

# Toward Ainu- and Japan-Specific Indigenous Policies

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Diet unanimous resolution to urge the government to officially recognize the Ainu as an indigenous people of northern Japan in June 2008.

In response, the Chief Cabinet Secretary\* expressed the government's position: The government will not only enhance the Ainu policies taken so far, but will also make efforts to establish comprehensive policy measures.

Behind these was “*the United Nations Declaration on the Rights of Indigenous Peoples*” adopted in September 2007.

\*Chief Cabinet Secretary ranks next to the Prime Minister and the main function is to coordinate the ministries and agencies and to serve as the government's spokesperson

Definition and legal implication of *indigenous people* was unclear and countries supporting U.N. Declaration would seek to implement it within their respective frameworks of domestic law.

Seeking policies that would best suit the Ainu and the country's domestic state of affairs, the Chief Cabinet Secretary established the Advisory Council for Future Ainu Policy in August 2008 to develop a comprehensive policy framework.

Members: constitutional scholar, international law expert, cultural anthropologist, historian, former Minister of Education, the Governor of Hokkaido Prefecture and the Executive Director of the Ainu Association of Hokkaido



According to 2006 survey conducted by the Hokkaido Government, 24,000 Ainu people live in Hokkaido. Another few thousand are also thought to live in Tokyo and elsewhere.

Today no Ainu people speak the Ainu language on a day-to-day basis or living traditional lifestyles. No Ainu settlements exist.

2006 survey showed the ratio of Ainu households receiving public assistance was 2.5 times the national average. The college entrance rate among Ainu under 30 was half the national average.

Many Ainu still maintain their ethnic identity as Ainu despite the discrimination and assimilation policies of the modern era.

Basic concept behind 2009 report of the Advisory Council for Future Ainu Policy; *“The national government has a great responsibility to take sufficient measures to ensure the revival of indigenous Ainu culture, taking into consideration the historical context of how the modernization of Japan under national policy seriously damaged their culture.”*



General meeting of the Advisory Council at the Prime Minister's Official Residence

THE SUBSTANTIVE CONCEPT OF INDIGENOUS PEOPLES:  
the term *indigenous peoples* refers to ethnic groups that enjoy sovereign status and related rights, such as the right to self-determination and to the land they've traditionally owned or occupied, as outlined in the U.N. Declaration.

It does not fit the present situation of the Ainu and the Japanese society.

Issues of rights owners  
collective rights  
sovereign rights



THE PROCEDURAL CONCEPT OF INDIGENOUS PEOPLE:  
This concept focuses not directly on the sovereignty or the rights of the ethnic group but on the process by which they were forced into minority status in their own territory. It views this process as the reason why *the national government's obligation of policy consideration should be weightier for indigenous minority than for other minorities.*

The government is obligated to restore Ainu culture in broader sense.



Article 13 of the Japanese Constitution, which stipulates, “All people shall be respected as individuals,” could embrace respect for individual’s choice of lifestyle. If Ainu people choose to maintain their ethnic identity, this must be respected.

Government should create an environment in which the Ainu language and lifestyle will be handed down so that Ainu descendants can maintain their ethnic identity. It’s difficult to express ethnic identity if discrimination remains, so the government has to eliminate prejudice.

The Advisory Council concluded if the principle of creating a society in which the Ainu can maintain their ethnic identity and pride can be established on Article 13 of the Constitution, policies requested by the Ainu can mostly be implemented.

From 2010, under the supervision of the new Ainu Policy Promotion Council headed by Chief Cabinet Secretary, the government's implementation of specific policies recommended in the final report started.

Those policy measures include;

- (1) The Symbolic Space for Ethnic Harmony, and
- (2) Measures for the betterment of living and educational conditions.

Meeting of the *Ainu Policy Promotion Council*:  
5 among 12 members are Ainu





The Symbolic Space for Ethnic Harmony to be located on *Poroto* lake at *Shiraoi* town total population circa 20000



Purpose of the the Symbolic Space for Ethnic Harmony is to create a national institution where Ainu and other Japanese people can learn together about the history and culture of the Ainu so that related information can be passed on to future generations.

The Space should  
have a range of facilities, including a national museum,  
traditional houses and modern handicraft studios;  
be based on a land with a beautiful natural environment and  
include functions to foster practitioners of Ainu  
language, traditional crafts and dance;  
promote exchanges with indigenous peoples around the world.

Policy measures for the betterment of living and educational conditions under consideration include;

the scholarship for Ainu students, a subsidy program for universities where the history and culture of the Ainu are studied, and a counseling system for livelihoods and employment.

Efforts are also under way to teach Ainu history and culture in school education, promote activities to spread Ainu culture, implement a project to foster practitioners of Ainu language and traditional crafts, establish a system to protect traditional knowledge, create facilities for Ainu people to interact, and return the human remains of Ainu people.

Methods to certify Ainu ethnicity is under consideration.

To summarize the Ainu- and Japan- specific indigenous policy

*(I) The basic policy framework for ethnic minority.*

The government should develop environments that enable Ainu people, as an ethnic minority, to keep their ethnic identity as ordained by the Article 13 of the Japanese Constitution which reads “All people shall be respected as individuals.” But this rationale applies not only to Ainu people but every other ethnic minority including Koreans and Chinese residing in Japan.

## (2) *Adding weight on indigenous minority*

The *procedural concept of indigenous people* views that the national government's obligation of policy consideration should be weightier for indigenous minority than for other minorities because of the historical process that the state entered the minority's territory without consent and adversely affected their culture under a national policy.

Accordingly the government has a much heavier obligation to revive the AINU culture in wider sense.

If Japan's first set of indigenous policies based on the *procedural concept of indigenous people* results in an increase in the number of Ainu who embrace their ethnic identity and the promotion of public understanding for the Ainu, the future generation of the Ainu and majority of Japanese society will have choice of choosing next step of Ainu policy which may include the substantive concept of indigenous peoples.



*Ainu students learning their language at a university*