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**Integrated approaches to challenges facing the
criminal justice system**

**Statement submitted by the Japan Federation of Bar
Associations (JFBA)*****

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Statement of the Japan Federation of Bar Associations
at the 14th UN Congress on Crime Prevention and Criminal Justice

Your excellency, the President of the Congress, delegates of States, international organizations and civil society, and other distinguished participants.

It is a great honor for me to be given this opportunity to address a statement at the 14th UN Congress on Crime Prevention and Criminal Justice on behalf of the Japan Federation of Bar Associations (JFBA). First of all, the JFBA, as a national organization of every practicing lawyer in Japan, would like to warmly welcome everyone, either on site or online, to the Congress today. Also I would like to thank so much for every effort of whoever involved that made this postponed Congress happen in a difficult time of pandemic.

It is our common belief that Crime Prevention and Criminal Justice always come with the core values of the rule of law and the protection of human rights. That belief was confirmed and reinforced when the 2030 Agenda set its goals, in particular, Goal 16. And, as the 8th Congress resolved in 1990, ‘adequate protection of the human rights and fundamental freedoms to which all persons are entitled ... requires that all persons have effective access to legal services provided by an independent legal profession.’ Therefore, the JFBA is hoping to contribute to the Congress, drawing from its expertise of law to implement the rule of law and protection of human rights in the Agenda of the Congress. Whenever discussions take place on structuring crime prevention policies, those core values must be always taken into consideration. Any discussion on Culture of lawfulness should be led by such core values. In order to contribute to such important discussions, the JFBA has worked diligently to prepare for this Congress.

In April 2019, the JFBA resolved and announced its Opinion on Matters to Be Included in the Kyoto Declaration. In this Opinion, the JFBA calls on the Congress to include the following policies in the Kyoto Declaration. The Opinion consists of:

- 1 With respect to the Basic Principles on the Role of Lawyers, the Kyoto Declaration should make it known once again for all States, recommend establishing international mechanisms to ensure that basic principles are met, and also recommend it be expanded to include the roles of bar associations and other professional associations of lawyers to protect and defend its members against inappropriate restrictions or violations to lawyers.
2. With respect to the death penalty system, the Kyoto Declaration should call on States to abolish it as soon as possible, and to suspend all executions until the abolition.
3. With respect to the penalty of imprisonment, the Kyoto Declaration should call on States to establish law and policies to facilitate the reintegration of former inmates into society, to realize treatment in compliance with the Nelson Mandela Rules, and to abolish forced labour in prisons.
4. Also, the Kyoto Declaration should call on States to develop law-related education for the general public to address legal values such as human rights and the rule of law by developing awareness-raising programmes, improving effective civil participation, and promoting educational practices for coordinating and resolving social conflicts.

The JFBA strongly wishes those policies to be included in the Kyoto Declaration and the multifaceted discussions during the Congress.

I would now like to turn my attention to the JFBA’s efforts during the Congress. The JFBA is organizing or co-organizing a variety of events during the Congress. As an ancillary meeting, the JFBA’s events will deal with many topics such as the 30th anniversary of the Basic Principles on the Role of Lawyers, the Abolition of the Death Penalty, Life Imprisonment and Human Rights, Legal Access both for Suspects and Victims of Crimes, Law-related Education and International Criminal Law. In

addition, on Saturday, March 13, the JFBA will hold an international symposium for the Congress participants in online format. The Symposium is co-organized by the Union Internationale des Avocats (UIA) and International Association of Penal Law, Japan Branch and sponsored by the Delegation of the European Union to Japan. The JFBA invites and welcomes all participants to these events.

In closing, I would like to refer to a very famous maxim from the work of Confucius, an ancient Chinese philosopher. That is “Hate not the person but the vice.” This short maxim tells us a lot on how to face crimes. We need to fight against crimes to protect people and society and to maintain social justice. We need to find ways to deter, prevent, suppress and punish increasingly globalized and heinous crimes. At the same time, we must always respect the human nature of suspects or those convicted. That is our point of starting and what is required for a goal of peaceful and inclusive societies (SDGs 16). Thank you for your kind attention, and we wish that your experiences during the Congress be both fruitful and enjoyable.

February 18, 2021

Japan Federation of Bar Associations