

How the Tokyo Metropolitan Government Basic Ordinance on Children Was Adopted

On the basis of the proposal submitted by the members of the Tokyo Metropolitan Assembly, the Tokyo Metropolitan Government Basic Ordinance on Children was unanimously adopted at the plenary session of the Assembly on March 26, 2021, and came into effect on April 1, 2021.

- In the spirit of the Convention on the Rights of the Child, it clarifies the fundamental principles of respecting children as subjects of rights and putting the best interests of children first.
- It provides for the basic perspectives of a wide range of child policies, such as child safety and security, playgrounds, third places, learning, expression of their views, participation and advocacy, in an integrated manner.
- It provides for the development of comprehensive structures for the promotion of policies on children.

Full Text of the Tokyo Metropolitan Government Basic Ordinance on Children

Children are irreplaceable beings with great potential.

Being treasures of society, children are also members of society and need to be respected as subjects of rights in all settings.

The United Nations Convention on the Rights of the Child (UNCRC) provides for the following general principles: prohibition of all forms of discrimination against children; securing the best interests of the child; the right to life, survival and development; and respect for the views of the child.

We must create and develop an environment in which all children can have hope for the future and grow up healthy and free from all care.

It is the mission of Tokyo, a richly diverse international city where various people live together, to promote policies from children's points of view in accordance with the spirit of the UNCRC and from the perspective of "valuing children".

In addition, COVID-19 has brought about significant changes in people's lives, and the impact on children has been particularly striking. The pursuit of the happiness of children under all circumstances is of utmost importance, and the responsibility of the Tokyo Metropolitan Government must be clarified.

Recognizing the above, the present Ordinance shall be enacted with the aim of contributing to the healthy development of children by setting out the fundamental principles for the realization of a society filled with children's smiles as well as the matters underlying the policies that the Tokyo Metropolitan Government should work on.

(Purpose)

Article 1 The present Ordinance aims at contributing to the healthy development of children by setting out the fundamental principles for the realization of a society filled with children's smiles as well as the matters underlying the policies that the Tokyo Metropolitan Government (hereinafter referred to as the "TMG") should work on.

(Definition)

Article 2 For the purpose of the present Ordinance, the term "children" means persons under 18 years of age. When implementing policies for children, the scope of the policies shall be determined as necessary from the perspective of realizing the fundamental principles set forth in the following Article.

(Fundamental Principles)

Article 3 Recognizing that children are irreplaceable beings with great potential and in accordance with the spirit of the UNCRC, an environment in which children are nurtured by the society as a whole must be created and developed so that all children can have hope for the present as well as for the future and grow up healthy and free from all care, through respecting them as subjects of rights and putting their best interests first.

(Children's Rights)

Article 4 On the basis of the UNCRC, the TMG shall promote policies to respect and uphold children's rights, including their rights to live, to thrive, to be protected and to participate.

(Realization of Child-Friendly Tokyo)

Article 5 The TMG shall take the initiative in promoting policies developed from children's points of view in order to nurture children with the involvement of the society as a whole and to realize child-friendly Tokyo.

(Ensuring the Safety and Security of Children)

Article 6 The TMG shall promote the policies necessary for ensuring the safety and security of children in order to protect them from crime, accidents and other harm.

(Creating Playgrounds and Third Places for Children)

Article 7 In order for children to grow up healthy and free from all care, the TMG shall cooperate with the special wards, cities, towns and villages (hereinafter referred to as “municipalities”) to create and develop such an environment, including through creating playgrounds and third places where children can feel comfortable.

(Support for Learning and Growth of Children)

Article 8 In order to respect children's willingness and right to learn and to enable them to develop their potential to the maximum extent, the TMG shall endeavor to create and develop an environment necessary for focusing on the personality of each child and fostering their independence and agency, along with the measures to provide delicate and considerate support for children.

(Multifaceted and Considerate Support for Child-rearing Families and Children)

Article 9 In order to support child-rearing families facing various anxieties and concerns, the TMG shall endeavor to take measures for children who require special support and care and who require alternative care and to provide other forms of multifaceted support, such as the development of an environment for diverse styles of child-rearing and work, the provision of specialized consultation services, the provision of information and other appropriate measures adapted to specific circumstances.

(Expression of Children's Views and Reflection of Them in Policies)

Article 10 The TMG shall respect children as being subjects of rights and endeavor to create and develop an environment in which children can express their views as members of society and such views are appropriately reflected in policies.

(Promotion of Children's Participation)

Article 11 The TMG shall endeavor to create and develop a necessary environment so that children are respected as members of society and be able to participate in schools, local communities and other settings in accordance with their age and respective developmental stages.

(Information and Awareness-Raising on Children's Rights)

Article 12 The TMG shall promote information and other awareness-raising activities concerning respect for the rights and interests of children.

(Response to Consultations from Children)

Article 13 In order to facilitate the resolution of children's anxieties and concerns, the TMG shall endeavor to improve structures for responding to consultations from

children and to strengthen collaboration with families, schools, local communities and relevant organizations.

(Upholding Children's Rights)

Article 14 In order to support the healthy development of children, the TMG shall take necessary measures in line with the evolving social situation, including the enhancement of structures to uphold children's rights and interests, in collaboration with the national government, local municipalities and other relevant organizations, with a view to facilitating the provision of appropriate and prompt remedies for children on the basis of expert knowledge in cases where they have been subjected to violations of their rights or other acts against their interests.

(Formulation of Plans Concerning Children)

Article 15 The TMG shall follow the fundamental principles set forth in Article 3 when formulating plans concerning children.

(Development of Structures to Promote Child Policies in a Comprehensive Manner)

Article 16 The TMG shall create and develop necessary structures to promote child policies in a comprehensive manner.

(Financial Measures)

Article 17 The TMG shall endeavor to take necessary financial measures in order to promote child policies in a comprehensive manner.

Supplementary Provisions

(Effective Date)

1. The present Ordinance shall come into effect as of April 1, 2021.

(Review)

2. When three years have passed since the enforcement of the present Ordinance, the enforcement status of the present Ordinance, the circumstances surrounding children and other relevant matters shall be reviewed, and necessary measures shall be taken to keep up with the times.

3. In conducting the review set forth in the preceding paragraph, opportunities shall be provided to children to hear their views in order to reflect them in the review.