

Oral statement of Ms. Yuriko Moto of International Movement against All Forms of Discrimination and Racism – on Agenda No. 7 <sup>“effective participation in economic, social and cultural life”</sup> ~~“effective participation in economic, social and cultural life”~~ *concrete steps*

I'd like to draw your attention to the lessons learned from some legislative measures taken by the government of Japan supposedly for the benefit of Ainu people and women of foreign nationals.

As for the indigenous Ainu people, an extremely discriminatory law that facilitated the deprivation of their ancestral land, exploitation of resources and forced assimilation for nearly a hundred years was replaced by a new law in 1997. Yet, the scope of this purportedly better law was limited to the promotion of Ainu culture in spite of the Ainu people's persistent campaign for a comprehensive legislation that would improve their economic and social status. Although the government of Japan stresses the progress in protecting Ainu culture, the positive effect of the law, consequently, has been very limited. In the year following the UN Declaration on the rights of indigenous peoples, they were recognized as the indigenous people of Japan for the first time in the history. Yet, it has not brought about any change in the discrimination, marginalization and disadvantages the Ainu people, particularly women are suffering from in their daily life.

The other example is a law enacted in 2001 for the prevention of DV and protection of victims. It left out the foreign women -- mostly from less developed Asian countries -- married to Japanese men, including so-called mail-ordered brides. They are much more vulnerable to DV than Japanese wives because of the intersectional discrimination based on their gender, country of origin, and culture, and their heavy dependence on their husbands' support in securing and renewing their legal status. The law has been revised twice partly in compliance to the strong criticism from relevant NGOs, which has considerably improved the treatment of the victims of foreign nationals. It is of course a progress to be welcomed. However, the prevalence of DV against foreign spouses has not been ameliorated, since the very root cause of their vulnerability that is the current immigration policy and law has never been tackled.

It is obvious from these two examples that the effect of any legislative or other measures that are formulated without ensuring effective participation of the prospective beneficiaries and that are not based on a holistic approach is inevitably limited.