

Ordinance for the Protection of Human Rights Aiming to Abolish All Forms of
Discrimination (Draft) – Article by Article Commentary

[Preamble]

All human beings are born free and equal and have the right to be respected and conduct their lives as human beings.

In 1994, the Town of Oizumi formulated the “Town Declaration of Respect for Human Rights and Welfare” and has subsequently made efforts to ensure that we respect each other and that there is no discrimination, and has sought to create a cheerful town where we can be truly free and equal.

Nonetheless, problems relating to human rights still exist as before, and along with advances in globalization and information technology, and other changes in social conditions, new forms of human rights issues have arisen.

This ordinance is enacted in order to achieve a society free from discrimination wherein the human rights of all persons may be respected, where no one is offended or gives offense, where everyone has a purpose for living, and to encourage a town where human rights are protected.

(Commentary)

On the basis of the enjoyment of fundamental human rights of the Universal Declaration of Human Rights initiated by the United Nations and the Constitution of Japan Article 11, in 1994, the Town of Oizumi formulated the “Town Declaration of Respect for Human Rights and Welfare” in order to encourage creation of a cheerful town where all can be truly free and equal, aiming at a town where through the full participation of all residents, we support the welfare of each other.

Based on this declaration, in addition to strengthening a proper understanding and awareness of human rights issues and encouraging education and training aiming for a cheerful society free of discrimination, in March of 2015 in order to abolish all discrimination, we formulated the “Oizumi Basic Plan Relating to Human Rights Education and Training” and are making efforts so that each and every resident in the town may be able to properly understand

and act upon human rights.

However, anti-discrimination (social integration) problems and violations of the human rights of children, the elderly, disabled persons, women, foreigners, persons infected with HIV or Hansen's disease, and victims of crime still exist. In addition, throughout the nation, discrimination utilizing the Internet or SNS (Social Networking Services) and defamation and other unfair and discriminatory acts against non-Japanese, so-called hate speech, and additionally tragic incidents around persons with disabilities, and other new problems are occurring.

As the situations around human rights issues become more complex and diverse, it is important to reaffirm that the achievement of a society that respects human rights is a problem for each one of us. This ordinance is enacted to encourage creation of a town where no one is offended or gives offense, and everyone has a purpose for living.

(Purpose)

Article 1

This ordinance, based on the fundamental principles of the Constitution of Japan and the Universal Declaration of Human Rights which establish basic human rights and equality under the law, by defining responsibilities of the municipal government and its residents, has as its purpose promoting creation of a town where violations of human right do not occur and where human rights are protected, and thereby contributing to achievement of a society free from discrimination.

(Commentary)

This ordinance under the Constitution of Japan which guarantees basic human rights of all people and based as well on the principles in the "Universal Declaration of Human Rights (adopted in 1948)" that all human beings are born possessing basic human rights, clarifies the responsibilities of the municipal government and its residents and has as its purpose promoting creation of a town where regardless of gender, age, or national origin, new violations of human rights do not occur, where human rights are protected, and establishment of a society free from discrimination.

(Responsibilities of the Municipal Government)

Article 2

The municipal government shall, in order to accomplish the purpose of the preceding article, enact necessary measures (hereinafter called “measures”) and thus promote creation of a town where human rights are protected.

(Commentary)

Based on the “Town Declaration of Respect for Human Rights and Welfare,” the Constitution of Japan and the principles of the Universal Declaration of Human Rights, striving to achieve creation of a cheerful town where we can be truly free and equal as described in the “Oizumi Basic Plan Relating to Human Rights Education and Training,” we shall provide education and training for any and all situations, and thus promote creation of a town where human rights are protected.

(Responsibilities of Residents)

Article 3

Individuals and businesses alike should respect human rights and have an attitude not to commit, cause, or ignore discrimination, and endeavor to encourage creation of a town where human rights are respected.

(Commentary)

Everyone should of course, respect human rights equally, respecting not only their own personal rights, but the rights of others as well, maintaining an attitude of not permitting discrimination, and through unremitting efforts, achieve creation of a town where human rights are respected.

In modern society, various problems of violation of human rights are currently occurring, and furthermore, new human rights problems are arising in the social economy and with the changing of the times. Problems of human rights are problems not far from any of us, and in addition, are important problems that everyone must address.

Residents (refers to individuals living, attending school, working, and visiting the town), businesses (refers to individuals operating a business or other organizations) in the town, and all other entities engaged in activities in the town should be concerned

with human rights, form proper understanding and habits of suitable actions regarding the same, and strive to cooperate in the creation of a town where human rights are respected.

(Enhancement of System of Promotion)

Article 4

The municipal government, in order to implement effective measures, shall strengthen cooperation with national, prefectural, and related organizations, and endeavor to enhance a system of promotion.

(Commentary)

In order to seek to achieve creation of a town where human rights are protected, cooperation with national, prefectural, and related organizations is indispensable.

The town will enhance the coordination with not only public institutions such as schools and local administration, but also with corporations, businesses and the organizations which are engaged in developing the activities to establish human rights, and will thus seek to implement a system of promotion.

(Council)

Article 5

When the town mayor deems it necessary to achieve the purpose of this ordinance, he may solicit the opinion of the Oizumi Human Rights Measures Council.

(Commentary)

The Oizumi Human Rights Measures Council in accordance with the provisions of Section 4 paragraph 3 of the Local Government Act Article 138, is positioned for deliberation in affiliated institutions of enforcement agencies, and in the process of promotion of creating a town where human rights will be respected, solicits opinions from a broad spectrum of expert viewpoints.

(Delegation)

Article 6

In addition to matters stipulated in the provisions of this ordinance, the town mayor may determine necessary matters independently.

(Commentary)

Necessary matters relevant to this ordinance may be determined independently.

Supplementary Provisions

This ordinance shall take effect on March 31, 2017.