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Dear Mayor of Fukuyama City

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### **Recommendations on Human Rights Policies and the Enactment of Human Rights Ordinance in Fukuyama City**

The five members of the Fukuyama City Expert Team on Human Rights Policies exchanged opinions on the current situation and issues of Fukuyama City's human rights policies. First of all, we would like to express our respect for Fukuyama City's efforts and achievements in creating a city that respects human rights. Then, we exchanged our opinions on various issues around human rights policies and how to solve them. And we unanimously concluded that the enactment of the Human Rights Ordinance (hereinafter HRO) is necessary to solve these issues and advance human rights policies in Fukuyama City, which has the Human Environment City as its basic philosophy for urban development. The following are the reasons for the necessity of enacting the HRO, as well as the guidelines and individual issues for the HRO.

Why does Fukuyama City need the HRO now? The following

explains our opinions and makes recommendations in the following order: 1. Reasons why the HRO is necessary, 2. Human rights as the philosophy of the HRO, 3. Guidelines for the HRO and individual issues related to it, and 4. Conclusion.

## **1. Reasons for the need for Human Rights Ordinance**

Why does Fukuyama City need the HRO now? We think that the enactment of the HRO is necessary for the following reasons.

First, the social and political situation regarding human rights has changed. In 2016, the Japanese government enacted the Law on the Promotion of the Elimination of Buraku Discrimination, the Law on the Promotion of the Elimination of Discrimination against Persons with Disability, and the Law on the Promotion of the Policies to Eliminate Unjust Discriminatory Words and Actions against Persons from Outside Japan (hereinafter Three Human Rights Laws). Now, the human rights administration has moved from the era of emphasizing that discrimination is not allowed to a new stage of aiming to eliminate discrimination. And in Fukuyama City, the Fukuyama City Executive Committee for Requesting the Enactment of the Human Rights Ordinance consisting of six citizens' groups submitted a request form to Fukuyama City to enact the HRO: Fukuyama City Human Rights Enlightenment Corporate Liaison Association, Fukuyama City Maternal, and Child Widows Welfare Association, Fukuyama City Federation of Organizations for the Physically Disabled, Fukuyama City Federation of Neighborhood Councils, Hiroshima Prefecture Sexual Minority Association of the General Incorporated Association, and Fukuyama City Council of the Buraku Liberation League. Behind this series of movements is a change in the social and political

situation regarding human rights. The forms of discrimination have been transformed, and various new forms of discrimination have emerged. In light of this situation, the Expert Team concluded that the time has come for Fukuyama City to enact the HRO. We think that now is the time for Fukuyama City to enact the HRO for embodying Three Laws on Human Rights in the context of the historical and current situation surrounding Fukuyama City's human rights policies and for eliminating discrimination practically.

Second, the Human Rights Ordinance will go over the human rights policies based on Fukuyama City's Basic Policy on Human Rights Policies (hereafter Basic Policy). Fukuyama City has been making efforts for eliminating discrimination based on the Basic Policy, which is based on the pillars of "building a city-friendly to all people" and "collaboration through the active participation of citizens." The administration has established a system for eliminating discrimination on a citywide basis, including the establishment of the Council for the Promotion of Human Rights Policies within the city government. In 2002, the administration established the Liaison Council for the Promotion of Human Rights Enlightenment (273 members at the end of September 2020) to establish a system for collaboration between the administration and citizens. In addition, the administration has conducted on-site lectures and corporate enlightenment, distributed human rights awareness leaflets, organized district roundtables for residents in the entire city, and requested the web hosting providers to monitor discriminatory posts on the Internet and remove them (860 cases between 2008 and 2019).

However, despite these efforts, the elimination of

discrimination in Fukuyama City has not been achieved yet. In recent years, it occurred several incidents of discrimination against Buraku people in the city. Discriminations against people with disabilities, people with overseas roots (hereafter foreign citizens), and sexual minorities have also occurred. According to the Citizen's Awareness Survey (hereafter CAS) that was conducted to 1,164 respondents in 2018, while the result shows that respondents' awareness of human rights has improved, it shows that many respondents are hesitant to marry Buraku people (37.5%), agree with the family background check of a marriage partner (58.0%), cannot point out errors in discriminatory words and actions of other persons (54.4%) and that many of younger generations do not know that there is a Buraku discrimination issue (45.0%). Furthermore, some respondents (29.4%) think that discrimination against Buraku people will be resolved naturally without any effort. This is an idea that accepts the real discrimination against the Buraku people and creates an attitude that does not act for eliminating the discrimination. It certainly means the risk that the younger generation, who are not familiar with the issue of Buraku discrimination, will inherit the view of discrimination against them.

Thus, the results of the CAS indicate that the goal of eliminating discrimination has not been achieved. Fukuyama City cannot achieve its goals only by revising the Basic Policy. For achieving its goals, the HRO is necessary. This is because the HRO has social and legal legitimacy as normative demand power to clearly state the stance of "no tolerance of discrimination" and to make citizens convince to effectively promote human rights

policies.

In the promotion of human rights policies, we advocate a society that does not tolerate discrimination. This is for the following reasons. We, living in a society, have the possibility of hurting and being hurt in daily human relationships, whether intentionally or unintentionally. In addition, what is discrimination changes with time. Therefore, we must always be aware of the possibility of harming others, which can lead to discrimination and harassment. The perception that discrimination no longer exists in our society is an attitude of oblivion to this possibility. In addition, it may lead to not only the reduction or abolition of human rights policies and their awareness-raising activities but also the society in which people tacitly accept and neglect the discrimination because of their idea that the discrimination will disappear without any effort to eliminate it naturally. The possibility of hurting and being hurt by each other will persist in the society of the generations after us. Therefore, it is necessary to make constant efforts to eliminate discrimination and raise its awareness in society. For these reasons, we call for a "society that does not tolerate discrimination," where discrimination is not covered up, but confronted, eliminated, and enlightened at all times.

Third, Fukuyama City has to respond to citizens' requests for human rights policies. While the CAS reveals issues related to respondents' awareness of human rights, many respondents want to see proactive human rights policies. As for the causes of Buraku discrimination, 61.0% of the respondents answered, "because many people accept the prejudice and discriminatory attitudes that have existed for a long time as it is," and 28.6%

answered, "because some people have no knowledge of Buraku discrimination or are indifferent to it." Many respondents answered that efforts to create a city that respects human rights are insufficient and that further policies need to be promoted. Specifically, 2,815 respondents selected the option of "efforts to create a city with respect for human rights" (total number of respondents with multiple answers, the same below), 1,021 respondents selected the option of "efforts to solve the Buraku problem," and 2,805 respondents selected the option of "effective educational activities". Thus, many respondents believe that further policies need to be promoted to create a city that respects human rights. This respondents' attitude is a result of Fukuyama City's human rights policies, but the Basic Policy is not sufficient to meet their demands. To meet their demands, Fukuyama City needs effective social and legal support to boldly and precisely enforce its human rights policies. The HRO is the answer.

Thus, the HRO will serve as a guideline for human rights policies to accomplish the tasks in the Basic Policy. It will guide the direction of the Basic Policy, address the unachieved tasks and dismantle the mechanism of reproduction of discrimination. Thus, Fukuyama City can step into the stage of realistically eliminating discrimination — a city that resolutely does not tolerate discrimination and promotes the liberty to self-realization of its citizens. The HRO will put up Fukuyama City in such a direction.

## **2. Human Rights as a Philosophy of Human Rights Ordinance**

Before going into the content of the HRO, let us review the concept of human rights. Human rights are the idea and philosophy of the HRO.

First, human rights are universal concepts. Human rights are the rights of human beings to live in our society. These rights are guaranteed (naturally) from birth. Therefore, it is unacceptable to infringe on the human rights of others. A selfish and convenient interpretation of human rights must be regarded as a deviation from the nature of human rights. The phrase "We must not infringe on the human rights of others" means the duty or norm, or ethic to the essential rights of human beings. Human rights are the container of human self-realization, life devices without which self-realization is not possible. Therefore, violation of human rights leads to a refusal of life as a human being. When human rights are violated, human beings are plunged into fundamental anxiety and despair.

Along with human rights, liberty is also a universal concept. Human liberty is based on the guarantee of human rights. Therefore, where human rights are not guaranteed, there is no liberty. A selfish and convenient interpretation of liberty is a deviation from the universality of freedom.

Second, human rights are collective concepts. Human rights consist of diverse and concrete human rights. Article 13 of the Constitution of Japan states, "All people shall be respected as individuals. The right of the people to pursue life, liberty, and happiness shall be accorded the greatest possible respect in legislation and other matters of state, so long as they do not conflict with the public welfare." The rights of people to pursue

life, liberty, and happiness are expanding and becoming richer with time. There is always a new issue of human rights before us. In some cases, issues that were not recognized as discrimination in the past are now recognized as discrimination over time. Human rights are not only universal norms for human beings but are also embodied and realized in our human relationships. In this process, we can find a new meaning of human rights. We must be aware of both sides of human rights.

Third, human rights are practical concepts. Human rights are not given but are obtained. Human history has been a history of struggle for human rights. Matsumoto Jiichiro, a leader of the Buraku Liberation Movement, said "Inviolable and be inviolable". For a human being to "aim" for self-realization means to "get rid" of the obstacles to self-realization. People who are sensitive to their human rights are also sensitive to the human rights of others. People who fight for their human rights also fight for the human rights of others. In this sense, human beings are co-existent beings. People who violate human rights are, needless to say, anti-human rights. Human rights violations can be caused by unintentional acts or lack of knowledge, or they can be intentional. In the former case, it is necessary to promote effective education and awareness of the rights. However, in the latter case (intentional), severe policies and struggles such as social and legal regulations against rights violations are required. A culture of human rights is not something that can be suddenly realized one day, nor something that can be given to us by someone else, but is a practical issue that citizens should realize with a sense of purpose.

Fourth, human rights include rationality and sensitivity.

Each person aims for his/her self-realization while respecting the self-realizations of others, which means that a free self and free others exist together. This is the idea of human rationality. And when self-realization is prevented without its reason, a human being becomes angry. This anger is an outburst of a fundamental emotion rooted in human nature. It is a "right to be angry" at unjust treatment. This is the legitimate right of those whose human rights have been violated. We have heard many times the words of people who are angry at being discriminated against. And we have empathized with their anger. Empathy is the power of the human imagination to feel the minds of others. It is also an emotion that originates from the very core of human nature. In these respects, human rights include rationality and sensitivity. Human rights refer to the whole of humanity, which is related to human reason and sensitivity.

### **3. Guidelines for Human Rights Ordinance and Individual Issues**

What kind of guidelines does the HRO provide for specific human rights policies? We make the following recommendations on issues related to human rights policies as a whole, as well as guidelines for addressing individual policies, in light of the national situation. On the one hand, it is the realization of the principles of the HRO in line with the policies. On the other hand, it is a comprehensive review of the Basic Policy, which has not been achieved yet. The HRO will serve as a guideline for the Basic Policy, pointing out the direction for resolving issues that have not yet been achieved.

## **1) Issues Related to the Overall Human Rights Policy**

The philosophy of the HRO is to provide a path for Fukuyama City's human rights policies to follow to realize a society that respects human rights, does not tolerate discrimination, and dismantle the mechanisms that reproduce discrimination by addressing unmet human rights issues. The entire set of human rights policies will be based on such principles and enforced as an embodiment of them.

### **Community Learning Meeting and School Education**

The main places for raising resident awareness of human rights are community learning meetings (hereafter CLMs) and school education. The CAS showed that the CLMs have resulted in the deepening of citizens' awareness of human rights. Respondents who participate in the CLMs more frequently have a higher awareness of human rights. There is no doubt that the CLMs are effective, and that they play a significant role in raising awareness among residents. On the other hand, however, there are many issues to be addressed. For example, the number of participants is getting older and more fixed, and the building of a network centered on the CLMs has become stagnant. In particular, the participation of the younger generation is low. There is a polarization of human rights awareness between those who participate and those who do not. The content of the CLMs is often limited to urban development issues, which is not in line to raise human rights awareness. With these in mind, we exchanged opinions on the methods and cooperation between

CLMs and school education. The main points are as follows.

1. There is a need to appeal to citizens about the need for human rights awareness, and that citizens themselves are the main agents of the activities. The HRO has the power to emphasize this and to encourage citizens to act proactively. The rationale for the HRO is Article 12 of the Constitution: "the freedoms and rights guaranteed to the people by the Constitution must be preserved through the unceasing efforts of the people. The people must not abuse these freedoms and rights and must be responsible for using them for the public welfare at all times."
2. It is necessary to include something that will make the participants feel hopeful in the CLMs. It is important to talk about the norm of "not tolerating discrimination". However, just talking about "must" is not enough to motivate participants to become aware of human rights and discrimination issues. The CLMs are about human rights that guarantee the self-realization of individual residents. It is also about urban development that guarantees the self-realization of each resident. This is where the CLMs reach their peak. This is the hope for the creation of a city where people can live happily.
3. Human rights education in schools needs to be further enhanced. It is also necessary to have a systematic human rights education program according to the developmental stages of pupils. Its education should be emotional and experiential in elementary schools. From junior high schools onward, its education should focus on human rights norms (equality under the law, respect for the individual, prohibition of human rights violations and discrimination, etc.) and their practice as human manners, along with sensitivity. And the

education needs to foster a balance between sensitivity and normative awareness. Universities and other institutions of higher education need to educate students on advanced knowledge of discrimination (e.g., history, resistance movements, etc.) and the universal values that underlie human rights norms.

4. As part of the cooperation between schools and local communities, it is necessary to combine the CLMs with school education in elementary and junior high schools, encourage pupils' participation in the CLMs and provide opportunities for making residents and pupils learn together. Children can listen to the human rights stories of their neighboring senior residents in face-to-face interaction. On the other hand, the participation of the pupils' parents will contribute to overcoming the issues of the CLMs, such as preventing the participants from being fixed and preventing the learning content from being standardized through interaction with the pupils. Moreover, the participation of young parents contributes to the improvement of human rights awareness among the younger generation.
5. The CLMs should invite people who have experienced discrimination as storytellers and learn directly from their life histories. Through face-to-face interaction with the storytellers, participants can learn the real meaning of human rights. However, in doing so, the privacy of the storytellers should be protected and the care of them should be taken not to cause secondary damages. It is also necessary to learn the correct facts about the past that the storytellers tell. Historical facts are open to various interpretations. In this way, a variety of

opinions can be expressed, and rich learning can be achieved.

6. In many companies, human rights and discrimination issues of workers are addressed daily. Residents should share information from such companies. Companies participating in the Fukuyama Human Rights Enlightened Companies Liaison Association that consisted of 260 companies at the end of September 2020 are often holding practical exchange meetings. However, this is not visible to the community residents. In recent years, there has been a strong demand for companies to fulfill their corporate social responsibility. Companies are tackling a variety of human rights issues, such as eliminating discrimination against Buraku people as well as sex discrimination, promoting employment of the disabled, the elderly, and foreign citizens. It is necessary to position their corporations in the network of human rights activities in schools and communities, and the residents need to learn from their rich experiences.

### **Human rights awareness for the younger generation**

According to the CAS, 45.0% of the younger generation (in their 20s) do not know that there is an issue of discrimination against Buraku people. This indicates that the younger generation is critically lacking in opportunities for human rights education and awareness-raising on the issue of Buraku discrimination. This is a serious issue related to the development of human rights awareness among the next generation and increases the danger of intergenerational transmission of discrimination against Buraku people. Fostering the human rights awareness of the younger generation begins with school educations. Therefore,

first of all, human rights education in schools needs to be further enriched including the issue of Buraku discrimination. Moreover, school educations, CLMs, and corporate learning activities need to be closely coordinated. There should be opportunities for crossover, such as parents speaking in school classes and teachers speaking in the CLMs. The participation of pupils' parents in the CLMs provides a good opportunity that the younger generation become aware of human rights. The HRO will actively develop opportunities for human rights awareness with emphasis on the younger generation.

### **Identity Notification System for the Third-Party Delivery of Copy of Residence Record (Registered Identity Notification System)**

According to the CAS, 37.2% of respondents know that Fukuyama City has the Registered Identity Notification System. The number of citizens who have registered for the system was 3,486 at the end of September 2020. The ratio of awareness of the system by citizens is low and the number of registered users is small. If they do not know about the system, they cannot register, and if they cannot register, they cannot defend themselves against the unauthorized acquisition of their residence certificates by the third party and cannot protect their human rights. Registered Identity Notification System gives a concrete opportunity for citizens to protect their human rights. The act of registering with the system is an expression of the will of citizens to protect their human rights and has a great effect on human rights awareness.

## **Diversification of Human Rights and Discrimination Issues and Policies**

There is no end to the issues of discrimination against Buraku people, the disabled, and women, etc. At the same time, with the transformation of society, new human rights and discrimination issues have arisen, such as discrimination against foreign citizens, sexual minorities, and now, discrimination against people infected with the new coronavirus. As society's awareness of human rights increases, words, and expressions that were customarily used become discriminatory terms. Human rights and discrimination issues are becoming more diverse with time. And the scope of human rights and discrimination issues expands. Based on this recognition, the HRO aims to establish a system that can respond flexibly to various human rights violations and discrimination. Fukuyama City officers need to learn about various human rights and discrimination issues, and develop the ability to receive consultations from victims of human rights violations and discrimination, and respond positively as necessary. For this reason, the HRO will also focus on human rights awareness for administrative officers.

## **Relief for Victims of Human Rights Violations and Discrimination**

Human rights violations and discrimination hinder and delay the development of communities that respect human rights. How a community responds to human rights violations and discriminations is a scale of how far it is willing to protect human rights. The Basic Policy states that the consultation system for

victims of human rights violations and discrimination will be enhanced, and necessary advises and supports will be provided, including the provision of information and the application of concrete systems for resolving the issues. However, are the actual efforts to help victims sufficient? The Basic Policy does not provide any specific guidelines for such efforts. It seems that the policies taken have been within the scope of conventional responses.

Concerning the relief of victims, the following points need to be kept in mind. First, there are two types of human rights violations and discrimination, visible and invisible. Therefore, it is necessary to firmly identify which part of a particular word, expression, or act is a human rights violation or discrimination, and under what circumstances it occurred. For this purpose, it is necessary to hear the opinions of victims, perpetrators, and, if necessary, researchers, lawyers, and other experts.

Second, it is not easy to identify the perpetrators of anonymous discriminatory graffiti in spaces where unspecified people come and go. However, it is still necessary to try to identify the perpetrators without giving up easily and to identify the perpetrators for analyzing the content of the discrimination and preventing its recurrence.

Third, it is necessary to instruct those responsible for companies and facilities where discrimination has occurred in the city for taking firm action and preventing a recurrence. As for government agencies such as the Legal Affairs Bureau, it is necessary not only to provide them with information but also to ask them to take responsibility for their agencies and the policies they should take as agencies.

Fourth, consultation activities for victims of human rights violations and discrimination need to be enhanced and citizens need to be made aware that there is a place for a free consultation in Fukuyama City. It seems that many citizens are unaware of the existence of the free consultation service. In addition, the Law on the Promotion of the Elimination of Buraku Discrimination states that local governments should improve their consultation system on the issue of Buraku discrimination. Therefore, it is urgent to establish a consultation system on the issue of discrimination against the Buraku people. Then, it is necessary to listen carefully to the victim's complaints. In the consultation, the victim's privacy needs to be taken into consideration, while making sure that remedial policies are taken. Another way is to set up a free app where victims and witnesses can notify anonymously. By sending and sharing information through the app, the entire situation of human rights violations and discrimination can be known and shared with the citizens. Furthermore, it can also provide a quick response to victims.

Finally, for serious and socially influential cases, it is necessary to set up a committee that includes researchers, lawyers, and people from the organizations concerned to confirm the facts, analyze the background and causes, and recommend counter policies.

### **Punitive Clauses Against Discrimination**

Sanctions against perpetrators of discrimination mean a firm expression of society's will to reject discrimination. It is a scale of the maturity of a society with respect for human rights, which is open to a variety of life of human beings and strict against

those who prevent it. It is also an important measure to restore the victim's wounded mind and self-esteem, i.e., to prevent being "left beaten." Then sanctions can raise awareness of human rights by making perpetrators aware of their wrongdoings and by teaching (warning) citizens what not to do.

In the CAS, there were some opinions that penalties for malicious discrimination against Buraku people and hate speech, etc. are necessary. We exchanged our opinions on whether to include penal provisions for perpetrators of discrimination in the HRO and if so, how this could be done. However, we concluded that it would be difficult to include penal clauses in the HRO immediately. There are two reasons for this.

First, there is an issue with the procedure for penalties. The consistency of the basic human rights of the perpetrators of discrimination and penalties for them must be carefully judged. In addition, a lot of preparations related to the penalty procedure are required, and a separate committee is needed for this purpose.

Second, it is not appropriate to put a blanket penalty clause in the HRO, which encompasses all human rights violations. The "degree of conviction" of citizens to the social justice that perpetrators of discrimination should be sanctioned varies depending on individual human rights and discrimination issues. To provide a penal clause, the social conditions surrounding each human rights and discrimination issue in Fukuyama City must be analyzed. For example, in Kawasaki City, based on the recognition of the seriousness of the issue of hate speech in society, a penal clause was provided to regulate hate speech against foreign citizens. It is stated that the Mayor would make

recommendations and orders, but in such cases, whether or not to make recommendations and orders would be determined through consultation with the Council for Policies to Prevent Discrimination, which is composed of experts. It is one way of penalizing discrimination.

The suffering of victims of discrimination must be eliminated. The recurrence of discrimination must be prevented. Therefore, Fukuyama City must have penal clauses for individual issues of discrimination, especially Buraku discrimination, where incidents continue to occur. It is necessary to establish a separate committee for penal clauses and their application. Although the HRO does not include a penalty clause this time, it is necessary to take a firm stance against discrimination, clarify the human rights violation of the perpetrators, raise their awareness, and create an environment where discrimination will not occur again, which is practically equivalent to a penalty. The HRO will give the administration and citizens confidence in the social and legal legitimacy of such efforts. The HRO needs to clearly state that the basis of Fukuyama City's human rights administration is to do everything in its power to guarantee the human rights of its citizens, even if there are no penal clauses.

## **2) Individual Issues Related to Human Rights Policies**

Individual human rights policies will be enforced based on the principles of the HRO. Concerning individual human rights policies for resolving all issues related to human rights and discrimination, it is necessary to summarize the policies based on the Basic Policy one by one; Buraku people, foreign citizens, Ainu

people, sexual minorities, women, people with disabilities, victims of domestic violence, children, elderly people, homeless people, HIV-infected people, AIDS patients, people recovered from leprosy, people infected with the new coronavirus, etc. However, we can explain and make recommendations on those human rights policies that were only particularly discussed at the meetings of the Expert Team.

### **Policies Related to Buraku Discrimination**

In recent years, It occurred some incidents of discrimination against the Buraku people in public spaces in Fukuyama City. such as discriminatory posts on the Internet and in train stations. In Hiroshima Prefecture also, various forms of discrimination against the Buraku people have occurred. Buraku people are exposed to this reality. In the CAS, although there has been progressing in raising awareness of discrimination against Buraku people, there are still many issues that need to be addressed in citizens' awareness, such as avoidance of marriage, affirmation of family background checks, and the idea that Buraku discrimination will disappear naturally without any effort to eliminate it. The social environment that gives rise to discrimination against Buraku people has not been eradicated, and there is still a long way to eliminate discrimination. The administration must create an environment where citizens, as well as the administration, can voluntarily correct discrimination against Buraku people as an attack on society. To this end, the education and awareness-raising of the issue of discrimination against Buraku people are increasingly necessary.

## **Policies Related to People with Disabilities**

Disabilities include those who are disabled from birth, due to accidents or illness, and due to aging. In addition, some disabilities are easily recognized by others, while others are not apparent at first glance. What is important is that each person, regardless of whether he/she has a disability or not, and regardless of what kind of disability he/she has, should respect each other as human beings, live for his/her self-realization, and support each other. The Government has enacted the Law on the Promotion of the Elimination of Discrimination against Persons with Disability, and Fukuyama City has been implementing policies to eliminate human rights violations and discrimination against people with disabilities, such as universal design and barrier-free design. However, according to the CAS, 53.4% of the respondents answered that the disabled persons "are treated unfavorably in employment or at work", 47.6% answered that they "are stared at or avoided", and 45.6% answered that they "are harassed or bullied at work or school." It means that they recognize the existence of human rights issues related to people with disabilities. The goal of Fukuyama City's policies related to people with disabilities is also halfway. To resolve these issues, it is necessary to enforce effective policies by public institutions, educational institutions, businesses, and local communities to further eliminating social barriers.

## **Policies Related to Foreign Citizens**

Foreign citizens mainly consist of the old-comers who have their roots in the Korean Peninsula, China, and Taiwan, and new-comers who came to Japan after World War II especially after

the 1980s. For example, in Japan as a whole, the old-comers, the Koreans living in Japan, are subjected to severe discrimination by hate speeches on the streets, discriminatory posts on the Internet, violation of the right to ethnic education, and discrimination in employment. Under today's political situation, and with the spread of the new coronavirus, discrimination against Koreans living in Japan is increasing. Old-comers have been living with the Japanese for a long time and have built Japanese cities together. Human rights violations and discrimination against them are unacceptable.

In Fukuyama City, 9,844 foreign residents have a nationality (notation) other than Japanese at the end of September 2020. The space in which Japanese people live together with foreign citizens with various statuses of residence and life backgrounds is expanding, causing various issues in the lives of foreign citizens and related discrimination. Even if we do not call it discrimination, many oppressive human relationships that force foreign citizens to unilaterally assimilate with Japanese people, saying to achieve multicultural symbiosis, but maintaining the invisible power relationship between Japanese and foreign citizens. In many cases, it is difficult for Japanese people to notice such relationships and discrimination against foreign citizens. The suffering of foreign citizens due to discrimination is difficult for the Japanese to hear. Therefore, this is where the role of human rights policies becomes important. There is a need for a consultation system that is bi-directional, that receives information from foreign citizens and responds to it, and that takes into consideration the privacy of foreign citizens while making every effort especially a system to provide concrete

supports for the issues faced by them. Whenever it occurs discrimination against foreign citizens who are building communities with their residents, we must take a firm stand against it.

### **Policies Related to Child Abuse**

With the transformation of society, the nature and form of the family are changing, with divorce and international marriages on the rise. In addition, an increasing number of families are in a state of disintegration due to the harsh economic environment. Children become often the victims of such family transformations and disintegrations. Many children are subjected to abuse such as violence, neglect, and abandonment by their parents and other adults as an outlet for their difficulties in life. News articles about children who have died or been killed due to abuse choke the hearts of those who read them. It was not confirmed at the meeting of the Expert Team whether such a tragedy had occurred in Fukuyama City. However, it seems that many children are abused at home, even if they do not die. The children have no way to report their harsh circumstances to other adults and institutions to escape from such families. Therefore, systems and actions to help children are critically important. According to media reports, in many cases of child deaths, school staff, medical personnel, child guidance centers, and police had detected signs of the child's tragic situation in advance. So, why did the children die? Several reasons have been pointed out, such as the adults who noticed the child abuse had a weak sense of crisis, they were constrained by the rules of the workplace and the system and lagged in rescuing the child, and there was

insufficient cooperation among facilities and institutions. As the children have no way of escaping an abusive situation, it is the adults who have the responsibility to prevent abuse. This is an issue that concerns the lives of children. It is necessary to provide training and awareness-raising of human rights to all those who are involved with children for solidifying cooperative relationships; government officials, teachers, medical personnel, police officers, non-profitable organizations, and residents.

### **Policies Related to the Elderly**

The population is aging in Japan, and Fukuyama City is no exception to this trend. As the trend toward nuclear families continues, the living environment is changing, with more and more households living alone or with only elderly couples. In such environments, the incidents of bullying, abuse, abandonment of nursing care, malicious business practices, and bank transfer scams against the elderly have occurred once after another. Concerning the human rights of the elderly, the Basic Law for Aging Society was enacted in 1995, and the Elder Abuse Prevention Law was enacted in 2006. In those laws, the importance to protect the human rights of the elderly in today's aging society is emphasized. In Fukuyama City also, efforts are being made to create an environment in which the elderly can play an active role, and a network is being built to protect the human rights of the elderly. According to the CAS, 63.1% of the respondents answered that the human rights of the elderly are becoming "victims of malicious business practices and special frauds", 53.9% answered that "the elderly are isolated due to the nuclear family and the weakening of human relationships", and

42.8% answered that "there is insufficient communication of necessary information to the elderly who live alone." To prevent this situation from worsening, it is expected that policies to guarantee the rights to life, liberty, and the pursuit of happiness of the elderly will be further enhanced. On the other hand, it is necessary to create a society in which the elderly especially those in the early stages of 65 to 74 years old can play an active role in terms of their right to social participation and self-fulfillment, including employment, as well as their role in the intergenerational transmission of experience, skills, and knowledge.

### **Policies Related to Sexual Minorities**

While discrimination against women is often occurring in the home and workplace, awareness of sexuality is becoming more diverse, and human rights and discrimination issues related the sexuality are arising as a result. Apart from the traditional categorization of men and women, people with various sexual attitudes, including LGBT (lesbian, gay, bisexual, and transgender) have appeared, and the whole of those people is called sexual minorities. It seems that sexual minorities are not few in Fukuyama City too. Japanese society is gradually moving toward the acceptance of diverse sexualities. However, the traditional sexual attitudes are overwhelmingly strong, and the structure of its society has been formed based on dominant heterosexuals. As a result, sexual minorities are encountering discrimination in their everyday lives. Many people are unable to come out and endure discrimination at work and in the community, and sometimes discrimination even by their own

families. The administration needs to be aware of the diverse existence of sexual minorities, learn about the current situation of discrimination against them, and improve the consultation and support system to protect their human rights. The administration officers should know that it is necessary to make even their family members raised the awareness of human rights if needed.

### **Policies Related to Infectious Diseases**

The spread of the new coronavirus has caused serious social issues. Infected people appear and discrimination against them is occurring. There are situations where people simply dislike, despise, and exclude infected people without any rational reason such as social distancing to prevent the spread of infection. Hence, some municipalities have enacted ordinances that prohibit discrimination against infected people. To prevent infection, people have refrained from going out and doing things, and the Declaration of Emergency has been issued to restrain people from going out and doing things. As a result, many businesses, including self-employed ones, have suffered a decrease in revenue, or have been notified of suspension or dismissal of employment. And so many people have fallen into poverty. The damage is especially concentrated on the socially vulnerable, such as the needy and foreign citizens. The administration needs to provide consultation, advice, and assistance. First of all, it is necessary to set up a consultation room for this purpose. This is not limited to people infected with the new coronavirus. Regardless of the type of infected person, the administration needs to take appropriate policies well.

## **Policies Related to Harassment**

Sexual harassment and power harassment are frequently occurring in schools and workplaces. In relationships where there is no trust, there is a high risk of harassment occurring. Harassment is an issue that concerns the dignity of the individual. Therefore, what is harassment depends on the individual who is harassed and the social context in which the harassment occurs. In most cases, however, harassment occurs between people of different social categories and positions. Sexual harassment is applicable as long as it is "harassment of sexual language and behavior" regardless of the victim's sexual orientation or gender identity, but it often involves discrimination against gender-related categories and positions. Power harassment occurs between those who have power and those who do not, for example, between superiors and subordinates, or between teachers and students. In these cases, it becomes a combination of discrimination and harassment.

As people's awareness of human rights increases through human rights policies, education, and awareness-raising, people become more sensitive to words, actions, and treatment that harm them. As a result, harassment is on the rise. However, this is proof that the scope of self-realization is expanding in society. The administration needs to face up to these social trends and educate citizens that harassment and discrimination often are complex. And it needs to listen to the complaints of victims of harassment, provide advice and support, and make the citizens raised awareness so that the perpetrators will not repeat the harassment.

#### **4. Conclusion**

Based on the opinions exchanged at the meeting of the Expert Team, it has explained the necessity of and reasons for the HRO, its principles and basic guidelines, and individual human rights issues, and thus made a recommendation for Fukuyama City to enact the HRO.

The HRO will be a force to give social and legal legitimacy to the city development of respect for human rights by both the administration and citizens. And it will push up the Basic Policy to the next stage toward the practical elimination of discrimination, thereby expanding the guarantee of citizens' free self-realization. The HRO will serve as a guideline for such urban development. We expect and believe that Fukuyama City will enact the HRO with conviction and that it will fully fulfill its responsibilities to citizens.