for the years 2000, 2001 and 2002, in particular on the number of:

a) minors, who have allegedly committed a crime, reported to the police;

(Question list Chart 8a) Number of minors apprehended/taken into custody by police

		2000		2001		2002	
		Total	By female	Total	By female	Total	By female
Penal code crime case: Total		152'813	34'106	158'721	37'910	162'252	39'758
Felony	Homicide	105	11	109	11	83	13
	Robbery	1'668	117	1'695	141	1'611	153
	Arson	210	21	228	25	192	19
	Rape	311	9	260	14	244	4
	Sub-total	2'294	158	2'292	191	2'130	189
Violent crime	Assembly with offensive weapons	147	2	408	1	250	6
	Violence/	2'368	263	2'227	314	2'104	301
	Bodily injury	11'502	1'601	10'926	1'777	9'957	1'662
	Intimidation	178	14	167	37	167	24
	Extortion	7'365	877	6'384	830	5'089	728
	Sub-total	21'560	2'757	20'112	2'959	17'567	2'721
Larceny		92'743	25'203	95'388	27'412	97'557	28'458
Intellectual crime	Fraud	535	177	482	148	590	174
	Embezzlement	15	0	12	3	16	3
	Other	64	21	69	20	57	14
	Subtotal	614	198	563	171	663	191
Moral offense	Gambling	23	5	20	3	36	6
	Indecency	501	14	500	14	442	6
	Subtotal	524	19	520	17	478	12
Other code crime cases		35'078	5'771	39'846	7'160	43'857	8'187
	Misappropriation of another's possession	29'397	5'250	33'647	6'535	37'088	7'392
Special law crime cases: Total		7'766	2'327	7'239	2'069	6'729	2'047
TOTAL		160'579	36'433	165'960	39'979	168'981	41'805

- \* Statistics by ethnic group are not available.
- \* Minors aged 14 and above are those who were apprehended by the police.
- \* Minors under age 14 are those who were reported to child guidance centers or handled only within police stations.

b) minors who have been sentenced and type of punishment or sanctions related to offences including length of deprivation of liberty;

Number of minors who have been sentenced, and types of punishment and sanctions concerning crime  
 Number of minors who have been sentenced (for the former question)

Number of juvenile cases proceeded according to their final dispositions

FY	Total	Transfer to prosecutor			Protective measures				Transfer to child guidance center	Suspension of disposal	Not started	Transferred, returned, or consolidated cases	
		Total	Criminal punishment	Over age	Total	Probation	Transfer to home for resocialization of minors or children's homes	Transfer to juvenile training school					
2000	Total number of juveniles	284'998	14'072	9'665	4'407	58'176	51'635	380	6'161	193	61'908	116'513	34'136
	General protection	197'223	3'240	1'034	2'206	32'650	26'653	377	5'620	191	36'913	100'770	23'459
	Road traffic	87'775	10'832	8'631	2'201	25'526	24'982	3	541	2	24'995	15'743	10'677
2001	Total number of juveniles	285'094	13'859	9'668	4'191	55'906	49'481	372	6'053	144	59'307	121'603	34'275
	General protection	204'367	3'491	1'265	2'226	32'400	26'509	370	5'521	143	36'952	107'373	24'008
	Road traffic	80'727	10'368	8'403	1'965	23'506	22'972	2	532	1	22'355	14'230	10'267
2002	Total number of juveniles	286'504	12'796	8'815	3'981	54'883	48'568	336	5'979	183	55'635	128'378	34'629
	General protection	210'854	3'327	1'122	2'205	32'065	26'315	333	5'417	183	35'731	114'757	24'791
	Road traffic	75'650	9'469	7'693	1'776	22'818	22'253	3	562	0	19'904	13'621	9'838

Note: Based on Annual Judicial Statistics

Types of punishment and sanctions related to offences, including length of deprivation of liberty (for the latter question)

See Paragraphs 256-261 of the Initial Report of Japan. In addition, protective measures under Article 24 of Juvenile Law are neither punishment nor sanctions. Instead, they are measures for the purpose of carrying out education.

For the average "length of deprivation of liberty," by the transfer to juvenile training school, see Paragraph 307 of the Second Report of Japan.

c) detention facilities for juvenile delinquents and their capacity;

	2000		2001		2002	
	Number of facilities	Capacity	Number of facilities	Capacity	Number of facilities	Capacity
Juvenile training school	53	5518	53	5546	53	5546
Juvenile classification home	52	2590	52	2590	52	2590

Note: As of the end of each year.

d) The number of minors detained in these detention facilities and minors detained in detention facilities for adults

New detainees in juvenile classification homes by sex

	2000		2001		2002	
<b>Total</b>	<b>21'710</b>	<b>(13'584)</b>	<b>21'817</b>	<b>(13'506)</b>	<b>21'924</b>	<b>(13'460)</b>
Male	19'287	(11'787)	19'339	(11'679)	19'462	(11'606)
Female	2'423	(1'797)	2'478	(1'827)	2'462	(1'854)

Notes: 1. Based on the Annual Report of Statistics on Correction.

2. Figures in parentheses are for minors under 18 who are listed again. (same for all charts)

New detainees in juvenile classification homes by age

	2000	2001	2002
<b>Total</b>	<b>21'710</b>	<b>21'817</b>	<b>21'924</b>
13 and below	89	97	103
14	1'372	1'338	1'366
15	2'859	2'630	2'650
16	4'435	4'370	4'343
17	4'829	5'071	4'998
18	4'208	4'355	4'380
19	3'846	3'888	4'003
20 and older	72	68	81

Note: Based on the Annual Report of Statistics on Correction.

New detainees in juvenile classification homes by nationality

	2000		2001		2002	
<b>Total</b>	<b>21'710</b>	<b>(13'584)</b>	<b>21'817</b>	<b>(13'506)</b>	<b>21'924</b>	<b>(13'460)</b>
Japan	21'142	(13'298)	21'150	(13'159)	21'202	(13'115)
ROK & North Korea	222	(129)	189	(107)	217	(138)
China	80	(29)	125	(48)	120	(38)
US	7	(3)	9	(2)	15	(3)
Brazil	149	(63)	202	(103)	187	(77)
Thailand	9	(2)	9	(0)	8	(4)
Vietnam	7	(5)	13	(10)	16	(9)
Philippines	25	(19)	33	(27)	18	(11)
Other	69	(36)	87	(50)	141	(65)

Note: Based on papers of Judicial System Department of the Ministry of Justice.

New detainees in juvenile classification homes by type of delinquency

	2000		2001		2002	
<b>Total</b>	<b>21'710</b>	<b>(13'584)</b>	<b>21'817</b>	<b>(13'506)</b>	<b>21'924</b>	<b>(13'460)</b>
<b>Penal code crime cases: Total</b>	<b>16'119</b>	<b>(10'219)</b>	<b>16'196</b>	<b>(10'183)</b>	<b>16'403</b>	<b>(10'212)</b>
Obstruction of the performance of official duties	253	(160)	217	(117)	193	(110)
Arson	56	(38)	51	(32)	65	(35)
Intrusion upon habitation	149	(89)	207	(128)	177	(100)
Forgery of documents, securities, electromagnetic record of card for payment, or seal	8	(0)	21	(3)	9	(2)
Obscenity, distribution of obscene literature	7	(5)	12	(6)	14	(3)
Indecent assault, indecent assault resulting in bodily injury	182	(120)	174	(98)	146	(83)
Rape, rape resulting in injury or death	286	(137)	201	(81)	198	(101)
Homicide	65	(39)	81	(43)	60	(25)
Bodily injury	3'523	(2'284)	3'539	(2'223)	3'163	(2'030)
Bodily injury resulting in death	97	(71)	74	(41)	57	(42)
Violence	207	(139)	262	(143)	223	(127)
Reckless driving resulting in injury or death	-	(-)	0	(0)	9	(1)
Professional negligence resulting in injury or death	237	(83)	222	(93)	248	(89)
Serious negligence resulting in injury or death	0	(0)	2	(1)	4	(1)
Intimidation	43	(20)	26	(6)	25	(10)
Kidnaps	11	(1)	6	(3)	7	(2)
Theft	5'879	(3'791)	6'506	(4'275)	7'428	(4'690)
Robbery	362	(205)	302	(173)	357	(224)
Robbery resulting in injury or death	950	(615)	972	(630)	891	(603)
Robbery and rape, robbery and rape resulting in injury or death	2	(0)	9	(5)	14	(4)
Fraud	130	(46)	100	(22)	124	(47)
Extortion	2'811	(1'837)	2'362	(1'565)	2'067	(1'314)
Embezzlement, breach of trust	51	(40)	71	(54)	77	(61)
Stolen goods related	24	(12)	27	(17)	50	(25)
Explosives Control Act	0	(0)	0	(0)	2	(2)
Law Concerning Punishment for Physical Violence, etc.	314	(223)	274	(166)	305	(192)
Other	472	(264)	478	(258)	490	(289)
<b>Special law crime cases: Total</b>	<b>4'409</b>	<b>(2'288)</b>	<b>4'554</b>	<b>(2'351)</b>	<b>4'497</b>	<b>(2'310)</b>
Firearms, Swords etc. Possession Control Law	51	(25)	79	(38)	55	(26)
Anti-Prostitution Law	21	(11)	17	(4)	20	(9)
Narcotic and Psychotropics Control Law	9	(1)	6	(2)	22	(4)
Stimulant Drugs Control Law	967	(353)	783	(255)	615	(236)
Road Traffic Law	2'570	(1'467)	2'725	(1'583)	2'954	(1'657)
Drug and toxic chemicals, control laws	563	(348)	569	(345)	468	(266)
Other	228	(83)	375	(124)	363	(112)
<b>Pre-delinquency</b>	<b>1'182</b>	<b>(1'077)</b>	<b>1'067</b>	<b>(972)</b>	<b>1'024</b>	<b>(938)</b>

Notes: 1. Based on the Annual Report of Statistics on Correction.

2. Figures in parentheses are for minors under 18 who are listed again.

3. Delinquency without any cases are omitted from the list.

4. Reckless driving resulting in injury or death is a new item that was added in 2001.



The number of minors detained in these detention facilities and minors detained in detention facilities for adults

New detainees in juvenile training schools by sex

	2000		2001		2002	
<b>Total</b>	<b>6'052</b>	<b>(3'573)</b>	<b>6'008</b>	<b>(3'448)</b>	<b>5'962</b>	<b>(3'405)</b>
Male	5'448	(3'149)	5'393	(3'046)	5'408	(3'019)
Female	604	(424)	615	(402)	554	(386)

Notes: 1. Based on the Annual Report of Statistics on Correction.

2. Figures in parentheses are for minors under 18 who are listed again. (same for all charts)

New detainees in juvenile training schools by age

	2000	2001	2002
<b>Total</b>	<b>6'052</b>	<b>6'008</b>	<b>5'962</b>
14	328	267	244
15	671	598	614
16	1'162	1'090	1'079
17	1'412	1'493	1'468
18	1'328	1'371	1'378
19	1'149	1'187	1'178
20 and older	2	2	1

Note: Based on the Annual Report of Statistics on Correction.

New detainees in juvenile training schools by nationality

	2000		2001		2002	
<b>Total</b>	<b>6'052</b>	<b>(3'573)</b>	<b>6'008</b>	<b>(3'448)</b>	<b>5'962</b>	<b>(3'405)</b>
Japan	5'913	(3'502)	5'873	(3'375)	5'809	(3'327)
ROK & North Korea	66	(31)	43	(22)	50	(28)
China	2	(1)	16	(8)	13	(8)
US	2	(1)	1	(-)	3	(1)
Brazil	41	(18)	49	(27)	50	(17)
Thailand	2	(1)	-	(-)	1	(1)
Vietnam	3	(3)	4	(3)	3	(3)
Philippines	8	(6)	7	(6)	5	(4)
Other	15	(10)	15	(7)	28	(16)

Note: Based on papers of Judicial System Department of the Ministry of Justice.

New detainees in juvenile training schools by type of delinquency

	2000		2001		2002	
<b>Total</b>	<b>6'052</b>	<b>(3'574)</b>	<b>6'008</b>	<b>(3'448)</b>	<b>5'962</b>	<b>(3'405)</b>
<b>Penal code of crime cases: Total</b>	<b>4'597</b>	<b>(2'848)</b>	<b>4'602</b>	<b>(2'755)</b>	<b>4'561</b>	<b>(2'709)</b>
Obstruction of the performance of official duties	48	(29)	33	(23)	36	(20)
Concealment of offender, destruction of evidence	1	(1)	5	(3)	4	(2)
Arson	37	(24)	27	(15)	24	(11)
Intrusion upon habitation	12	(7)	33	(23)	25	(9)
Currency counterfeiting	1	(-)	-	(-)	-	(-)
Forgery of documents, securities, electromagnetic record of card for payment, or	-	(-)	3	(-)	1	(-)
Obscenity, distribution of obscene literature	1	(1)	4	(1)	2	(-)
Indecent assault, indecent assault resulting in bodily injury	77	(49)	65	(40)	58	(33)
Rape, rape resulting in injury or death	198	(96)	137	(57)	127	(69)
Homicide	36	(27)	43	(23)	34	(15)
Bodily injury	765	(483)	803	(437)	728	(438)
Bodily injury resulting in death	85	(72)	36	(28)	34	(28)
Violence	34	(20)	38	(23)	37	(22)
Reckless driving resulting in injury or death	...	(...)	-	(-)	2	(-)
Professional negligence resulting in injury	87	(25)	85	(41)	98	(35)
Serious negligence resulting in injury or death	-	(-)	3	(2)	-	(-)
Intimidation	7	(5)	2	(-)	7	(3)
Kidnaps	2	(-)	4	(2)	4	(-)
Theft	1'804	(1'196)	1'933	(1'230)	2'053	(1'266)
Robbery	139	(79)	109	(57)	139	(81)
Robbery resulting in injury or death	453	(270)	453	(295)	441	(290)
Robbery and rape resulting in death	-	(-)	8	(6)	8	(4)
Fraud	26	(8)	26	(6)	29	(8)
Extortion	658	(384)	611	(369)	524	(286)
Embezzlement, breach of trust	10	(8)	18	(14)	13	(8)
Stolen goods related	2	(-)	6	(3)	4	(1)
Matters relating to duel	1	(-)	-	(-)	3	(2)
Explosives Control Act	-	(-)	-	(-)	2	(2)
Law Concerning Punishment for Physical Violence, etc.	41	(29)	55	(29)	38	(23)
Other	72	(35)	62	(28)	86	(53)
<b>Special law crime cases: Total</b>	<b>1'228</b>	<b>(538)</b>	<b>1'214</b>	<b>(533)</b>	<b>1'217</b>	<b>(543)</b>
Minor Offense Law	2	(-)	-	(-)	-	(-)
Firearms, Swords etc. Possession Control Law	16	(6)	22	(12)	11	(5)
Anti-Prostitution Law	-	(-)	3	(2)	3	(2)
Child Welfare Law	3	(-)	4	(1)	5	(3)
Narcotic and Psychotropics Control Law	7	(1)	1	(-)	7	(1)
Stimulant Drugs Control Law	467	(159)	380	(108)	317	(120)
Employment Security Law	-	(-)	1	(-)	1	(1)
Road Traffic Law	575	(282)	607	(313)	705	(336)
Drug and toxic chemicals, control laws	145	(83)	160	(81)	131	(63)
Other	13	(7)	36	(16)	37	(12)
<b>Pre-delinquency</b>	<b>227</b>	<b>(188)</b>	<b>192</b>	<b>(160)</b>	<b>184</b>	<b>(153)</b>

Notes: 1. Based on the Annual Report of Statistics on Correction.

2. Figures in parentheses are for minors under 18 who are listed again.

3. Delinquency without any cases are omitted from the list.

4. Reckless driving resulting in injury or death is a new item that was added in 2001.

The number of minors detained in these facilities and minors detained in adult facilities

	2000	2001	2002
--	------	------	------

Number of minors detained in correctional institutions	43	(0)	107	(17)	71	(8)
--	----	-----	-----	------	----	-----

Notes: 1. Figures in parentheses are partial figures for minors under 18.

2. "Correctional institutions" refers to prisons, juvenile prisons, and detention houses.

3. As of the end of each year.

1. By age at time of detention

By Age	2000	2001	2002
<b>Total</b>	<b>578</b>	<b>986</b>	<b>633</b>
Under age 18	327	543	318
18-19	251	443	315

2. By sex

Sex	2000	2001	2002
<b>Total</b>	<b>578</b>	<b>986</b>	<b>633</b>
Male	297	482	288
Female	281	504	345

3. By nationality

Nationality	2000	2001	2002
Afghanistan	1	4	0
Bangladesh	13	10	9
China	184	337	209
Indonesia	9	19	11
Iran	9	25	11
ROK	42	37	29
Malaysia	9	17	11
Mongolia	6	6	4
Nepal	4	5	2
Pakistan	11	23	11
Philippines	100	239	146
Thailand	74	130	69
Turkey	6	15	14
Vietnam	2	2	3
Belarus	0	0	3
Russia	1	5	3
Slovakia	0	0	4
Tanzania	0	0	2
Brazil	18	16	16
Columbia	35	51	29
Israel	3	2	0
UK	2	0	1
US	5	0	0
Peru	24	25	21
Romania	1	0	2
Myanmar	0	2	1
Sri Lanka	1	9	8
India	3	3	5
Singapore	0	2	6
France	1	0	0
Kyrgyzstan	0	0	0
Ghana	8	0	0
Guinea	0	0	1
Nigeria	3	0	0
Senegal	0	2	0
Bolivia	1	0	0
Australia	1	0	0
Belize	0	0	1
Fiji	0	0	1
Sweden	1	0	0

<b>TOTAL</b>	578	986	633
--------------	-----	-----	-----

- e) minors kept in pre-trial detention and the average length of their detention;

Minors kept in pre-trial detention and the average length of their detention

Number of measures for detention and shelter care in juvenile protection proceedings (Article 17.1 of Juvenile Law)

	Total	Measures for Detention and Shelter Care	
		Exist	Non-exist
2000	76,737	18,072	58,665
2001	79,998	17,803	62,195
2002	83,676	17,721	65,955

Reference: Total number of juveniles sentenced to general protective disposition and subtotals corresponding to existence/non-existence of measures for detention and shelter care.

Legal provisions regarding length of detention are as explained in the Second Report of Japan, Paragraph 306. The amendment to Juvenile Law legally allowed extension of the four-week legal limit on measures for detention and shelter care to a maximum of eight weeks. However, in cases with final dispositions over the two-year period from 1 April, 2000 to 31 March, 2003, the four-week extension was used for only 84 people. The period was held to four weeks or shorter in all other cases.

- f) reported cases of abuse and maltreatment of minors during their arrest and detention;

Reported cases of abuse and maltreatment of minors during their arrest and detention

	2000	2001	2002
Juvenile training school	3	3	12
Juvenile classification home	None	2	None

Note 1. The number of people held responsible for carrying out abuse or maltreatment of minors.

Note 2. There were no people held responsible for carrying out abuse or maltreatment of minors in correctional institutions, such as prisons, during the above period.

There are no statistics on cases of abuse or maltreatment in the immigration detention facilities.

In the immigration detention facilities, maximum freedom is guaranteed in so far as it does not pose a threat to the security of the facilities. In the immigration detention facilities, a minor who needs protection or care shall be housed in the same room with his/her parent. Careful consideration is given so that even a minor who is not housed in the same room with his/her parent may have opportunities to meet his/her parent.

- g) number of juveniles tried and sentenced as adults.

The number of juveniles tried and sentenced as adults

2000	151
2001	197
2002	236

Note: Based on Annual Judicial Statistics

9. With reference to special protection measures, please provide statistical data (including by gender, age, urban/rural areas) per year between 2000 and 2002 on:

a) The number of child victims of trafficking (by age and nationality)

	Total	Thailand	Colombia	Philippines	Indonesia
2000	2(2)	2(2)			
2001	4(4)	3(3)			1(1)
	15 and below				
	16				
	17				
	18	2(2)			
2002	5(5)	1(1)	2(2)	2(2)	
	15 and below				
	16	1(1)		2(2)	
	17				
	18		1(1)		
			1(1)		

\* Age-specific data on the number of child victims of trafficking in 2000 is unavailable.

\* Figures in parentheses are numbers of females.

b) the number of children involved in sexual exploitation who received assistance in recovery and counseling;

	2000		2001		2002	
	Total	Females	Total	Females	Total	Females
Child Welfare Law	313	301	439	425	460	454
Anti-Prostitution Law	131	125	172	170	185	185
Child prostitution/pornography	963	952	1389	1383	1690	1669
Juvenile Protection Ordinances	1694	1641	1453	1425	1434	1402
<b>Total</b>	<b>3101</b>	<b>3019</b>	<b>3453</b>	<b>3403</b>	<b>3769</b>	<b>3710</b>

\* Statistics are not available by ethnic group or by urban/rural area.

\* Figures for Anti-Prostitution Law and Juvenile Protection Municipal Ordinances include 18- and 19-year old victims.

\* Statistics are not available by age.

c) The number of unaccompanied minors, asylum-seeking and refugee children.

Number of applicants for recognition of refugee status and number of applicants approved

			2000	2001	2002
Applicants	Under 18	Male	5	5	3
		Female	4	1	13
		<b>Total</b>	<b>9</b>	<b>6</b>	<b>16</b>
	Under 20	Male	8	6	6
		Female	5	1	15
		<b>Total</b>	<b>13</b>	<b>7</b>	<b>21</b>
Recognized refugees	Under 18	Male	0	2	4
		Female	3	2	2
		<b>Total</b>	<b>3</b>	<b>4</b>	<b>6</b>
	Under 20	Male	0	2	4
		Female	3	2	2
		<b>Total</b>	<b>3</b>	<b>4</b>	<b>6</b>

Note: The above statistics include both accompanied and unaccompanied minors.

## **B. General Measures of Implementation**

**1. The Committee would appreciate receiving information on intended or planned activities related to recommendations contained in the Committee's previous concluding observations (CRC/C/15/Add.90, 24 June 1998) which have not yet been implemented, in particular those related to non-discrimination (para. 35), the competitive nature of the education system (para. 43) and violence in schools including bullying (para. 45).**

### **Answer**

1. Response to the Recommendation in Paragraph 33

"The Convention on the Rights of the Child" coincides, in terms of its direction, with the Constitution of Japan, which has respect for fundamental human rights as a fundamental principle, the Fundamental Law of Education, and international covenants on human rights. In line with the aims of the Convention, and from the perspective of recognition that it is important to pay due consideration to the human rights of pupils and students and have an education system in which each and every child is looked after, respect for fundamental human rights, the significance and role of international law concerning human rights, and the growth and character formation of children is covered in the textbooks of social studies in elementary school and in lower secondary school (civic education) and studies of contemporary society, politics and economy, and home economics in upper secondary school. The convention concerning the rights of the child is specifically discussed in those textbooks.

In university teacher training, "comprehensive training" has been newly established as a compulsory subject and the necessary systemic revisions were made in 1998 so that would-be teachers can deepen their understanding, thereby enabling them to appropriately teach pupils and students, on human rights themes that are relevant to humanity and Japanese society as a whole as well as their understanding on the Constitution of Japan, a study of which has traditionally been compulsory.

With regard to training to teachers, training on human rights is given at prefectures and cities on occasions of training to teachers who have just started teaching as well as the experienced teacher training which is carried out according to the year of experience. The Government of Japan holds recognition that awareness for the Convention on the Rights of the Child is thoroughly raised at these trainings at prefectures and cities. The Ministry of Education, Culture, Sports, Science and Technology (MEXT) is including training on human rights (including courses on the Convention on the Rights of the Child) in its central training courses at the National Center for Teachers' Development.

A number of steps have been taken to conduct public relations activities of the Convention on the Rights of the Child. On May 20 1994 a notification from Administrative Vice Minister for the then-Ministry of Education was issued and awareness has been raised in a wide range of public relations magazines and meetings and seminars for teachers. In particular, about 800,000 information leaflets for children were produced and widely distributed in kindergartens, elementary schools, lower and upper secondary schools, and special schools.

The Government will continue to work to raise awareness among pupils and students as well as teachers, through various meetings and seminars, and improvements in course instruction at schools.

2. Response to the Recommendation in Paragraph 35

Graduates from upper secondary schools or those who are recognized to have equal or higher scholastic ability to or than above-mentioned students are eligible to apply for admission to universities, regardless of sex, race, nationality and any other factor.

In addition, the Government has broadened the eligibility to apply for admission to universities in Japan for graduates of schools for foreigners in September 2003; it, for example, was implemented that those who have been recognized, through each university's examination of eligibility for applying for admission to universities, to have equal or higher scholastic ability than graduates of upper secondary schools of Japan and who are aged 18 years or above are eligible to apply for admission to university in Japan. A similar measure was implemented for graduate schools in 1999.

3. Response to the Recommendation in Paragraph 36

Regarding protection of the privacy of children in the home, the Government is aware that this is a point parents need to understand and pay attention to. Specifically, the Government has widely distributed booklets such as the "Handbook of Education in the Home" and "Notebook of Education in the Home"

indicating some lessons such as “Let’s Stop Excessive Interference” and “Let’s Value the Child’s Individuality and Help the Child to Have a Dream for the Future” to parents. These booklets describe the importance of discipline in the home and assistance for child-rearing in the regions, and urge respect for the individuality of children based on a proposal in the report by the Central Council for Education in June 1998. In FY2003, the “Handbook of Education in the Home” and other materials were revised and improved, and compiled and distributed as the “New Handbook of Education in the Home”.

Among issues regarding the protection of privacy at school, the school report of a student is a public document sent by the principal of a school where the student plans to advance, as one of the documents used in the admission screening process. On the other hand, privacy is interpreted to mean those private areas of a person’s life which must be protected from arbitrary or unlawful interference. Therefore, it can be concluded that school reports do not qualify as “privacy” as it is meant in Article 16.1. Accordingly, it will be difficult to introduce the additional measures, including the legislative measures, regarding school reports that are called for in the proposal and recommendations of the Committee.

#### 4. Response to the Recommendation in Paragraph 43

Under the comprehensive five-day school week, and from the perspective of “cultivating a ‘zest for living’ in children and ‘room to grow,’” the New Course of Study has been introduced gradually since FY2002 with careful selection of educational content to improve education that values the individuality of children. Specifically, a range of measures have been comprehensively promoted based on the following perspectives:

1. Substantiation of education that values the individuality of children more in which each and every child is looked after
2. Improvement of the quality and ability of teachers
3. Improvement of school counseling and development of school guidance system through the dispatch of school counselors and the deployment of “advisors in the classrooms for easing children’s minds.”
4. Promotion of cooperation among home, school and the local community

#### 5. Response to the Recommendation in Paragraph 44

The Government further promotes education that takes human rights into account through all school educational activities, as illustrated in the general rule of the New Course of Study announced in FY1998 that “the philosophy of respect for people must be concretely acted upon in everyday life”. Furthermore, the MEXT, in order to further improve and enhance teaching methods on human rights education, has already designated a number of schools as human rights education research schools and plans to continue to utilize such projects in future.

#### 6. Response to the Recommendation in Paragraph 45

Corporal punishment in schools is strictly forbidden under Article 11 of the School Education Law. People involved in education are being given thorough instruction on this issue at every opportunity such as through training sessions and seminars. Furthermore if an instance of corporal punishment qualifies as a penal code crime such as violent crime or the crime of inflicting bodily injury, it is punishable by law. In July 1996, the then-Ministry of Education panel of experts compiled a report on comprehensive measures to be taken to deal with the problem of bullying, and the aims and content of that report have been thoroughly made known to Boards of Education of each prefecture and other concerned organizations throughout Japan.

In January 1996, the then-Minister of Education publicly made an urgent appeal, asking for pupils and students, guardians, teachers and adults in the community to eradicate bullying and urged homes, schools and local communities to unify to take measures to solve the bullying problem. Furthermore, the MEXT has taken the following measures in response to the bullying problem:

- (1) Improvement of the school counseling system through the dispatch of school counselors and the deployment of “advisors in the classrooms for easing children’s minds.”
- (2) Implementation of training aimed at improving the aptitude and ability of teachers who deal with the bullying problem.



**2. Please provide information on any actions which have been taken, or will be taken with a view to possibly withdrawing the State party's reservations to art. 37(c) and its declarations to Articles 9 and 10.**

**Answer**

Upon ratification of the Convention, the Government of Japan attached a reservation to Article 37 (c) and made declarations to paragraph 1 of Article 9 and paragraph 1 of Article 10. In deliberating this government report, the Government studied the possibility of reconsidering the reservation and declarations, but for the following reasons their withdrawal has been rejected.

1. The Reservation to Article 37(c)

(1) When applying Article 37(c) of the Convention, the Government "has reserved the right not to be bound by the provision in the second sentence of the Article which stipulates that "every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so", in consideration to the fact that with regard to persons deprived of liberty, Japanese domestic law in principle separates persons under 20 years of age from persons 20 years of age or more."

(2) As the background for this reservation, under the Juvenile Law persons under 20 years of age is treated as a juvenile (Juvenile Law Article 2), and this applies to persons deprived of liberty as well; they are basically separated into persons under 20 years of age (a so-called "juvenile") and persons 20 years of age or more (an "adult") (Juvenile Law Articles 49 and 56).

(3) The system in Japan is considered to extend its careful protection reserved for persons under 18 years of age (a "child") under the Convention, in order to cover persons under 20 years of age. So it is thought that the system in Japan conforms to the aim and objective of provision in Article 37(c), namely, to protect young people, "children", from harmful effects by separating them from older people. Besides that, at Japanese correctional institutions, those who do not vary significantly in aptitude and ability and who are recognized to require common treatment are organized into groups and treatment is provided by group, thereby paying careful consideration to ensure that individual juveniles are not negatively affected by other inmates who have advanced criminal tendencies. This system, therefore, is thought to conform to the aim of the Convention.

(4) In addition, the understanding that persons who have attained a full 20 years of age is considered to be an adult is commonly accepted in Japanese society. For example, on the second Monday of January each year there is a holiday, called "Seijin no Hi (Coming of Age Day)", in which people celebrate a young person's attainment of a full 20 years of age. It is considered that the flexible application of the Convention in line with accepted social perceptions is not against the aims of the Convention.

2. The Declarations to Articles 9 and 10

The Government, upon concluding the Convention, made declarations to paragraph 1 of Article 9 and paragraph 1 of Article 10 and based on the following reasons there is no presumption that the declarations will be withdrawn.

(1) Concerning paragraph 1 of Article 9 of the Convention, the provision stipulates that State Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child in cases involving abuse or neglect of the child by the parents or where the parents are living separately. This is clear in light of the deliberation process gone through in the compilation of the Convention. It is clear that the child(ren) and parent(s) can be separated as a result of actions initiated by a State Party, such as deportation, detention, or imprisonment, of one or both parents or of the child, as listed in paragraph 4 of Article 9. This can be understood to be out of circumstances provided in paragraph 1 of Article 9.

(2) Furthermore, regarding paragraph 1 of Article 10 of the Convention, it can be construed that the words "positive", "humane" and "expeditious", as used in this provision of the said Article have the following meanings: "positive" refers to the intent to ban negative treatment such as rejecting immigration and emigration applications as a matter of principle; "humane" means that when humanitarian considerations are judged to be necessary in immigration procedures from receipt of applications through to application processing procedures, such humanitarian consideration must be paid; and "expeditious" means the said procedures are handled appropriately so as not to cause any unnecessary delay. Based on this, it can be understood that the provision in paragraph 1 of Article 10 that "... in a positive, humane and expeditious manner" means that avoiding the separation of parent(s) and a child does not anticipate and limit the result of immigration and emigration application examinations.

**3. Please provide additional information on the system for data collection and whether it covers in a disaggregated way all children under 18 and all areas under the Convention.**

**Answer**

1. (1) Japan has held a population census about once every five years since 1920. The 17<sup>th</sup> such census was held in 2000. The census surveyed all people permanently living in Japan at the time when the census was conducted (as of midnight of October 1<sup>st</sup> 2000). Non-Japanese residents were also surveyed by the census but members of the diplomatic and consular corps of foreign governments (and their families), and servicemen and civilian employees of foreign armed forces (and their families) were excluded. The census forms were distributed to each household and then collected again by about 830,000 census takers appointed by the then Director-General of the then-Management and Coordination Agency.

(2) The census collected a wide range of information about the members of the household (name, sex, month and year of birth, relationship to the head of the household, nationality, etc.) and about the household itself (type of household, number of members of the household, household income category, etc.). The population in non-census years is estimated using the number of births and deaths, and the number of immigrants and emigrants. Information on the overall population of children below 18 years of age is obtained based on the method above.

2. Concerning information covering all areas stipulated in the Convention on the Rights of the Child, the ministries and agencies with jurisdiction in a given area gather the necessary information when they implement a measure, and they also collect all new information acquired through the implementation process and use it to further improve measures. These information collection methods fundamentally cover all fields stipulated in the Convention. For details, please refer to the statistical data in Part I, Section A. The government is not, however, collecting statistics in some areas such as the condition of the private sector and causes of death of children. These kinds of data would be collected in surveys as necessary, and put to use in the development and implementation of the measures.

**4. Please provide information on the bill, which is currently before parliament, on the establishment of a national human rights commission. In light of the Paris Principles and the Committee's General Comment no. 2, the Committee is particularly interested in information on ensuring its independence and its role in monitoring the Convention.**

**Answer**

The Government submitted the Human Rights Protection Bill to the Diet in March 2002, as a bill concerning the establishment of a national human rights commission, but with the dissolution of the House of Representatives in October 2003, it was scrapped. The Government intends to make efforts will be made to resubmit the same bill to the Diet in the future.

The bill adequately addresses the requests of the Paris Principles and the Government of Japan considers that there are no problems from the perspective of its independence as well.

In addition, in the event that acts in contravention of treaties pertaining to human rights constitute human rights violations, they would accordingly be treated as requiring remedial action by the human rights commission.

**5. Please provide more specific information on the status and authority of the Cabinet Office in charge of the coordination of the implementation of the Convention, and its relationship to the Committee for the Promotion of Youth Policy and the Juvenile Problems section of the Prime Minister's Office.**

**Answer**

1. Under the central government reform in January 2001, the Cabinet Office was established with the objective of enhancing the leadership of the Cabinet and the Prime Minister, the head of the Cabinet. It is the Cabinet Office that takes on responsibility – overseeing work in other ministries and agencies – for the function of planning and overall adjustment of work concerning the sound development of youth, which was set as one of the “important specific duties of the national administration” in the Basic Law on the Administrative Reform of the Central Government. The Cabinet Office took over the function of the Youth Affairs Administration of the former Prime Minister's Office (until 1984) and its successor, the Youth Affairs Administration of the former Management and Coordination Agency (198 to 2001), at the time of the central government reform.

The Cabinet Office implements overall adjustment of the work concerning the sound development of youth, based on the aim of this Convention, in cooperation with the Ministry of Foreign Affairs in charge of implementing treaties.

2. In June 2003, the Headquarter for Youth Development was established within the Cabinet, headed by the Prime Minister and comprised of all members of the Cabinet, in order to further promote measures for the sound development of youth, while working on close cooperation among relevant ministries and agencies. The Cabinet Office coordinates the work of the Headquarter.

The Committee for the Promotion of Youth Policy comprised of the administrative vice-minister of the Cabinet Office and director-general-level officials from all relevant ministries and agencies, which was convened on the request of the relevant ministries and agencies, was replaced with the Headquarter for Youth Development within the Cabinet comprised of all Cabinet members, the Committee was abolished. In December of the same year, the National Youth Development Policy was decided which comprehensively shows government basic principles and direction for mid- to long-term measure concerning the sound development of youth. The Headquarter will promote measures for sound development of youth based on this Policy, while responding, if necessary, to important issues as they emerge.

**6. Please provide additional information on the privatization of public nursery schools and child care institutions and its impact on the availability and accessibility of these services.**

**Answer**

In Japan, both in the public and private sector it is already possible to establish and operate the day-care center and the children's home.

About the child welfare facilities, such as the day-care center and the children's home, the Child Welfare Law provides that the Minister of Health, Labour and Welfare shall establish minimum standards about the number and qualification of the personnel, the equipment, etc., and the superintendent of the child welfare facilities shall comply with the minimum standards.

Furthermore, about preservation of the minimum standard, it is considered that the degradation in service below the standards cannot take place by privatization because prefectures direct and superintend each facility,.

About accessibility of these services, the municipality accepts entrance applications and selects those to be admitted to both public and private day-care center by fair methods.

Furthermore, the accessibility of other child welfare facility will not become bad due to privatization, because the child guidance center, etc. determines entrance of the children who require protection.

## **Part II**

**Please provide copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.**

The official language in Japan is Japanese. Thus, the government of Japan publishes the text only in Japanese with the original text in English. For the details, please see the attached document as well as the electronic file contained in the CD-ROM.

## **Part III**

**Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:**

- new bills or enacted legislation
- new institutions
- newly implemented policies
- newly implemented programmes and projects and their scope

### **Answer**

#### (1) Formulation of new policy

Formulation of “National Youth Development Policy” – the Government’s basic principles for the sound development of youth, including children

In light of contemporary issues concerning youth such as postponement of social independence and delinquency, the Government for the first time formulated “National Youth Development Policy” in December 2003 in the “Headquarter for Youth Development”, headed by the Prime Minister and comprised of all members of the Cabinet. The Policy comprehensively shows the Government’s basic principles and direction for mid- to long term measures concerning the sound development of youth over approximately the next five years for measures pertaining to the cultivation of youth. Based on this Policy, the Government will comprehensively and effectively promote measures for the sound development of youth in a broad range of areas, including health, welfare, education, labor and delinquency, while ensuring close cooperation among relevant administrative organs.

Given the current situation in which society is facing epoch-making changes due to the declining birth rate and aging population, the advance of the information age, and globalization, the “Headquarter for Youth Development” was established within the Cabinet in June 2003 from the perspective of achieving a stronger system towards the comprehensive and effective promotion of measures for the sound development of youth, while ensuring close cooperation among relevant administrative organs.

The Headquarter will promote measures for sound development of youth based on the Policy, while responding, if necessary, to important issues as they emerge.

#### (2) New bills or legislated measures

##### (a) Legal measure to prevent internet crimes against children

Considering the damage inflicted on children due to crimes caused by use of the dating services through the Internet, the Law Controlling Dating Service Websites was established on June 13, 2003, and went into effect fully on December 1, 2003. The aim of the Law is to protect children from child prostitution and other crimes caused by use of the dating services and ensure a sound cultivation of children, which can be realized by prohibiting the act of soliciting children to become sexual partners through the use of the dating services, and by preventing the use by children of the dating services.

##### (b) Implementation of legal measure to strengthen the punishment against the acts related with child prostitution and child pornography

The Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children that had been enacted in 1999 has achieved significant results in the punishment against acts

related with child prostitution, child pornography and trafficking of children. In the efforts for enhancing it, the bill for its revision amendment was introduced to the Diet in July 2003, which incorporates the following: (i) declaration of a severe approach to child prostitution and child pornography; (ii) raising the maximum penalty; (iii) response to obligations by the treaty (including the response to conclude Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, signed on May 10, 2002 and the Council of Europe Convention on Cybercrime).

(c) Revision of related laws to strengthen the penalty for trafficking of children

In order to strengthen the penalty for trafficking of children, revisions were made to articles of the Child Welfare Law in the Diet in 2003. Specifically, the maximum penalty has been raised (for both imprisonment and fine) and a combined penalty of imprisonment and fine has become possible for acts such as transferring custody of children to persons who could engage in illegal acts with those children, or keeping children under one's control for purposes to make them perform such acts that are physically and mentally harmful to them.

In addition, the relevant ministries and agencies are looking into the prompt conclusion of the optional protocol to the convention on the rights of the child and "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime."

(d) The establishment of Law for Measures to Support the Development of the Next Generation and the revision of Child Welfare Law

In Japan, based on advance of the rapid declining birth rate etc, Law for Measures to Support the Development of the Next Generation was established in July, 2003. This law decides on the fundamental idea about the measures to support the development of the next generation and requires the Government and local governments and corporations to create plans of action, in order to improve the environment in which children, next generation of the society, are born and grown up healthily.

At the same time, in order to strengthen child-care support in the region, the Child Welfare Law was revised. According to this revision, the regulations about the conduct of child-care support services in municipality and the establishment of municipality's child-care plan, etc. was defined.

(3) Other newly implemented measures

(a) Raising crime prevention awareness among children

In order to create an environment in which children are less likely to be damaged by crime, the National Police Agency established emergency notification device nationwide along school routes, and in children's parks, etc. (a total of 329 devices nationwide – seven per prefecture). Furthermore, 47,000 texts of "*Let's All be Careful*" and the same number of its CD-ROM were published, and distributed to elementary schools and police stations around the country, with the objective of enhancing awareness of crime prevention among children themselves and providing them for guardians, school staffs and local residents as educational texts to help them guide children in prevention of crime against children. The text is also uploaded on the National Police Agency homepage.

In 2003, the National Police Agency, with the cooperation of the Ministry of Education, Culture, Sports, Science and Technology (MEXT) and other related organs, promotes creation of a safe living environment that is protective of children, including the establishment of emergency notification device and training and guidance using the crime prevention text for children through participation, experiment and practice.

(b) Report by the Council for Human Rights Promotion concerning the "framework of the human rights remedy system"

The Council for Human Rights Promotion which was established within the Ministry of Justice, issued a report on the "framework of the human rights remedy system" in May 2001, and in response to which, the Council issued another report on "reform of the Human Rights Volunteers System" in December 2001.

Specifically, each report proposes reform strategies, as summarized below:

- The establishment of new human rights remedy system based mainly on the Human Rights Commission (provisional name) which will be independent of the Government.
- The promotion of proactive remedy through development of highly effective survey and remedy procedures with regard to infringements of certain human rights, including discriminatory treatment in daily social life by reason of race, creed, sex, social status, family origin, disability, illness or sexual orientation.

- Measure to secure appropriate members of Human Rights Volunteers in order for the system of Human Rights Volunteers to meet the needs of the age, and measure to vitalize the activities of the Human Rights Volunteers.

The Government, fully respecting these reports by the Council for Human Rights Promotion, submitted the Human Rights Protection Bill to the Diet in March 2003 with the aim of establishing a new human rights remedy system to achieve effective remedy from damage incurred from human rights infringements, and to stipulate remedy procedures and others. The new human rights remedy system proposed in the bill were to be established under Human Rights Committee, an independent administrative committee, with the objective to establish the new human rights remedy system as was detailed in the proposal. The bill was subsequently scrapped with the dissolution of the House of Representatives in October 2003, but the Government is intent on making the necessary preparations in the future with the aim of resubmitting the bill.

(fin)