

**Written statement submitted by the Japan Federation of Bar Associations (JFBA),  
a non-governmental organization in special consultative status.**

**Universal Periodic Review: Proposal on the Modalities of the UPR**

1. The Japan Federation of Bar Associations (JFBA) has actively participated in the Universal Periodic Review (UPR), submitting one opinion (A/HRC/4/NGO/80) in the process of discussions on its institutional building and another in the UPR review of Japan (A/HRC/8/NGO/17) on the results thereof and on the modality of the UPR. In addition, the JFBA organized an information session in the United Nations premises, focusing on the human rights situation in Japan, prior to the UPR review of Japan during the second session of the Working Group. Based on this experience, the JFBA would like to make the following proposals.

2. Proposal 1

Prior to a UPR review by the Working Group, a process of preparatory hearings should be established for Member States in the Asia-Pacific region for whom a UPR review is scheduled within one year of such a review taking place. Such a preparatory hearing should be undertaken within the Asia-Pacific region, in, for example, Bangkok, where the OHCHR Asia-Pacific Regional Office is located, inviting the Troika Members for the said Member States.

3. In the Asia-Pacific region, as opposed to other regions, no regional human rights mechanism exists, the ratification rate of human rights treaties with review systems is relatively low while the proportion of developing States is high. Therefore, the relevance of the UPR of the Human Rights Council is significant, in terms of supplementing and strengthening the effective functioning of international monitoring mechanisms regarding human rights performances under human rights treaties. It is also important for Member States in the Asia-Pacific region to take the opportunities the UPR carries in order to bring about more accessible, fruitful and constructive dialogues. For example, it is our belief that introducing a procedure such as a preparatory hearing in the Asia-Pacific region, in addition to the UPR review by the Working Group held in Geneva, would be effective. By implementing procedures such as this, the opportunities to hold substantive and constructive dialogues would be supplemented with the active participation of not only delegation of the governments of the reviewed States but also delegations of the other States in the region, NGOs, civil society organizations, national human rights institutions and Special Rapporteurs for the State reviewed, if any.

4. Proposal 2

We propose to make it possible for NGOs to organize briefings for the UPR review in the UN premises prior to the review of the State concerned during the sessions of the Working Group.

5. The JFBA organized an information session prior to the first UPR review of Japan in 2008, where NGOs, not only from Japan but also from abroad, both regional and international, explained the essential points surrounding the human rights issues in their areas of work, which helped those present to recognize again the interrelatedness and importance of specific issues in the overall view of the human rights situation in Japan. We trust that this information session provided an opportunity for the delegation of the government of Japan, and of the other Member and Observer States who attended, to directly listen to the voices of NGOs and contributed to the constructive dialogue in the UPR review of Japan. We believe it is necessary to facilitate such the constructive dialogue between the reviewed State and relevant NGOs in order to more effectively monitor the progress of the reviewed State in their follow-up to implementation of the recommendations and conclusions adopted as a result of the UPR.

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