



Asamblea General

Distr. general
20 de junio de 2019
Español
Original: inglés

Consejo de Derechos Humanos

41^{er} período de sesiones

24 de junio a 12 de julio de 2019

Tema 3 de la agenda

**Promoción y protección de todos los derechos humanos,
civiles, políticos, económicos, sociales y culturales,
incluido el derecho al desarrollo**

Nota verbal de fecha 6 de junio de 2019 dirigida a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos por la Misión Permanente del Japón ante la Oficina de las Naciones Unidas en Ginebra

La Misión Permanente del Japón ante la Oficina de las Naciones Unidas y otras organizaciones internacionales en Ginebra saluda atentamente a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos, y tiene el honor de solicitar que la presente nota verbal y las observaciones del Gobierno del Japón acerca del informe elaborado por el Relator Especial sobre la promoción y protección del derecho a la libertad de opinión y de expresión, David Kaye, en seguimiento de las visitas oficiales realizadas por el titular del mandato (A/HRC/41/35/Add.2) (véase el anexo)* se publique como documento del 41^{er} período de sesiones del Consejo de Derechos Humanos en relación con el tema 3 de la agenda.

* Se reproduce como se recibió, en el idioma en que se presentó únicamente.



Annex to the note verbale dated 6 June 2019 from the Permanent Mission of Japan to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

Comments by the Government of Japan on the draft follow-up report on the country visits of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Mr. David Kaye, the Special Rapporteur (SR) on the promotion and protection of the right to freedom of opinion and expression, provided the Government of Japan (GoJ) with his draft report as a follow-up to his mission to Japan in April 2016. The GoJ is informed that the report will be submitted to the 41st session of the Human Rights Council.

At the outset, the GoJ would like to reiterate that freedom of expression, including media independence, is fully guaranteed in Japan by Article 21 of the Constitution. The GoJ has consistently upheld fundamental values such as basic human rights, democracy, and freedom, including freedom of expression, and has made ceaseless efforts to achieve such values. In fact, the GoJ has explained to the SR its system and policies on various occasions.

The GoJ understands that the SR expresses his personal views on the situation of freedom of expression in Japan in his draft report.

Nonetheless, the GoJ finds that the views expressed in the draft report are unacceptable, as many of the descriptions continue to be based on incorrect and groundless allegations on the situation in Japan, as is the case in the report of the SR on his mission to Japan (A/HRC/35/22/Add.1). Moreover, the draft report does not reflect facts and positions repeatedly explained to the SR by the GoJ thus far. It is regrettable that the SR made a report which includes much incorrect and groundless content. The GoJ requests that the SR show specific evidence to substantiate his claims in his draft report.

As for relevant facts and the position of the GoJ with regard to the draft report, the GoJ requests that the SR refer to the explanations that the GoJ has repeatedly provided to the SR, including the comments by the GoJ on the report of the SR on his mission to Japan in 2016 (A/HRC/35/22/Add.5).

Taking this opportunity, the GoJ would like to underscore that it has not received any response to its questions and request for comments on the reliability of information concerning the alleged case mentioned by the SR in his Communication submitted through the Permanent Mission of Japan to the International Organizations in Geneva in September 2018 (AL JPN7/2018). The GoJ understands that the SR is mandated to seek and receive credible information from Governments, non-governmental organizations, and any other parties who have knowledge of the cases mentioned in his reports. The GoJ requests that the SR once again promptly respond to its questions.
