

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Deportation of Filipino couple from Japan is a violation of human rights

Amnesty International today called on the Government of Japan to stop deportation procedures for Arlan and Sarah Calderon, so that they may remain in Japan with their 13-year-old daughter, Noriko Calderon.

Noriko Calderon, who was born in Japan and speaks only Japanese, has been told by the Ministry of Justice that she must choose between going back to Philippines with her parents or being offered special permission by the Ministry of Justice to remain in Japan. However, the government plans to deport her parents because of their irregular status. Noriko has stated publicly that she wishes to remain in Japan.

“Japan must uphold their international obligations by placing the interests of the child as the primary consideration in all actions and deporting Noriko’s parents would clearly be counter to her best interests,” said Roseann Rife, Asia-Pacific Deputy Programme Director.

Article 9 of the Convention of the Rights of the Child, to which Japan is a state party, provides that “State Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child”

Japan has attempted to circumvent this obligation by declaring that it interprets this provision as inapplicable to a case where a child is separated from his or her parents as a result of deportation in accordance with its immigration law.

Amnesty International believes that this interpretation is unacceptable. “The principle of placing the child’s interests first, lies at the very heart of the Convention on the Rights of the Child and simply cannot be set aside. We urge Japan to abide by its international obligations, as well as heed the voice of common sense and basic humanity, and allow the family stay united in Japan,” said Roseann Rife.

Background

The concluding observations on Japan from the Committee on the Rights of the Child in 2004 noted that “domestic legislation does not fully reflect the principles and provisions of the Convention” and that Japanese legislation discriminates against children of migrant workers.

Public Document

For more information or interview requests please call Tom Mackey in Amnesty International's press office in London, UK, on +44 20 7413 5810 or email: tom.mackey@amnesty.org

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