

Appendix 2

Tajimi City Ordinance on Children's Rights

Tajimi City Ordinance No. 27

Promulgated on 25 September 2003

Entered into force on 1 January 2004

Table of Contents

Preamble

Chapter I: General Provisions

Article 1. Purpose

Article 2. Definitions

Article 3. Responsibilities

Article 4. Support for Development

Chapter II: Dissemination of Information on Children's Rights

Article 5. Dissemination of Information on Children's Rights

Article 6. Day of Children's Rights

Chapter III: Protection and Promotion of Children's Rights in Places Where They Live

Article 7. Protection and Promotion of Children's Rights at Home

Article 8. Protection and Promotion of Children's Rights at Child Institutions

Article 9. Protection and Promotion of Children's Rights in the Community

Chapter IV: Children's Views and Participation

Article 10. Promotion of Children's Views and Participation

Article 11. Children's Conference

Article 12. Children's Views and Participation in Child Institutions

Chapter V: Remedies for and Recovery from Violations of Children's Rights

Article 13. Children's Rights Commissioners

Article 14. Functions of the Commissioners

Article 15. Respect for the Commissioners' Recommendations

Article 16. Collaboration for Remedies and Recovery

Article 17. Support for and Cooperation with the Commissioners

Article 18. Report

Chapter VI: Promotion and Review of Policies for Children

Article 19. Promotion of Policies

Article 20. Committee on Children's Rights

Article 21. Functions of the Committee

Article 22. Proposals and Respect for Them

Chapter VII: Miscellaneous

Article 23. Authorization

Preamble

Community where differences among children are valued and respected as unique characters

Each and every child is an individual human being, whose existence cannot be replaced by anyone else. Children and adults are partners who lead their own lives, respecting the values of life. Children are, as individual human beings, entitled to have their rights respected. They can achieve healthy development in the environment where their rights are guaranteed.

Community where children can lead their own lives with a sense of security

Children have their own concerns and worries. They can seek for help with a sense of security and be protected.

Children have their own thoughts. Even younger children have their own wills and ideas. They can express their thoughts and views freely and have them respected.

Children have their own potentials and ways of development. They can form themselves on their own pace and among themselves.

Community where people respect and support each other

Children begin to be able to value others when they start valuing themselves. Through learning about, becoming aware of and equipping themselves with their own rights, children can develop capacities to value others' rights and respect each other's rights.

Children shall be supported in ways which enable them to develop good relationships among children themselves and with adults.

Community where children can contribute to the present and future development of Tajimi

Children can participate in community development as partners who contribute to the development of Tajimi on an equal footing. In the community where children are happy, adults are also happy. Children shall be valued as members of society and supported in the performance of their unique roles.

Community that values peace and culture and connects with the world

Children can achieve healthy development in peace and in a rich environment. They shall be supported in ways which enable them to think about children in Japan and in the world and do what they can.

Seeking to build a community like this, and in the spirit of the Convention on the Rights of the Child, we shall make it clear that Tajimi City is a community that respects children's rights and hereby adopt the Tajimi City Ordinance on Children's Rights.

Chapter I. General Provisions

Article 1. Purpose

The present Ordinance aims to protect and promote children's rights, paying attention to their best interests as a primary consideration, by providing for the dissemination of information on children's rights, for mechanisms to protect these rights and support children's development and for other matters.

Article 2. Definitions

1. For the purpose of the present Ordinance, the term "children" shall mean those below the age of eighteen years. It shall also cover other people who are considered as appropriate to be entitled to these rights on an equal footing.
2. For the purpose of the present Ordinance, the term "child institutions" shall mean child welfare facilities defined under the Child Welfare Act (1947, Law No.164), schools defined under the School Education Law (1947, Law No. 26) or other kinds of institutions where children are enrolled in, attend and use with a view to growing up and learning.

Article 3. Responsibilities

1. The City shall respect children's rights and shall seek to protect and promote them through all policies and measures.
2. Parents and other guardians shall recognize that they have primary responsibilities for the protection and promotion of the rights of children under their care and seek to fulfill the responsibilities.
3. Establishers, administrators and personnel of child institutions (hereafter referred to as "child institution personnel") shall seek to protect and promote children's rights in these institutions.
4. Citizens shall seek to protect and promote children's rights in relevant places and opportunities.
5. The City, parents and other guardians, child institution personnel and citizens shall collaborate with each other in the promotion and protection of children's rights.
6. The City shall seek to protect and promote children's rights in and outside the City in cooperation with national and other local authorities.

Article 4. Support for Development

The City, parents and other guardians, institution personnel and citizens shall support children in ways which enable them to achieve healthy development on their own pace and style as an individual human being.

Chapter II. Dissemination of Information on Children's Rights**Article 5. Dissemination of Information on Children's Rights**

1. The City shall seek to disseminate information on children's rights in various ways.
2. The City shall provide support for education on and learning about children's rights at home, child institutions and the community.
3. The City shall support children in learning about their own rights.

Article 6. Day of Children's Rights

1. With a view to promoting interests in and understanding of children's rights as well as relevant initiatives, a Tajimi Day of Children's Rights shall be designated.
2. The Tajimi Day of Children's Rights shall be November 20.
3. The City shall commemorate the Day by implementing programs appropriate for its objectives with citizens' participation.

Chapter III. Protection and Promotion of Children’s Rights in Places Where They Live

Article 7. Protection and Promotion of Children’s Rights at Home

1. Parents and other guardians shall recognize the roles played by the family in the healthy development of children as well as protection and promotion of their rights. They shall protect and promote the rights of children under their care.

2. The City shall provide support for parents and other guardians so that they can be involved in child-rearing with a sense of security and fulfill their responsibilities.

3. Parents and other guardians shall refrain from being involved in abuse and neglect as well as other forms of violation of children’s rights.

4. The City shall collaborate with relevant bodies and personnel for early identification of, appropriate help for and rehabilitation of abused children as well as for prevention of abuse and neglect.

Article 8. Protection and Promotion of Children’s Rights at Child Institutions

1. Child institution personnel shall support children in ways which enable them to grow up and learn positively in an environment where their rights are protected and promoted.

2. Establishers and administrators of child institutions shall support their staff in the protection and promotion of children’s rights.

3. Child institution personnel shall refrain from being involved in abuse, neglect and corporal punishment as well as other forms of violation of children’s rights.

4. Child institution personnel shall seek to eliminate bullying.

5. Child institution personnel shall seek to collaborate with relevant bodies and personnel for complaints on, remedies for and prevention of abuse and neglect, corporal punishment, bullying and other problems.

6. Child institution personnel shall take appropriate responses to non-attendance at school and other problems in collaboration with relevant bodies and personnel.

7. Child institution personnel shall [disclose information on how the children under their care are growing up and learning, and be accountable for them].

Article 9. Protection and Promotion of Children’s Rights in the Community

1. Citizens shall seek to ensure that children’s rights are protected and promoted in the community and that children can achieve healthy development.

2. The City shall support and collaborate with citizens’ activities for children’s development.

3. Citizens shall seek to ensure and expand safe and comfortable places in the community, where children can rest, play, learn and develop relationships with a sense of security, and to support activities to maintain such places.

Chapter IV. Children's Views and Participation

Article 10. Promotion of Children's Views and Participation

The City, parents and other guardians, child institution personnel and citizens shall support children to enable them to express their views and to participate at home, child institutions and the community.

Article 11. Children's Conference

1. The City shall organize a Children's Conference to ensure that children can express their views on and participate in community development and as well as the formulation and implementation of local policies.

2. The Tajimi Children's Conference may formulate its views and submit them to the City.

3. The City shall respect the views submitted by the Tajimi Children's Conference.

Article 12. Children's Views and Participation in Child Institutions

1. Child institution personnel shall encourage and support children's voluntary and positive activities, with a view to promoting children's views and participation.

2. Establishers and administrators of schools shall provide opportunities for children, parents and other guardians, school staff and other parties concerned to participate and express their views, with a view to promoting children's views and participation.

Chapter V. Remedies for and Recovery from Violations of Children's Rights

Article 13. Children's Rights Commissioners

1. In order to provide prompt and appropriate remedies for children whose rights have been violated and to support their recovery, Tajimi Children's Rights Commissioners [hereafter referred to as "Commissioner(s)"] shall be appointed.

2. There shall not be more than three Commissioners.

3. The Commissioners shall be appointed by the Mayor, with the consent of the Parliament, from among those who have understanding of and rich experience in

children's rights.

4. The term of the Commissioners shall be three years. Reappointment shall not be prohibited.

5. When a Commissioner is considered incapable of performing his/her functions due to physical or mental health problems, or when he/she is regarded as having been involved in inappropriate behavior, including non-compliance with his/her duties, the Mayor may dismiss him/her with the consent of the Parliament.

6. A Commissioner may resign with the Mayor's consent.

Article 14. Functions of the Commissioners

1. The Commissioners shall:

a. Receive complaints on violations of children's rights and provide advice and support for remedies for and recovery of victims;

b. Conduct investigation, be involved in arbitration and make recommendations or requests for redress, upon applications for remedies for violations of children's rights, or on their own initiative when necessary, with a view to ensuring remedies for and recovery of victims; and,

c. Ask for reports on the measures taken in response to the recommendations or requests for redress under subparagraph (b).

2. The Commissioners may, when necessary, make public recommendations or requests for redress under paragraph 1, subparagraph (b) [above] as well as reports under paragraph 1, subparagraph (c).

3. The Commissioners shall not disclose secrets that came to his/her knowledge through the performance of his/her functions, even after he/she has left the post.

Article 15. Respect for the Commissioners' Recommendations

Those who have received recommendations or requests for redress under Article 14, paragraph 1, subparagraph (b) shall respect them and seek to take necessary measures.

Article 16. Collaboration for Remedies and Recovery

The Commissioners shall seek to collaborate with relevant bodies and personnel to ensure remedies for and recovery of children whose rights have been violated.

Article 17. Support for and Cooperation with the Commissioners

1. The City shall support the Commissioners' activities, while respecting their

independence.

2. Parents and other guardians, child institution personnel and citizens shall cooperate with the Commissioners' activities.

Article 18. Report

The Commissioners shall submit annual reports on their activities to the Mayor and the Parliament. The Commissioners' reports shall be made public to citizens widely.

Chapter VI. Promotion and Review of Policies for Children

Article 19. Promotion of Policies

1. The City shall formulate a plan to promote children's rights and undertake comprehensive implementation of policies for children.

2. In the formulation of the plan under paragraph 1, the City shall consult citizens as well as the Tajimi Committee on Children's Rights, which is to be established in accordance to Article 20.

Article 20. Committee on Children's Rights

1. With a view to reviewing the implementation of policies in accordance with the present Ordinance as well as to protecting and promoting children's rights, there shall be established a Tajimi Committee on the Rights of the Child [hereafter referred to as "the Committee"].

2. The Committee shall consist of no more than ten members.

3. The members of the Committee shall be appointed by the Mayor from among persons and citizens with knowledge and experience in human rights, welfare, education and other relevant fields.

4. The term of the members of the Committee shall be three years. The term of a substitute member shall be the remainder of the term of his/her predecessor. Reappointment shall not be prohibited.

Article 21. Functions of the Committee

1. The Committee shall investigate and examine the situation of children's rights as well as how children's rights are protected and promoted in policies for children, upon requests by the Mayor, or on its own initiative when necessary.

2. The Committee may consult citizens when [undertaking] the examination under paragraph 1.

Article 21. Proposals and Respect for Them

1. The Committee shall report the results of its investigation and examination to the City with proposals.
2. The City shall respect the Committee's proposals and take necessary measures.

Chapter VII. Miscellaneous

Article 23. Authorization

The Mayor and other executive bodies shall be authorized to stipulate other necessary matters for the implementation of the present Ordinance.