**Information on Questions 9 and 10**

**From the Japan Federation of Publishing Workers’ Unions**

|  |  |
| --- | --- |
| Country/Organization | Japan / Japan Federation of Publishing Workers Unions (*Shuppan Roren*) |

(Bold letters are explained in the Annex)

**Question 9**

1. On the elementary and the lower secondary education levels (i.e., elementary and junior high schools), the contents of education are constrained by the Course of Study (COS), which, according to the claim of the Ministry of Education, Culture, Sports, Science and Technology (MEXT), is a legally binding document in spite of its name.
2. The contents of the COS are not necessarily politically neutral. On the other hand, **Article 34 of the School Education Law** stipulates that in elementary schools, the teachers shall use textbooks authorized by the Minister of the MEXT (this provision is applied to all lower and upper secondary schools, whoever run them, i.e., the government, local governments, or private educational institutions). The academic freedom, therefore, is constrained in elementary and secondary schools and the teachers cannot enjoy it.
3. The textbooks used in the above-mentioned schools, shall undergo the authorization conducted by the textbook experts, personnel appointed by the MEXT and the Textbook Authorization Research Council decides to pass or fail though there is no law to give them that authority. In other words, the entities that carry out the textbook authorization are not independent from the interference by the MEXT, which has frequently accepted external views (mainly of politicians) that are not based on academic information, especially that of Japanese modern history.
4. As the result of all these, the academic freedom is not guaranteed in elementary and secondary schools. The Human Rights Committee mentioned in political interference in history textbooks in its concluding observations in 2022 (**paragraph 29 (c), CCPR/C/JPN/CO/7**).

**Question 10**

1. The Law on the Measures for Free Supply of Textbooks for Compulsory Schools stipulates that the textbooks for those schools shall be selected in every “adoption area” which consists of one single or a few basic municipalities. The same textbooks are used in each adoption area.
2. The teachers at public elementary and lower secondary schools cannot choose the textbooks they hope to use. They cannot directly participate in the process of the textbook adoption. It is the members of the education board that decide the textbook for each adoption area. On the other hand, the teachers at state-run and private schools on the same education levels are allowed to choose the textbooks.
3. Though the teachers have the right to choose the materials other than the authorized textbooks, such as reference books or printed materials, they have to obtain the approval of the education board for the former; for the latter they may be often obliged to get the approval of their school principal before they use the materials in class.

Annex:

1. Article 34 of the School Education Law: “Elementary schools must use textbooks that have been approved by the Minister of Education, Culture, Sports, Science and Technology or books that have been authored by the Ministry of Education, Culture, Sports, Science and Technology.” (translated by the contributor; there is no official translation by the Government of Japan.)
2. Paragraph 29 (c), CCPR/C/JPN/CO/7:

“29. The Committee reiterates its previous recommendations, and urges the State party to take immediate and effective legislative and administrative measures to ensure:

…

(c) Education about the issue, including adequate references in textbooks, and strong condemnation of any attempts to defame victims or to deny the events.”