



Rights of Ainu People and Responsibility of the State

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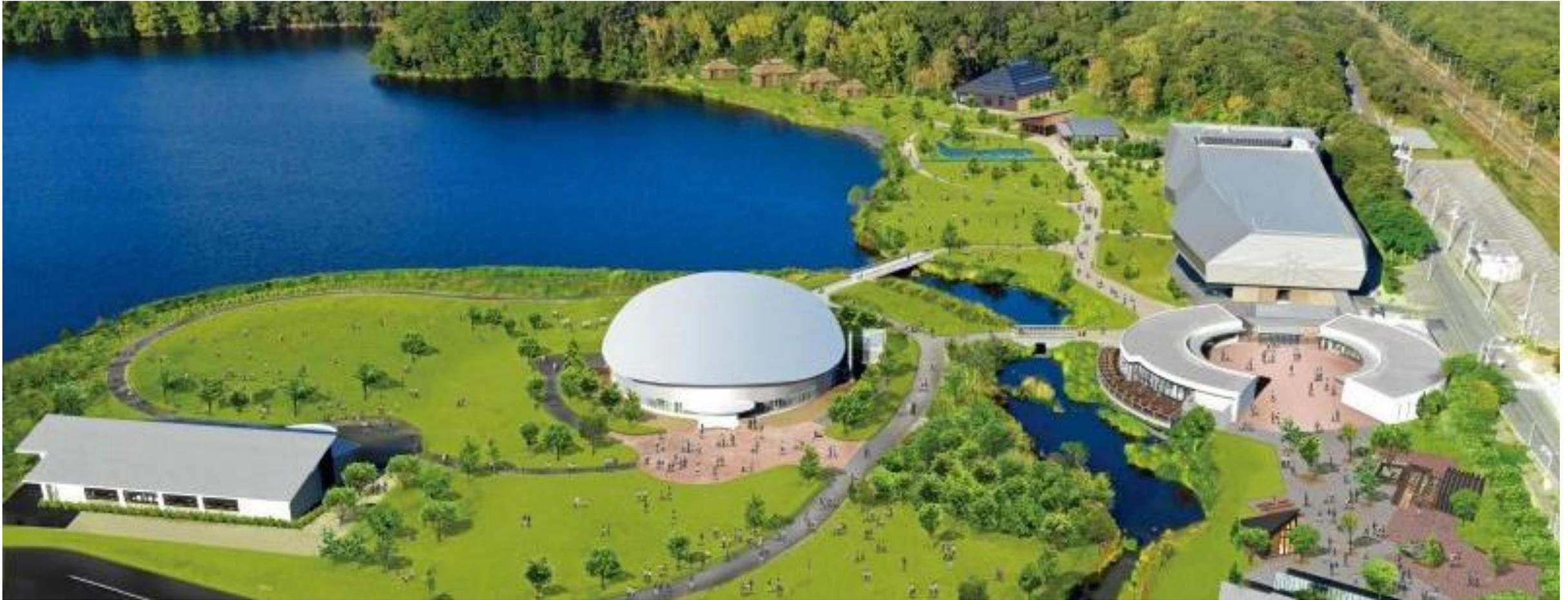
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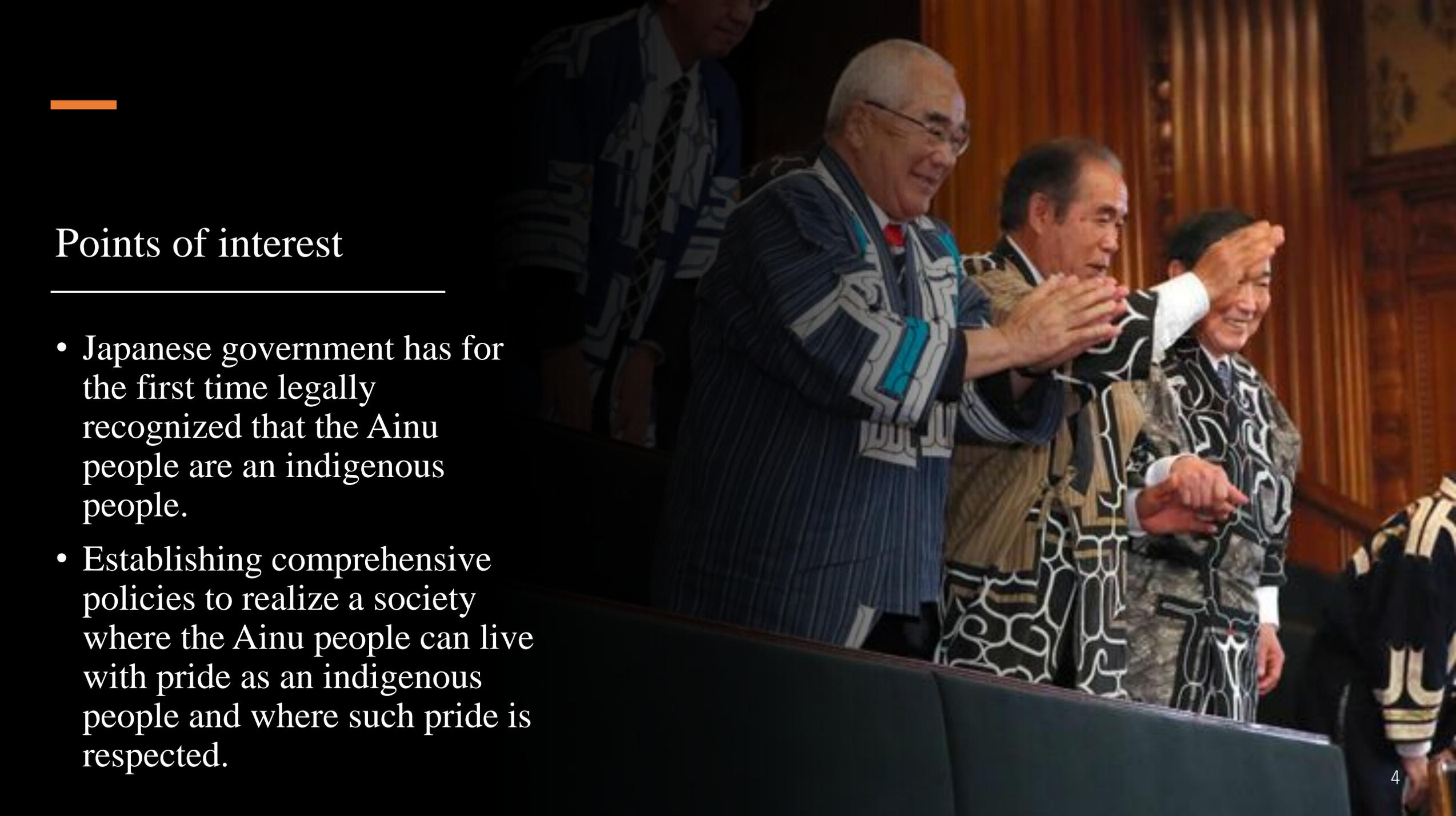
Purposes of the Ainu Policies Promotion Act

- In light of the situation of the Ainu tradition and culture, which is the source of pride for the Ainu people who is the indigenous people in the northern part of the Japanese archipelago, especially in Hokkaido, the following measures have been taken to promote Ainu policies:
- Formulation of basic policies by the Government, measures for the management of Upopoy, the preparation of regional plans for the promotion of Ainu policies by municipalities and their approval by the Prime Minister, special measures for projects for the promotion of Ainu policies, and the establishment of the Headquarters for the Promotion of Ainu Policies.
- This shall contribute to the realization of a society in which the Ainu people can live with pride as a people and in which such pride is respected, and to the realization of a society in which all citizens can live together in harmony while mutually respecting each other's personality and individuality.



Upopoy: National Ainu Museum and Park

*Upopoy means
singing in large numbers
in Ainu language*



Points of interest

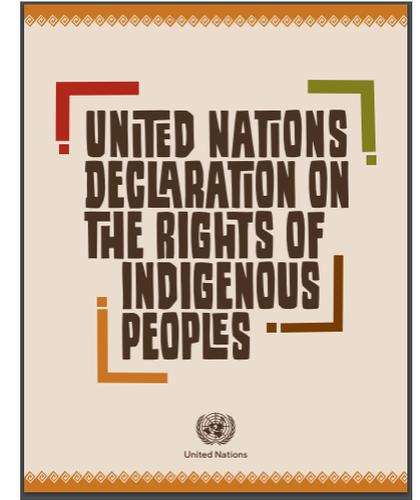
- Japanese government has for the first time legally recognized that the Ainu people are an indigenous people.
- Establishing comprehensive policies to realize a society where the Ainu people can live with pride as an indigenous people and where such pride is respected.

Resolution calling for the Ainu people to be recognized as an indigenous people



- United Nations Declaration on the Rights of Indigenous Peoples
 - Recognizing also that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration,
- Minister Ishii (Minister in Charge of Legislative Deliberations)
 - this bill refers to the provisions on the right of indigenous peoples to culture, the right not to be discriminated against, the promotion of public understanding, and the right to land resources
 - We have incorporated measures to respond to the purposes of guaranteeing rights by referring to the provisions of rights.

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)



Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

Article 11

1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions,

UNDRIP

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 15

2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

UNDRIP

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.



Why not rights themselves but measures responding to them?

- Individual rights---difficulties to identify Ainu
- Collective rights---nonexistence of representative body
 - Ainu Association of Hokkaido covers no more than 4% of 16000, the number of Ainu who cooperated in the survey on living conditions conducted by Hokkaido government
 - 15% of 50000, a figure which is often brought up by experts as the Ainu population

Measures taken to respond to rights

- Ainu Policy Promotion Grant
- exceptional measures



- Upopoy (National Ainu Museum and Park)
- Programs promoted by the Foundation for Ainu Culture
- prohibition of discrimination

Culture is the foundation for the existence of the Ainu people. If the number of people who have an Ainu ethnic identity increases through the appropriate promotion of Ainu culture, it is hoped that the ethnic organizations necessary to guarantee collective rights will be created in the near future. In addition, the participation of Japanese people in projects related to Ainu culture will create a social environment that understands and supports the Ainu people. If these conditions are met, it will be possible to guarantee the rights of the indigenous Ainu people themselves.

Discrimination and Human rights

- According to 2016 survey, while only 18% of the population as a whole believe there is discrimination and prejudice against Ainu, 72% of Ainu people say there is discrimination and prejudice against them.
- Recent vocalization of opinions that deny that the Ainu are an indigenous people, or even that they are a unique ethnic group in the first place.



Article 4 of the Ainu Policies Promotion Act

- “No person shall discriminate against the Ainu people on the basis of their being Ainu or commit any other act that infringes on their rights and interests.”
- Lack of penal regulations
- There are still issues to be considered regarding the elimination of discrimination, but while we wait for the conclusion of these issues, we believe that it is important to use Upopoy to help the Ainu people gain confidence in their culture and live with pride, without being overwhelmed by discrimination, as well as to deepen the public's understanding of the Ainu people and strive to realize a society that respects each other's culture.



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Upopoy

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