

MAY 2021 | ISSUE 1

JapanCoE25 Now and Then

Professor Yoko HAYASHI



About yourself.

I am a lawyer who has been practicing in Tokyo, Japan for over 30 years. The main focus of my practice is gender equality and women's empowerment. I manage a small law firm in central Tokyo; though most of the court hearings and meetings with clients have been shifted to online since 2020 due to COVID-19. Through 2008 to 2018 I served as a member of the UN Committee on the Elimination of Discrimination Against Women (CEDAW). Being a former chairperson of CEDAW, I engage in advocacy on behalf of various women's coalition groups, locally and globally, to urge governments to effectively implement the Convention. Currently, one of the top agendas of the women's movement of Japan is to guide the government to ratify the Optional Protocol of the CEDAW Convention (so that persons in the jurisdiction of Japan may avail the individual complaint mechanism) and the Istanbul Convention of the Council of Europe. I give public lectures from time to time on these issues.



JAPAN & Council of Europe
25 YEARS



NOW AND THEN

COMPARED TO 25 YEARS AGO,
DID SITUATIONS CHANGE
IN TERMS OF HUMAN RIGHTS,
DEMOCRACY AND THE RULE OF LAW?



Yes, indeed. In the past 25 years, the parliament enacted new laws and policies on human rights, the administrative procedure became more transparent, and the judicial system was reformed. Activities of NGOs became more visible. On the other hand, wherever progress exists, the backlash and/or revisionists arise, as there are people who believe “the past society is better than today’s”. The controversies are intensified when it comes to topics such as the role of women or memories of WWII. However, for Japan there is no choice but to stick to the principle of rule of law, democracy, and human rights. These are enshrined principles in the Constitution of Japan, under which the country has developed from the burned ruins of the war. Geopolitically, Japan’s role will become more critical in the coming 25 years in world politics. I hope Japan may further strengthen its relationship with Europe in order to be the hub of these basic principles in the region.

YOU IN 25 YEARS AGO

I was a young lawyer who volunteered as a legal advisor to a shelter and hotline services for women victims of violence. In 1995 I participated in the Beijing Conference (the UN 4th World Conference for Women) as the government delegation. It was an invaluable experience for me to witness the entire negotiation and adoption of the Beijing Platform for Action, the milestone outcome document of the Conference. My perspective on gender equality was substantially broadened through my exposure in Beijing. Coming back from Beijing, I organized a study group on anti-domestic violence legislation and lobbied the government; the law with protection orders was finally enacted in 2001.

JAPAN AS AN OBSERVER

WHAT KIND OF COOPERATION DO YOU EXPECT FURTHER BETWEEN COE AND JAPAN IN THE COMING YEARS?

I expect that Japan and the Council of Europe will step into a new stage of cooperation in coming years. It is my belief that Japan's ratification of the Istanbul Convention will certainly enhance such a relationship. Gender equality and women's empowerment is a burning issue for Japan's societal reform. Through the ratification of the Istanbul Convention, Japan may learn not only the policies of combatting gender-based violence against women but gender equality in general. At the same time, I am aware of the political regression amongst the member states of the Council of Europe. If Japan joins the Istanbul Convention as the first Asian country, it will tremendously encourage the Council of Europe.

The world will be divided into two groups in this century: those who sustain democracy, the rule of law, and human rights, and those who do not. Japan must exemplify that a country with matured democracy is prosperous and flourishing. I hope that Japan and the Council of Europe will continue to be mutual running mates for the next 25 years by sharing the same values and aiming for the same goal.



YOU AND STRASBOURG

Yes. I have been privileged to be a speaker at conferences in Strasbourg a few times since 1999. My last visit to Strasbourg was in February 2020 when I was invited by the Consulate General of Japan to be a keynote speaker of the international conference titled "Women's Human Rights in the 21st Century" organized by the René Cassin Foundation. Also, when I was a chairperson of CEDAW, I participated in a workshop co-organized by the European Court of Human Rights and the UN Office of the High Commissioner on Human Rights. Each time I visit Strasbourg I have been deeply impressed by the integrity of the staff members of the Council of Europe as well as the beauty of the city.