



General Assembly

Distr.: General
24 June 2019

English only

Human Rights Council

Forty-first session

24 June–19 July 2019

Agenda item 2

Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Written statement* submitted by International Career Support Association, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 June 2019]

* Issued as received, in the language(s) of submission only.

Japan's Broadcasting Law and the distorted report of Special Rapporteur Mr. David Kaye.

UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression Mr. David Kaye submitted a report to 41st United Nations Human Rights Council which is critical against Article 4 of Japan's Broadcast law, suggesting Japanese government to eliminate it. Article 4 of Japan's broadcasting law is stipulating as follows;

- (i) It shall not harm public safety or good morals;
- (ii) It shall be politically fair.
- (iii) Its reporting shall not distort the facts;
- (iv) It shall clarify the points at issue from as many angles as possible where there are conflicting opinions concerning an issue

If the broadcasting media violates this law, their license would be suspended from using the public broadcasting wave.

What Mr. Kaye basically saying in the report is;
The government needs to protect the fake news media which will deceive and harm public safety.

This law is to protect the Japanese nationals from toxic fake news which potentially cause tremendous human rights violations upon Japanese people.

Mr. Kaye also reported that "Kisha club" system should be eliminated.
However, the Kisha club is nothing to do with the Japanese government as it is a private organization. The Japanese government should not pressure the private organizations as long as it is not violating any related laws.

Is Mr. Kaye suggesting the Japanese government to pressure private organization?
It will be considered as a violation of the freedom of assembly.

In 2017, Mr. Kaye was supporting a criminal in Okinawa named "YAMASHIRO Hiroji" who was arrested because of repeated violations of the criminal codes. When Mr. Yamashiro visited the United Nations Human Rights Council, Mr. YAMASHIRO was on bail, came to this Human Rights Council by getting permission from Japanese authority, he expressed his displeasure against Japanese government by telling lies and hiding the facts. Mr. Kaye was completely deceived by this criminal and his supporters.

Mr. Kaye was at the side event held by Mr. YAMASHIRO's supporter as one of the speaker.

At the side event, one of the NGO in the audience was questioning "Is it okay to use physical violations to pursue what he believes?" We also questioned him by pointing a video which Mr. YAMASHIRO is yelling and physically attacking to public officers with his subordinates.

We also sent a same video to Mr. Kaye which obviously showing that Mr. Yamashiro is physically attacking defenceless public officers of Okinawa Defense Bureau.

We believe that Mr. Kaye needs to listen to both sides of the argument to report fairly to this council.

The interviewees he interviewed were introduced to him by very biased and notorious lawyers and activists in Japan.

Those interviewees later confessed that "I didn't say him a truth" "I've heard that there was pressure from the government but I don't know."

This is the reality and the reason why Mr. Kaye's report is not trustworthy.

While he was staying in Japan, he was totally guided by a notorious lawyer and some activists who were trying not to let him listen to our views. This is totally unfair and he Mr. Kaye must be exploited and deceived.

We request the Human Rights Council to instruct Mr. Kaye to conduct a further investigation with us and other NGOs in Japan openly to prevent him from possible deceptions, in order to report fairly with accuracy with as many perspectives as possible.

If Mr. Kaye does not listen to the alternative views, people will think that the reason why he is opposed to the Japanese Broad Casting Law which basically stipulates "not to make FAKE NEWS" is, he himself is making fake report and false accusation unintentionally.

We need to prevent this kind of deception and fake news to protect the human rights of the related people as well as to maintain the prestige of the UN mechanisms.

We request this Human Rights Council to request Mr. Kaye to investigate again by preventing deception drawn some group of people with an ideology.

Freedom always needs to be supported by morality and responsibility.
No freedom exists without responsibility.
