

16th November, 2015

TO: The Tokyo Organising Committee of the Olympic and Paralympic Games

**Proposed Human Rights Statement for the
Tokyo Olympic and Paralympic Games in 2020**

Caux Round Table Japan (CRT-Japan) and the Institute for Human Rights and Business (IHRB) are pleased to submit this “Proposed Human Rights Statement for the Tokyo Olympic and Paralympic Games in 2020” following public consultation. We respectfully encourage the Tokyo Organizing Committee for the Olympic Games (TOCOG) to use this document as a model in developing its own Human Right Statement and supporting policies. Responsibility for the final text, and implementation, of the Human Rights Statement will lie with TOCOG.

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The Tokyo Olympic and Paralympic Games will be held from July to September 2020. Based on a firm belief that the 2020 Tokyo Olympic and Paralympic Games (the 2020 Games) are in a position to contribute to addressing environmental, social and labour issues, a Group of Experts for a Sustainable Tokyo Olympic and Paralympic Games¹ carried out a survey on *Sustainability Themes for the Tokyo Olympic and Paralympic Games in 2020*. The survey was open to public comment between March 30 to April 24, 2015, and asked for feedback concerning sustainability issues TOCOG should prioritise in the lead up to the 2020 Games. Over fifty responses were received, including from Japan, the UK, USA, and Switzerland. The issues that emerged as of paramount importance for the Tokyo Organising Committee of the Olympic and Paralympic Games (TOCOG) included human rights and labour rights, as well as the need to carry out stakeholder engagement.

In response to the public interest and concern, and recognizing that it is essential for the Games’ success that TOCOG make a clear commitment to ensure that human rights are respected throughout the life-cycle of the Tokyo 2020 Games, CRT-Japan and IHRB produced and invited public comment on a “Proposed Human Rights Statement for the Tokyo Olympic and Paralympic Games in 2020”. The public consultation lasted from June 16 to July 10, 2015. Comments were received from eight organisations, including from Japan, the United States and Southeast Asia. The “Proposed TOCOG Human Rights Statement for the Tokyo Olympic and Paralympic Games in 2020” that follows incorporates a synthesis of the views received during this public consultation. A list of the persons who submitted comments, their affiliation, and the content of the comments are attached (see Appendix 2 attached). We encourage TOCOG to use the document that follows as a template when it drafts its Human

¹ For the Members of the Group of Experts for Sustainable Tokyo Olympic and Paralympic Games, please refer to <http://crt-japan.jp/en/2015/03/30/invitationforpubliccomments-en/>

Rights Statement for the 2020 Games.



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About Caux Round Table Japan (CRT-Japan)

The Caux Round Table Japan (CRT-Japan) (<http://crt-japan.jp/en/>) is the Japanese arm of an international network of principled business leaders working to promote moral capitalism (<http://www.cauxroundtable.org/>). We offer practical advice to corporations in the area of business and human rights in Japan.

In 2012, one year before Tokyo won the bid to host the 2020 Olympic/Paralympic Games, CRT-Japan started to hold several events on Sustainable Events to share the understanding of the human rights related risks associated with the Tokyo 2020 Games.

In 2014, CRT-Japan held a *Global Conference on CSR and Risk Management* (<http://crt-japan.jp/en/seminar-overview/global-conference/>), which included a workshop on Mega-Sporting Events and human rights, with support from IHRB.

In 2015, CRT-Japan released a *request on Sustainability of the 2020 Tokyo Olympic and Paralympic Games* (<http://crt-japan.jp/en/2015/03/20/tokyoolympicgames/>) to the Organising Committee (TOCOG), IOC, JOC, IPC, JPC, Japanese government and sponsors. CRT-Japan activities as a member of the *Group of Experts for Sustainable Tokyo Olympic and Paralympic Games* are available at: (<http://crt-japan.jp/en/2015/03/30/invitationforpubliccomments-en/>).

About Institute for Human Rights and Business (IHRB)

The Institute for Human Rights and Business (IHRB) (<http://www.ihrb.org/>) is a global centre of excellence and expertise (a think & do tank) on the relationship between business and internationally proclaimed human rights standards.

IHRB works to shape policy, advance practice and strengthen accountability to ensure the activities of companies do not contribute to human rights abuses, and in fact lead to positive outcomes.

IHRB's Mega-Sporting Events Programme promotes good human rights practice at Mega-Sporting Events through global research, engagement, advocacy and outreach. In 2013 IHRB published the report *Striving for Excellence: Mega-Sporting Events and Human Rights* (<http://www.ihrb.org/publications/reports/striving-for-excellence-mega-sporting-events.html>) and in 2014 launched the learning web-platform, <http://www.megasportingevents.org>.

Proposed Draft Human Rights Statement for the Tokyo Olympic and Paralympic Games in 2020

1 Introduction

The Tokyo Olympic and Paralympic Games will be held in the summer of 2020. The Tokyo Olympic Games will take place between 24 July–9 August 2020, followed by the Tokyo Paralympic Games between 25 August–6 September 2020. Tokyo's Candidature Files indicated that around 7.8 million tickets would be available for spectators from all corners of the globe for the Olympic Games, and around 2.3 million tickets for the Paralympic Games.

Many corporations, organisations and individuals will engage in the preparation and staging of the Games, including 12 International Olympic Committee (IOC) TOP partners, and 14 national sponsors of TOCOG who have so far committed to financially supporting the Games. Up to 80,000 volunteers² are also needed to help make the Games special by taking on a wide range of vital, behind-the-scenes roles, from timekeepers and spectator services helping people find their seats, to medics and drivers taking athletes to and from venue, and the recruitment will start from 2018.³ It is estimated that more than 10 million people will visit Tokyo during the Games period.⁴

The successful staging of the Tokyo 2020 Games will also depend on the dedication of thousands of organisations, and their employees across many industries involved in the planning, preparations and staging of the events, and upon the enthusiasm of the volunteers, the spectators, and the citizens of Tokyo. Respecting and promoting the rights of all persons involved in and affected by delivering the 2020 Games is a top priority as TOCOG and Japan prepare for the event.

2 Tokyo 2020 Games: TOCOG's Commitment

The Tokyo 2020 Games is the tangible physical manifestation of the Olympic and Paralympic Movement. Respect for human rights is in keeping with the Fundamental Principles of Olympism, which espouse sport as a human right, and the Universal Declaration for Human Rights (1948)⁵, which underpins all modern human rights

² NHK (Nihon Housou Kyoukai) NEWS WEB. *Tokyo Olympic and Paralympic Related News*. See: <http://www3.nhk.or.jp/news/0904olympic/> (only in Japanese)

³ The Tokyo Organising Committee of the Olympic and Paralympic Games. (2015) *Tokyo 2020 Games Foundation Plan*. See: http://tokyo2020.jp/en/plan/gfp/Tokyo_2020_Games_Foundation_Plan_EN.pdf, page141.

⁴ Yomiuri Online. (2013) *Develop the skills necessary to Olympic and Paralympic Volunteers:80,000 volunteers for interpreter and guiding* (五輪ボランティア育成・・・通訳や誘導など8万人). See: <http://www.yomiuri.co.jp/olympic/2020/20131216-OYT1T01461.html> (only in Japanese)

⁵ United Nations. *The Universal Declaration of Human Rights*. See: <http://www.un.org/en/documents/udhr/>

standards.

Across the delivery of the 2020 Games TOCOG is thus committed to respecting the Universal Declaration of Human Rights and all related international instruments (see appendix 1); to upholding the United Nations (UN) Guiding Principles on Business and Human Rights (UN Guiding Principles)⁶; and to complying with national laws, including those that enshrine international human rights treaties and standards into domestic law, and to adhering to the spirit of international human rights and labour rights standards where these are not yet enshrined in domestic law.

TOCOG is additionally guided by, and will comply with, the Olympic Charter⁷ and Fundamental Principles of Olympism, and the IOC's Olympic Agenda 2020 recommendations.⁸ TOCOG will further seek to ensure that social benefit derives from its activities to the fullest extent possible.

Appendix 1 (see pages 13-18) catalogues all the relevant standards and laws that guide TOCOG's respect for human rights.

2.1 Applying the UN Guiding Principles on Business and Human Rights

To demonstrate its responsibility to respect human rights, TOCOG follows the steps elaborated within the UN Guiding Principles. These include the adoption of (a) a policy commitment, (b) due-diligence processes, and (c) processes to enable the remediation of grievances. In keeping with the UN Guiding Principles, TOCOG's Human Rights Statement will be made available publicly, and "communicated internally and externally to all personnel, business partners and other relevant parties" and will be "reflected in operational policies and procedures". TOCOG's due diligence processes will in particular observe the need for "meaningful consultation with potentially affected groups and other relevant stakeholders."⁹

2.2 Application of the Human Rights Statement

TOCOG will apply this Human Rights Statement to all its direct activities and employment relationships, and to its commercial relationships, including sponsors,

⁶ *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework Summary* (2011). See:

http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

⁷ International Olympic Committee. (2014) *Olympic Charter*. See:

http://www.olympic.org/Documents/olympic_charter_en.pdf

⁸ International Olympic Committee. (2014) *Olympic Agenda 2020: Context and Background*. See:

http://www.olympic.org/Documents/Olympic_Agenda_2020/Olympic_Agenda_2020-Context_and_background-ENG.pdf

⁹ *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework Summary*, op.cit., p.16

suppliers, sub-contractors and other commercial partners (commercial partners). TOCOG encourages its commercial partners to adopt this statement, or develop a similar statement of their own. The four concepts outlined below give direction to TOCOG's work and will be a priority in all our partner relationships. The Special Law concerning the Olympic and Paralympic Games was enacted on 27th May 2015. Japanese Prime Minister Shinzo Abe appointed Toshiaki Endo as the new minister in charge of the Tokyo 2020 Olympic and Paralympic Games¹⁰, and on 25th June 2015 a new government office was set up: the Office for the Promotion of the Tokyo 2020 Olympic and Paralympics Games, Cabinet Secretariat. This new department comprises Cabinet ministers, government officials the Tokyo Metropolitan Government and TOCOG and includes representation from over 19 ministries.¹¹ TOCOG urges that the four concepts outlined below be embedded across the delivery of the 2020 Games by all multi-ministry and cross-agency partnerships, as well as by the Japanese Olympic Committee, the Japanese Paralympic Committee, and other local governments, public and private partners.

3. The Four Concepts of TOCOG's 2020 Games Human Rights Statement

TOCOG is responsible for the direction of the Games. TOCOG's decision-making with respect to the Games is underpinned by "four concepts":

- Humanity,
- Security,
- Diversity and Inclusion,
- Civil Liberties.¹²

These four concepts are consistent with TOCOG's vision that "Sport has the power to change the world and our future",¹³ and should be adhered to across the event lifecycle, and be embedded in all plans and activities for the 2020 Games.

3.1 Humanity (Health and Safety, Employment Conditions)

TOCOG is responsible for ensuring the successful staging of the event, fitting-out the venues, ticket sales, merchandising and more. Much of the operational activity however is outsourced to the private sector. TOCOG has a responsibility to set the

¹⁰ Walden, L. (2015) Tokyo 2020 Gets new Minister in charge of Olympic and Paralympic. *SPORTS FEATURES.com*. [Online] 25th June. See: <http://www.sportsfeatures.com/olympicsnews/story/51745/tokyo-2020-gets-new-minister-in-charge-of-olympics-and-paralympics>

¹¹ Staff writer. (2015) Toshiaki Endo appointed Olympics minister. *The Japan Times* [Online] 25th June. See: <http://www.japantimes.co.jp/news/2015/06/25/national/toshiaki-endo-appointed-olympics-minister/#.Vejq1pXouP9>.

Prime Minister of Japan and His Cabinet.

<http://www.kantei.go.jp/jp/headline/tokyo2020/index.html#c006> (only in Japanese)

¹² CRT-Japan and IHRB are indebted to the model provided by the *Approach to Human Rights (2013)* adopted by the Glasgow 2014 Limited in helping shape these four concepts.

¹³ The Tokyo Organising Committee of the Olympic and Paralympic Games.

<http://tokyo2020.jp/en/vision/>

standard for its own employees, both male and female, and for its commercial partners to follow in order to ensure that Tokyo delivers a safe and sustainable event.

The right to decent working conditions is enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR Article 7)¹⁴ and a series of International Labour Organisation (ILO) conventions.¹⁵ This right is comprised of the rights to a fair wage and equal remuneration for work of equal value; the right to safe and healthy working conditions; the right to equality of opportunity, and not to have to work excessive hours that are disruptive to a balanced lifestyle and family life. World Health Organisation (WHO) initiatives and frameworks,¹⁶ and the Women's Empowerment Principles offer additional guidance and elaborate, among other things, on the unique health needs of both female and male workers.¹⁷

TOCOG takes these matters seriously and will draw on this expert guidance in the development of specific Health and Safety standards which address the employment conditions and well-being for our own direct activities, and to guide our delivery partners for the Tokyo 2020 Games, including those responsible for venue and related construction, and within our supply chain.

Health and Safety issues are closely related to, and may be exacerbated by other human rights concerns such as harassment in the workplace, or failure to provide adequate training in appropriate languages, especially in the case of foreign or migrant workers.

Exploitation of temporary, foreign or migrant workers is a challenge that has confronted the organisers of many major sports events, particularly in relation to construction, agriculture (food supplies), hospitality and catering. As the delivery of the Tokyo Olympic Games will rely on a workforce that includes foreign workers, measures to protect temporary and migrant workers from exploitation will be a high

¹⁴ *International Covenant on Economic, Social and Cultural Rights*. See:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/ICESCR.aspx>

¹⁵ International Labour Organisation (ILO) conventions. See:

http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12000:0::NO::P12000_INSTRUMENT_SORT:2

¹⁶ More detailed information on WHO's Health Workplace Model and Initiative, and the WHO Healthy Workplaces Framework, which comprehensively address the overall health needs of workers, see:

Workplace Model and Initiative:

http://apps.who.int/iris/bitstream/10665/44307/1/9789241599313_eng.pdf

WHO Healthy Workplaces Framework:

http://www.who.int/occupational_health/healthy_workplace_framework.pdf

¹⁷ For more details on Women's Rights to Health, see *the Women's Empowerment Principles (WEP) Call to Action: Invest in Women's Rights to Health*:

http://weprinciples.org/Site/ToolsAndReportingWepMaterials/#Calls_to_action

priority. Migrant workers are particularly vulnerable, and can be victims of human trafficking, or debt bondage as a result of unscrupulous recruitment practices, including those that take place in their place of origin, therefore their protection is a matter of great importance to TOCOG.

TOCOG respects the rights of all workers, including migrant workers, regardless of nationality, gender or status. To address the rights of migrant workers, TOCOG adheres to the *Dhaka Principles for Migration with Dignity* (2012).¹⁸ Among other things TOCOG is further committed to carrying out due diligence into sending country recruitment agencies or sending organisations to ensure ethical recruitment practices are followed in the provision of foreign workers for the 2020 Games. Foreign workers working under the Technical Internship Training Programme should enjoy no less protection than other workers, regardless of whether the employer is a large multinational, SME or private employment / recruitment agency, and irrespective of the industry in which they work.

In summary, TOCOG will be guided in its activities by the:

- International Covenant on Economic, Social and Cultural Rights (ICESCR Article 7)
- ILO Declaration on Fundamental Principles and Rights at Work (1998)
- ILO Convention 131 – Convention concerning Minimum Wage Fixing (1970, ratified by Japan in 1971)
- ILO Fundamental Conventions 87 – Convention concerning Freedom of Association and Protection of the Right to Organise (1948, ratified by Japan in 1965)
- ILO Fundamental Convention 98 – Convention concerning Right to Organise and Collective Bargaining (1949, ratified by Japan in 1953)
- ILO Fundamental Convention 29 – Convention concerning Forced Labour (1930, ratified by Japan in 1932), and Protocol of 2014
- ILO Convention 105 – Convention concerning Abolition of Forced Labour Convention (1957, not-ratified by Japan)
- ILO Convention 97 – Convention concerning Migration for Employment Convention (Revised) (1949, not-ratified by Japan)

Furthermore, TOCOG is committed to the abolition of child labour and elimination of all forms of compulsory or forced labour, as elaborated in:

- ILO Fundamental Convention 138 – Convention concerning Minimum Age (1973,

¹⁸ *Dhaka Principles for Migration with Dignity*. See: <http://www.dhaka-principles.org>

ratified by Japan in 2000), and

- ILO Fundamental Convention 182 – Convention concerning Worst Forms of Child Labour (1999, ratified by Japan in 2001).

TOCOG will put systems in place to mitigate the risk of such impacts in the context of the Tokyo 2020 Games.

3.2 Security

The security of the Tokyo 2020 Games is of paramount importance and TOCOG is firmly committed to ensuring the Games are delivered in a safe and secure manner. Adequate security that allows athletes to participate and spectators to watch the events in safety is critical. Security concerns and potentially adverse human rights impacts must be considered throughout the full lifecycle of the Games, from the preparation and construction phase through to the event organisation itself, and around the production of goods and services vital to the Games. TOCOG takes seriously its responsibility to prevent and mitigate adverse human rights impacts as part of its security planning for Tokyo 2020 Games, and will conduct necessary human rights due diligence to make this a reality, including through working closely with the Japanese Government.

TOCOG, its partners and public or private security providers will be guided by relevant international standards (see below) in meeting this challenge and all organisations will be expected to take appropriate measures to promote observance of applicable international law enforcement principles.

- The UN Code of Conduct for Law Enforcement Officials¹⁹
- UN Basic Principles on the Use of Force and Firearms²⁰
- The Voluntary Principles on Security and Human Rights²¹ (apply to the extractive sector). They were established in 2000 and offer guidance to companies in maintaining the safety and security of their operations in the extractive sector. The spirit of those principles resonates beyond the extractive sector and can be applied to MSE-related operations.
- Private security companies contracted to work on Tokyo 2020 Games should look to The International Code of Conduct for Private Security Service Providers²²

¹⁹ United Nations. *Code of Conduct for Law Enforcement Officials*. See: <http://www.unrol.org/files/CODEOF~1.PDF>

²⁰ United Nations. *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*. See:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx>

²¹ Voluntary Principles on Security and Human Rights. See:

<http://www.voluntaryprinciples.org/>

²² International Code of Conduct Association. See: http://www.icoca.ch/en/the_icoc

for guidance.

- Information technology companies involved in cyber-security should take into account the ICT Sector Guide on Implementing the UN Guiding Principles on Business and Human Rights.²³

3.3 Diversity and Inclusion

The Tokyo 2020 Olympics celebrates diversity. Tokyo 2020 Games will be inclusive to people of any age, gender, gender-reassignment, sexuality, race or ethnicity, nationality, place of birth, religion or belief, physical or mental disability, marital status, or socio-economic background. TOCOG will not tolerate discrimination on any grounds.

TOCOG will confront discrimination in whatever form it takes. For example, TOCOG seeks to combat discrimination against women, especially institutional discrimination in order to make possible women's full participation in the staging and delivery of the 2020 Games. This includes making appropriate provision for pregnant women; detailed policies for addressing sexual harassment in the workplace; and specific policies for redressing gender-based violence, harassment, and discrimination.

TOCOG will promote diversity and inclusivity across all aspects of its delivery of the 2020 Games. TOCOG commitments in this area align with the:

- International Convention on the Elimination of All Forms of Racial Discrimination (1965, ratified by Japan in 1995)
- Convention on the Elimination of All Forms of Discrimination Against Women (1979, ratified by Japan in 1985)
- Convention on the Rights of Persons with Disabilities (2007, ratified by Japan in 2014)
- ILO Fundamental Convention 100 – Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (1951, ratified by Japan in 1967)
- ILO Fundamental Convention 111 – Convention concerning Discrimination in Respect of Employment and Occupation (1958, not-ratified by Japan) and,
- ILO Convention 159 – Vocational Rehabilitation and Employment of Disabled Persons (1983, ratified by Japan in 1992)

²³ European Commission. (2013) *ICT Sector Guide on Implementing the UN Guiding Principles on Business and Human Rights*. See: <http://www.ihrb.org/pdf/eu-sector-guidance/EC-Guides/ICT/EC-Guide ICT.pdf>

3.4 Civil Liberties

TOCOG respects the rights elaborated in the International Covenant on Civil and Political Rights (ICCPR) (1966)²⁴, including:

Article 17 - Right to privacy

Article 18 - Right to freedom of thought, conscience and religion

Article 19 - Right to freedom of opinion and expression

Article 20 - Right to freedom from war propaganda, and freedom from incitement to racial, religious and national hatred, and

Article 21 - Right to freedom of assembly

TOCOG welcomes to the Games persons of any religion or none, and persons of all political opinions, provided rights and freedoms are exercised in a manner that respects and does not infringe their enjoyment by others. TOCOG will not tolerate sexual or other forms of harassment, including displays of homophobic or racist abuse or equivalent behaviour in any Olympic sites, venues or related areas. TOCOG will work with local and national authorities to help ensure that respect for these rights and freedoms is maintained in accordance with domestic and international human rights commitments throughout the course of the Olympic and Paralympic Games of 2020.

4. Accountability, Transparency and Reporting

To ensure the effective implementation of this Statement, TOCOG may put in place various supporting policies, procedures, and indicators in order to manage, track and evaluate performance. These will include a sustainable sourcing policy, as well as setting up or mandating channels for accepting complaints with respect to the rights outlined in this Statement and for resolving grievances.

TOCOG will assess the actual and potential human rights impacts that it may cause or contribute to through its commercial activities, or any that may be directly linked to its operations, products or services via its business relationships. TOCOG will act upon the findings and monitor how it implements this Human Rights Statement. Meaningful and ongoing stakeholder engagement will be an essential part of TOCOG's efforts.

4.1 Information Disclosure

TOCOG will communicate publicly on how it has delivered on this Human Rights Statement, and how it manages its human rights impacts in accordance with the UN Guiding Principles. In relation to public disclosure, TOCOG will be guided by the

²⁴ United Nations. *International Covenant on Civil and Political Rights*. See: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

international standards and guidelines including:

- AccountAbility, AA1000 Stakeholder Engagement Standard (AA1000 SES)²⁵
- Global Reporting Initiative, G4, Sector Disclosures for Event Organizers²⁶
- UN Guiding Principles Reporting Framework²⁷

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²⁵ AccountAbility. *AA1000 Stakeholder Engagement Standard (AA1000SES)* See: <http://www.accountability.org/standards/aa1000ses.html>

²⁶ Global Reporting Initiative. *G4 Sector Disclosures: Event Organizers*. See: <https://www.globalreporting.org/standards/sector-guidance/sectorguidanceG4/Pages/default.aspx>

²⁷ UN Guiding Principles Reporting Framework. See: http://www.ungpreporting.org/wp-content/uploads/2015/02/UNGuidingPrinciplesReportingFramework_withimplementationguidance_Feb2015.pdf

Appendix 1

This appendix catalogues all the relevant standards and laws that guide TOCOG's respect for human rights.

1. The Olympics and Human Rights

1.a The Olympic Charter (1925, the latest revision: 2014) ²⁸

The December 2014 version of the Olympic Charter is a set of rules and guidelines for the organisation of the Olympic Games, and for governing the Olympic movement. In the charter, the relevance between Olympism, Sports, Olympic movement and Human Rights is described as follows:

Fundamental Principles of Olympism

Clause 2. The goal of Olympism is to place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity.

Clause 4. The practice of sport is a human right. Every individual must have the possibility of practicing sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play.

Clause 6. The enjoyment of the rights and freedoms set forth in this Olympic Charter shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.

²⁸ International Olympic Committee. (2014) *Olympic Charter*. See: http://www.olympic.org/Documents/olympic_charter_en.pdf

1.b The Olympic Agenda 2020 (adopted 2014) ²⁹

In December 2014 the Olympic Movement endorsed Olympic Agenda 2020 which includes a series of human rights-related recommendations, including on sustainability (recommendation 4 and 5), people with different abilities (recommendation 7), gender equality (recommendation 11), non-discrimination on sexual orientation (recommendation 14), engaging with communities (recommendation 23), and the need to foster dialogue with society (recommendation 39) as follows:

Recommendation 4. Include sustainability in all aspects of the Olympic Games

Recommendation 5. Include sustainability within the Olympic Movement's daily operations

Recommendation 7. Strengthen relations with organisations managing sport for people with different abilities

Recommendation 11. Foster gender equality

1. The IOC to work with the International Federations to achieve 50 per cent female participation in the Olympic Games and to stimulate women's participation and involvement in sport by creating more participation opportunities as the Olympic Games.
2. The IOC to encourage the inclusion of mixed-gender team events.

Recommendation 14. Strengthen the 6th Fundamental Principles of Olympism

- The IOC to include non-discrimination on sexual orientation in the 6th Fundamental Principle of Olympism.

Recommendation 23. Engage with Communities

Recommendation 39. Foster dialogue with society and within the Olympic Movement

- Bring together representatives of the Olympic Movement, its stakeholders and representatives of civil society.
- Engage in a dialogue with representatives from all walks of life and backgrounds on the role of sport and its values in society.

²⁹ International Olympic Committee. (2014) *Olympic Agenda 2020: Context and Background*. See: http://www.olympic.org/Documents/Olympic_Agenda_2020/Olympic_Agenda_2020-Context_and_background-ENG.pdf

2. International Human Rights Standards

2.a Universal Declaration of Human Rights (1948)

Universal Declaration of Human Rights is a common standard of achievement for all peoples and all nations to promote human rights and freedoms.³⁰ The fundamental nature of these provisions means that they are widely regarded as forming a foundation of international law. In particular, many of the principles of the UDHR are considered to be international customary law and do not require signature or ratification by the state to be recognized as a legal standard.

More information on the Universal Declaration of Human Rights is available at:
<https://www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/humanRights.html>

2.b Vienna Declaration and Programme of Action (1993)³¹

The Vienna Declaration and Programme of Action was adopted by the World Conference on Human Rights in Vienna in June 1993, and affirmed that the human rights principles contained within the Universal Declaration are universal, indivisible and interdependent and interrelated.

5. All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.

³⁰ United Nations. *The Universal Declaration of Human Rights*. See:
<http://www.un.org/en/documents/udhr/>

³¹ United Nations. *Vienna Declaration and Programme of Action*. See:
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/Vienna.aspx>

3. Business and Human Rights

3.a United Nations Guiding Principles on Business and Human Rights (2011)³²

The United Nations Guiding Principles on Business and Human Rights (UNGPs) is a global standard for preventing and addressing the risk of adverse impacts on human rights linked to business activity. On June 16, 2011, the United Nations Human Rights Council unanimously endorsed the UNGPs, making it the first framework on corporate human rights responsibilities to be endorsed by the United Nations, and as such an internationally recognised roadmap for private companies, and organisations that operate as commercial entities, for respecting internationally proclaimed human rights standards.

The UNGPs encompass three pillars outlining how states and businesses should implement the framework:

- The state duty to protect human rights
- The corporate responsibility to respect human rights
- Access to remedy for victims of business-related abuses

The UNGPs set processes for business responsibility to respect human rights in principle 15 as follows:

Principle 15. In order to meet their responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including:

- (a) A policy commitment to meet their responsibility to respect human rights;
- (b) A human rights due-diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;
- (c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

³² *Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework Summary* (2011). See: http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

4. Japanese Government and Human rights

In the Japanese Constitution, respect for fundamental human rights is one of the three principles enshrined, along with “the sovereignty of the people”, “pacifism”. Chapter III (Articles 10-40) of the Japanese Constitution is dedicated to provisions on human rights. Constitutional human rights also apply to foreign nationals to the extent that such rights are not by their nature only applicable to citizens.

4.a Japanese Government: ratification and non-ratification of international human rights treaties and standards, and ILO declarations and conventions

By aligning with international efforts, the Japanese government has ratified many major international human rights treaties, which are listed below. Non-ratified major treaties are also referenced.

International human rights instruments	Japanese Ratification
Universal Declaration of Human Rights (1948)	--
International Covenants on Human Rights (the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights)	1979
Convention on the Elimination of All Forms of Discrimination Against Women	1985
Convention on the Rights of the Child	1994
International Convention on the Elimination of All Forms of Racial Discrimination	1995
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)	1999
Declaration on the Rights of Indigenous Peoples (2007)	--
International Convention for the Protection of All Persons from Enforced Disappearance	2009
Convention on the Rights of Persons with Disabilities	2014
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)	Not ratified

ILO Declarations and Conventions ³³		Date	Status
ILO Declaration on Fundamental Principles and Rights at Work		1998	Partially ratified
Fundamental	C029 - Forced Labour Convention, 1930	21 Nov 1932	In Force
	P029 - Protocol of 2014 to the Forced Labour Convention, 1930	2014	
	C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948	14 Jun 1965	In Force
	C098 - Right to Organise and Collective Bargaining Convention, 1949	20 Oct 1953	In Force
	C100 - Equal Remuneration Convention, 1951	24 Aug 1967	In Force
	C138 - Minimum Age Convention, 1973 <i>Minimum age specified: 15 years</i>	05 Jun 2000	In Force
	C182 - Worst Forms of Child Labour Convention, 1999	18 Jun 2001	In Force
	C105 - Abolition of Forced Labour Convention, 1957	Not ratified	
	C111 - Discrimination (Employment and Occupation) Convention, 1958	Not ratified	
Technical	C097 - Migration for Employment Convention (Revised), 1949	Not ratified	
	C169 – Indigenous and Tribal Peoples Convention, 1989	Not ratified	
	C159 - Vocational Rehabilitation and Employment of Disabled Persons, 1983	12 Jun 1992	In Force

³³ International Labour Organization. *ILO Constitution*. See: http://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453907:NO
ILO Declarations. See: <http://www.ilo.org/public/english/bureau/leg/declarations.htm>
ILO Ratifications by country. See: <http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO>