

Provisional Translation

FINAL REPORT

July 2009

Advisory Council for Future Ainu Policy

Notes:

- (a) This is a provisional translation, as of November 14, 2011, of the original Japanese document that was submitted by the Advisory Council for Future Ainu Policy, an ad-hoc advisory group to the Chief Cabinet Secretary. This translation is NOT an official translation and should be used for informational purposes only.
- (b) Words in the Ainu language are italicized and underlined, except people and place names. (e.g. *yukar*)
- (c) All numbered footnotes were created by the translator; original notes are asterisked and found in the text.

Translated by:

Comprehensive Ainu Policy Office
Cabinet Secretariat
Government of Japan

Akasaka 1-9-13, Minato-ku
Tokyo 107-0052 JAPAN

July 29, 2009

Dear Sir KAWAMURA, Takeo
Chief Cabinet Secretary

Advisory Council for Future Ainu Policy

Chairman: SATO, Koji
 ANDO, Nisuke
 KATO, Tadashi
 SASAKI, Toshikazu
 TAKAHASHI, Harumi
 TSUNEMOTO, Teruki
 TOYAMA, Atsuko
 YAMAUCHI, Masayuki

This Council has considered future Ainu policy since August 11, 2008, at the request of the Chief Cabinet Secretary, and finally completed the attached final report.

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Introduction

In response to the request of July 2008 from the Chief Cabinet Secretary, this Council held ten meetings to consider principles and measures for future Ainu policy. The Council conducted site visits and exchanged views with Ainu people in Hokkaido (Sapporo, Shiraoi, Biratori, and Chitose) and Tokyo in autumn 2008, and then in Hokkaido (Akan and Shiranuka) in spring 2009. As the result of subsequent identification of issues and broad discussions, the Council finally completed this report.

With regard to Ainu policy to date, the Hokkaido prefectural government has implemented measures for the improvement of living conditions of Ainu people since 1974. In addition, the Advisory Committee on the Future Measures for Ainu People, an ad-hoc advisory body to the Chief Cabinet Secretary established in 1995, finalized its report after one year of deliberation on the principles and content of measures for Ainu people. Based on that report, the “Act on the Promotion of Ainu Culture, and Dissemination and Enlightenment of Knowledge about Ainu Tradition, etc.” (hereinafter referred to as the “Ainu Culture Promotion Act”) was enacted in 1997. Since then, measures for the promotion of Ainu culture have been taken.

Meanwhile, the United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples on September 13, 2007, which gave a certain conclusion to the long-term UN debates on indigenous peoples. Correspondingly, the House of Representatives and the House of Councilors unanimously adopted the “Resolution to Recognize the Ainu as an Indigenous People” on June 6, 2008. In response, the Chief Cabinet Secretary expressed the government’s position in his statement on the same day, which said, “Not only will the government further enhance the Ainu policies taken so far, but it will make efforts to establish comprehensive policy measures, in reference to relevant clauses of the UN Declaration on the Rights of Indigenous Peoples, with the recognition that the Ainu are an indigenous people who have lived around the northern part of the Japanese Archipelago, especially in Hokkaido, with a unique language as well as religious and cultural distinctiveness.”

On the grounds of the government’s position above, this Council, with a representative of the Ainu people, has reviewed the history of the Ainu and their indigenesness, and has comprehensively considered new principles and measures for future Ainu policy.

The following summarizes our consideration for about a year, in response to the request from the Chief Cabinet Secretary.

I. Historical Background

The history and culture of the Ainu have yet to become common knowledge among the people of Japan.

Some possible historical explanations include: (a) the population of the Ainu has been overwhelmingly smaller than that of the ethnic Japanese majority; (b) Ainu people have been living in the northernmost part of Japan, far away from the country's traditional political center; and (c) cultural differences in business and religion once developed a prejudice that undervalued Ainu culture, regarding it as primitive and uncivilized, as well as labeling Ainu people as barbarians.

In addition, the historiographies of the Ainu had to rely upon written materials by the non-Ainu population, because the Ainu had no system of writing for their language. Oral stories inherited by Ainu people, including *yukar* (heroic epics), were not necessarily regarded as historical materials, nor given due consideration.

These facts make an objective narration of the history of the Ainu a significantly difficult task. Even so, it is of paramount importance to place the history and culture of the Ainu properly into the context of those of the whole Japan, and to pursue their objective description, in order to appreciate the multiculturalism of the Japanese society.

The Council particularly emphasizes that the consideration of future Ainu policy essentially requires facing up to the history. Thus this report begins with looking back over the history of the Ainu, based on the current state of knowledge.

1. The Paleolithic Age to the Middle Ages: History and culture prior to Ainu people

According to the latest scientific findings, it was more than 20,000 years ago, in the Paleolithic Age, when human beings started living on Hokkaido Island. The temperature at that time was seven to eight degrees lower than now, and most of the islands of the Japanese Archipelago, including Hokkaido Island, were connected to each other. The sea level rose as the climate became warmer, and about 12,000 years ago, the main Japanese islands of Hokkaido, Honshu, Shikoku, and Kyushu became separated from each other. Around this period, earthenware started being produced in Hokkaido, which implies that the region had entered into the Jomon Era. Recent anthropological research has also revealed that the origin of some physical and genetic characteristics of Ainu people can be traced back to this Jomon Era.

By no later than 2,500 years ago, some part of Japan entered into the Yayoi Era, which is characterized by the introduction of rice cultivation and metal implements from the Eurasian continent. Meanwhile, because the cool climate of Hokkaido hampered the diffusion

of rice cultivation, the region developed a unique culture called the Epi-Jomon culture that was based on hunting, fishing and gathering, and which continued until the 6th century.

In the 7th century, the Satsumon culture emerged in Hokkaido. This culture is represented by Satsumon earthenware with unique patterns, along with the influences of cultures in Honshu and the regions north of Hokkaido. Around this period, people in the northeastern part of Japan who were not under the rule of the national government were called Emishi. It is still unclear whether Ainu people were recognized as and were grouped into Emishi at that time. However, some linguistic connections with the Ainu can be observed in the *Nihon Shoki* (Chronicles of Japan) and other old documents, where some Emishi names and place names in the Tohoku region might be derived from the Ainu language. The Satsumon culture ended by the 12th or 13th century, when iron products and lacquerware began prevailing in Hokkaido and taking the place of earthenware, as trade activities developed along the coast of the Japan Sea.

This Satsumon Culture Era prepared the archetype of the present Ainu culture. In the following (13th to 14th) centuries, major characteristics of Ainu culture emerged: Ainu people kept a harmonious relationship with the nature, making a living mainly by hunting, fishing, and gathering, and partly by farming. They also actively engaged in overseas trade. *Ezo-nishiki* (silk products) and sophisticated accessories such as glass balls were then brought from the Eurasian continent and Sakhalin.

Meanwhile, the Okhotsk culture had spread out around the Okhotsk Sea since the 5th or 6th century. This culture was characterized by fishing and marine animal hunting, unique earthenware, and bear worship, with the flavor of the Eurasian continent. While the Okhotsk culture was eventually assimilated into the Satsumon culture, and ended around the 9th century, its elements and influences could be observed in the subsequent Ainu culture, especially in the Ainu people's religious beliefs.

2. The Middle Ages: Contact and trade between “people with a different culture” and “Wajin”

Entering the Kamakura Period, Wajin (hereinafter used as a historical term referring to the ethnic Japanese, or non-Ainu people) strengthened trade with Hokkaido (in those days called “Ezogachishima” or “Ezogashima”). The *Suwa-Daimyoin Ekotoba*, a document written in the subsequent Muromachi Period, described the residents in Ezogachishima whose vernacular could not be understood in spite of translation. Such “people with a different culture” were the Ainu, later called “Ezo”.

By the mid-15th century, twelve Wajin forts (*tate*) were built along the coast of the Oshima Peninsula. Feudal lords of these forts traded with aboriginal Ainu people, maintaining the power balance with them. As the trade grew, however, Wajin settlements

expanded gradually, leading to many troubles.

(1) Battle of Koshamain (in 1457)

Near Hakodate, a young Ainu man quarreled with a Wajin blacksmith over a knife (*makiri*) that he ordered, and the blacksmith knifed him to death. This incident caused the first large-scale conflict between the Ainu and the Wajin. Ainu people, led by a leader (*osa*) named Koshamain, had the upper hand in the beginning, conquering ten out of twelve Wajin forts, but the battle finally ended with the death of Koshamain.

(2) End of continual conflicts

After the Battle of Koshamain, conflicts between the Ainu and the Wajin occurred continually over the years, against the backdrop of the strong military power of the Ainu. In the mid-16th century, the Kakizaki clan, which had unified the southwestern part of Hokkaido, signed a peace treaty with Ainu groups that promised to distribute part of the tax revenues collected from merchants to the Ainu leaders of Setanai (Setana) and Shiriuchi. This treaty settled conflicts and achieved peace between the Ainu and the Wajin, which enabled more Wajin products to be introduced into Ainu culture and vice versa. Ainu people in this stable period could be seen as producers as well as trading partners for the Wajin.

3. The Early Modern Age: Harsh labor conditions

In 1593, the Kakizaki clan obtained an official certification (*shuin-jo*) from Hideyoshi Toyotomi that ensured the right to control people in the Matsumae area and to collect taxes from them. Then the clan changed its family name to Matsumae, and in 1604 attained the exclusive right to trade with Ainu people by receiving a certification (*kokuin-jo*) from Ieyasu Tokugawa. After that, the Ainu society was gradually incorporated into the socioeconomic system of Wajin.

(1) *Akinaiba chigyo* system

The Matsumae clan divided their territory into “Wajinchi” (Wajin settlements, located at the southern Oshima Peninsula, around Hakodate and Matsumae) and “Ezochi” (the rest of the Hokkaido Island*). Ezochi was left to Ainu people, and Wajin were prohibited from entering Ezochi without permission from the Matsumae.

During the Edo Period, feudal lords other than the Matsumae granted fiefdoms (*chigyo*), mainly consisting of rice paddies, to their own vassals in a system known as *kokudaka* system. However, because rice could not be grown in the cold climate of Ezochi, the Matsumae instead introduced a unique system, called the *akinaiba chigyo* system, under

which the Matsumae divided the shores of Ezochi into trading posts (*basho* or *akinaiba*), and the exclusive right of each of which to trade with Ainu people was given to an upper vassal of the clan. *Akinaiba* were set according to hunting and fishing areas (*ior*) shared by several Ainu villages. The vassals, as managers of *akinaiba* (*chigyo-nushi*), imported products that Ainu people wanted, such as Japanese liquor and rice from Honshu; exchanged them for Ainu products in Ezochi, such as animal skins and dried salmons; and sold them to Wajin merchants in the castle town of the Matsumae. This *akinaiba chigyo* system led Ainu people to depend on trade with Wajin, resulting in their incorporation into the socioeconomic system of Wajin. Furthermore, direct trade between Ainu people and Wajin merchants was prohibited, except trade with vessels sent by the vassals.

* “Ezochi” is also used to refer to the whole of Hokkaido.

(2) Shakushain’s War (in 1669)

In the mid-17th century, conflicts among Ainu villages over *ior* expanded to a war between Ainu groups and the Matsumae. Shakushain, an Ainu leader from Shibuchari (Shizunai), gathered his men and started attacking Wajin trading ships here and there. Some possible issues underlying these attacks include unfavorable changes in the exchange rates of traded goods as well as the restriction of free trade.

The Matsumae subdued Ainu groups after Shakushain had been killed at the peace talks between both sides. After that, the Matsumae gained the advantage in terms of the management of trading and labor, and the power of Wajin enlarged. That was the largest uprising of Ainu people in the early modern age.

(3) *Basho ukeoi* system

By the 18th century, Wajin merchants started managing trade at *basho* (or *akinaiba*) on behalf of *chigyo-nushi* (Matsumae vassals) in exchange for commissions. This *basho ukeoi* (subcontracted trading post) system was unique to Ezochi. Major components of the system were *basho ukeoinin* (manager merchants), *unjokin* (commissions), and *unjoya* or *kaisho* (trading spots). Almost all *basho* introduced this system by the middle of the century.

For their trade, *basho ukeoinin* employed a variety of staff, including *shihainin* (a senior manager at *unjoya*), *tsuji* (Ainu language translators), *choyaku* (cashiers) and *bannin* (superintendents of *banya*, or workplaces built around fishing places). In the early days of the *basho ukeoi* system, *basho ukeoinin* sought profits through trade with Ainu people, as *chigyo-nushi* had done, as described above. Then *basho ukeoinin* began managing fishing places directly to increase their profits. As they developed new fishing places, improved fishing methods, and organized their management system, Ainu people gradually became fishing laborers for them. Among marine products, herring was used as fertilizer to raise

commercial crops (such as cotton and indigo) and to develop new rice paddies, mainly around the Kyoto, Osaka, and Edo (Tokyo) areas. Kelp, dried sea cucumbers, and dried abalone—known as “Nagasaki tawaramono” (dried foods in straw bags)—were exported to China. An increasing demand for these products forced Ainu people into hard labor.

Originally, the basic unit of the Ainu society, called *kotan* (village), consisted of a small group of five to eight consanguineous families, led by an elder called the *kotan korkur*. When the *basho ukeoi* system was introduced, however, Wajin forced several *kotan* in each *unjoya* or *banya* to be consolidated into a larger one with dozens of families. In order to manage Ainu people easily, the position of *kotan korkur* was virtually abolished and an alternative management system (*yakudojin* system) was introduced, with new posts called *otona*, *kozukai*, and *miyagetori*. The *yakudojin* system made Ainu people fall under the control of Wajin as exploited labor.

In fact, the compensation for their fishery work, such as rice crops, was gradually decreased and changed into inferior goods. As a result, many Ainu people fell into poverty. Wajin staff such as *shihainin*, *tsuji* and *bannin* behaved in a tyrannical manner and violated the dignity of Ainu people.

Ainu people resisted harsh labor conditions by conducting armed uprisings. Although Wajin intentionally did not teach the Japanese language to the Ainu, in order to prevent them from complaining about their miserable situation directly to the shogunate (the then national government), some Ainu learned the language on their own for this very purpose. Despite their struggles, however, the living conditions of the Ainu did not improve, and they were gradually impoverished.

Despite the aforementioned difficult situations, however, Ainu people still settled disputes over the borders between *iors* by themselves, even though there were often cases of intervention by Wajin merchants. In addition, major elements of Ainu culture vigorously flourished around this period: Ainu people created unique clothes such as *attusi* (clothes made from the fiber of the Manchurian elm) and *chikarukarupe* (clothes made from cotton fabric), as well as woodcarving, embroidery, and other excellent crafts, such as *ikupasui* (ritual sticks to offer sake to their gods) with unique, artistic Ainu patterns. They also developed musical instruments such as the *mukkuri* (an instrument similar to a Jew's harp) and the *tonkori* (a five-stringed instrument); oral stories known as *yukar* and ethnic dances; animistic beliefs that everything in nature has a spirit; and traditional rituals, represented by *icharupa* (memorial services for ancestors) and *iomante* (brown bear sacrifices).

(4) Kunashiri-Menashi Battle (in 1789)

In the time of the Shakushain's War of the mid-17th century, Ainu groups still had strong power bases on Kunashiri Island and in Menashi (the eastern region of Hokkaido around Nemuro and Shibetsu). When Wajin entered into this region and started trading in the

18th century, however, the Ainu were forced into harsh fishery work and impoverished. Ainu in Kunashiri and Menashi rose up against the Wajin, and attacked *unjoya*, *banya* and trading ships one after another. The battle finally ended with the surrender of the Ainu. This was the last organized uprising by armed Ainu people.

(5) Russia's "southing" policy and border demarcation

European overseas expansion, beginning in the Age of Discovery of the 15th century, had significant impacts on Japan. The Edo shogunate at first sought to respond to this trend with flexibility, and then it decided to implement a national isolation policy to close the country off from most of the world. In the 19th century, however, power games among major Western countries, including Russia, began to threaten Japan as well as China.

By the end of the previous 18th century, foreign vessels, including those from France and Great Britain, came to appear sporadically along the coast of Ezochi. Among them, Russia, in its campaign of territorial expansion to the east, reached the Chishima Islands by the mid-18th century, and started hunting sea otter as well as trading with the Ainu of Chishima. In response to the threat of Russia's southing from the Chishima Islands to Hokkaido, the Edo shogunate, under its isolation policy, decided to take direct control over Ezochi by 1807 to bolster its defense against the anticipated foreign attacks.

First in 1799, the shogunate started to directly manage *basho*, or trading places, to eliminate the injustices of *ukeoinin* in the East Ezochi (meaning the "eastern" part of Ezochi as seen from Matsumae, and corresponding to the southern half of Hokkaido to the Shiretoko cape). This development improved the working conditions of the Ainu people. In addition, the shogunate deployed soldiers at strategically important places and developed transportation systems. Next in 1807, the shogunate also placed the West Ezochi (meaning the "western" part of Ezochi as seen from Matsumae, and corresponding to the northern half of Hokkaido to the Shiretoko cape) under its direct control, but this time the *basho ukeoi* system was maintained due to the financial constraints of the shogunate. Then, once the Napoleonic War in Europe rapidly reduced rising tensions with Russia, the shogunate completely restored the *basho ukeoi* system in the East Ezochi as well, and gradually reduced the number of troops. Finally, the shogunate's direct control of Ezochi was withdrawn and the Matsumae clan was reinstated in 1821.

The return of Matsumae rule worsened the working conditions of the Ainu people, which had once been improved by the Edo shogunate. In some inland *kotan*, for example, most of the working-age Ainu were sent to *banya* near the shores, and forced to engage in harsh fishery work for a long period, so that elders, infants, and sick people were the only people left in the *kotan*; eventually they fell victim to poverty.

Moreover, an increase of *dekaseginin* (seasonal Wajin fishermen and workers from Wajinchi to Ezochi) provided Ainu with more chances to have contact with Wajin than ever,

and epidemic diseases brought by Wajin, such as smallpox, devastated the Ainu population.

In the mid-19th century, foreign vessels appeared again along coastal Hokkaido, and envoys from the United States and Russia demanded that Japan open the country to them. In 1854, the shogunate reluctantly accepted the opening of Hakodate Port by the Japan-US Treaty of Peace and Amity. In 1855, the borders between Japan and Russia were established by the Treaty of Commerce, Navigation and Delimitation between Japan and Russia (or the Shimoda Treaty).

In negotiations with Russia, the shogunate maintained that the Ainu belonged to Japan and thus the settlements of the Ainu were territories of Japan. The Shimoda Treaty of 1855 eventually declared that all islands south of Etorofu (Etorofu, Kunashiri, Shikotan, and the Habomais) belonged to Japan, while the Northern Ezochi (Sakhalin Island) were left to be subject to both Russian and Japanese influence without a definitive border. The border demarcation with foreign countries was an indispensable process for Japan to modernize the nation under international pressure. Even so, this process, which directly affected the lives of residents of the Chishima Islands and Sakhalin, as well as of the rest of Hokkaido, proceeded without taking into consideration the will of the Ainu people.

Then the shogunate took over Ezochi again for the defense of Japan's northern border, and ordered some feudal lords in the Ou (Tohoku) region to guard Ezochi. The shogunate also sought to eliminate such problems as *ukeoinin* cheating Ainu people on the quality and quantity of the compensation for their labor. In addition, the government changed the designation of Ainu people from "Ezo" or "Ezojin," meaning "people with a different culture," to *dojin*, which at that time¹ meant "aborigines." Thus the momentum began to absorb Ainu people into the Japanese society. The government also attempted to change their distinct hairstyles and names to Wajin-like ones, but did not succeed because of strong opposition from the Ainu.

4. The Modern Age: Severe damages to Ainu culture

In 1869, soon after the Meiji Restoration, all of Ezochi was renamed "Hokkaido." The Meiji government had direct control over the region and introduced the *koku-gun* system (a traditional local administration system) like other regions of Japan. The government also promoted the mainlandization and development of Hokkaido through a large-scale immigration of Wajin.

Under the threat of major Western powers, developing Hokkaido was an urgent mission for the Meiji government to protect Japan's northern border and to establish a modern, independent nation. In this context, the immigrants to Hokkaido significantly

¹ Long afterward, the word "dojin" came to have discriminatory connotations like "barbarians with primitive culture."

contributed to Japan's modernization and the region's development, by building roads and creating farmland under severe natural conditions different from those of their hometowns.

In the meantime, the Ainu, as an indigenous people with a distinctive culture who had lived around the northern part of the Japanese Archipelago, especially in Hokkaido, were automatically classified as *heimin* (commoners) by the enactment of the Family Registration Act. The Kaitakushi (Hokkaido Development Commissioner Office) determined in its official notice to use the term *kyu-dojin* (former aborigines) instead of *heimin*, if necessary, to distinguish Ainu people from others.

(1) Abolition of the *basho ukeoi* system and free competition

The Meiji government abolished the *basho ukeoi* system in 1869, so that Ainu people were released from harsh labor. This meant, however, that the Ainu lost their employers and providers of groceries, and were thrown into free competition with an overwhelming Wajin majority, who used a different language.

The Meiji government at first let the former *basho ukeoinin* engage in fishery with a new name, *gyoba-mochi*, but then it abolished this system in 1876. In some places, after that, the government financed the former *ukeoinin* and *shihainin* to run fisheries and support the Ainu. However, these were just provisional measures.

(2) Cultural Enlightenment and damage to Ainu culture

In the course of the so-called cultural enlightenment movement, the Meiji government banned "uncultivated customs" across the country. Throughout this process, many Ainu customs were regarded as barbaric and were restricted or prohibited, without consideration for the uniqueness of the ethnically different Ainu culture.

Even common Ainu customs, such as burning the houses of the dead for use in their afterlife, female tattoos as the sign of maturity, and male ear rings, were all banned, and a notice from the Kaitakushi ordered the severe punishment of offenders .

While speaking the Ainu language was not prohibited, learning the Japanese language and characters was strongly encouraged. In the late Meiji Period, segregated schools called *dojin gakko* were established for Ainu children to increase their school attendance. In class, acquiring the Japanese language, which was not the mother tongue for their parents or grandparents, was given the priority. The Ainu language became used less and less in many Ainu families as well, which eventually led to the current situation where the language is critically endangered.

Although such assimilation policies since the Meiji Period were basically introduced to civilize Ainu people, it must be admitted that the policies inflicted decisive damage on the distinctive Ainu culture.

(3) Introduction of the modern land ownership system and Ainu people

The Meiji government introduced the modern land ownership system in Hokkaido in order to establish its land-based tax system all over the country. In this process, the government sought to identify or determine land owners and to sell the land to applicants, even if the land had been historically used by Ainu people for hunting, fishing, and gathering. In those days, few Ainu people were able to understand Japanese characters. In addition, the Ainu had no concept of individual land ownership in a modern sense, although they just used land collectively as *ior*. Accordingly, most Ainu were not able to obtain land ownership. Over time, as more Wajin immigrants came to Hokkaido, Ainu people lost their territories for hunting, fishing, and gathering. In some cases, the Ainu were even forced to move due to town zoning and urban development.

(a) “*Jisho Kisoku*” and “*Hokkaido Tochi Baitai Kisoku*”

According to the *Jisho Kisoku* (Regulation for Land in Hokkaido) and the *Hokkaido Tochi Baitai Kisoku* (Regulation for the Lease and Sale of Land in Hokkaido), issued in 1872, the government would sell all lands in Hokkaido to the private sector, except those owned by the government and those already used by the private sector.

The *Jisho Kisoku* stipulated that land owners shall be identified or determined for all lands in Hokkaido, including those historically used by Ainu people for hunting, fishing, or logging, except untraversed lands.

However, family registration procedures of Ainu people, which were the requisite to apply for land grants, were not completed until around 1876. Additionally, as described above, Ainu people had no concept of individual land ownership in a modern sense, and they were hardly able to understand Japanese characters.* Therefore, few Ainu people could obtain land ownership by those regulations.

* The 1916 survey showed that about 30% of Ainu people were able to understand Japanese characters; only 3% among those more than forty years old.

(b) “*Hokkaido Chiken Hakko Jorei*”

The *Hokkaido Chiken Hakko Jorei* (Ordinance for the Issuance of Land Deeds in Hokkaido), enacted in 1877, stipulated that the settlements of Ainu people would be temporarily under the control of the government, although their land use rights were reserved without land taxes imposed, and that land ownership would be granted to Ainu people if local conditions allowed.

This Ordinance aimed to prevent Ainu people from being deceived into losing their land ownership, since they had no such concept at that time.

(c) **“Hokkaido Kokuyu Mikaichi Shobun Ho”**

Under the *Jisho Kisoku* above, many land owners expected the rise of granted lands prices in the future, and left the lands uncultivated. In addition, the upper limit of 100,000 *tsubo* (33 hectares) per person discouraged entrepreneurs from entering Hokkaido for their large-scale business.

The Meiji government thus enacted the *Hokkaido Tochi Haraisage Kisoku* (Regulation for the Disposal of Land in Hokkaido) in 1886, and then the *Hokkaido Kokuyu Mikaichi Shobun Ho* (Act on the Disposal of Undeveloped National Lands in Hokkaido) in 1897, which finally relaxed the upper limit regulations of land purchase to 1.5 million *tsubo* (495 hectares) per person for farming.

The progress of land disposal to Wajin and of the development of uncultivated areas, in turn, narrowed the space for Ainu people to earn their own living.

(4) Regulations on traditional means of living (hunting and fishing)

With the development of Hokkaido, overhunting and overfishing depleted natural resources, so that the government strengthened restrictions on hunting and fishing across the region. With regard to deer hunting, which was a traditional means of living for Ainu people, at first the government granted the Ainu exceptional hunting licenses, exempted them from hunting taxes, and leased them hunting rifles. As the range of restrictions gradually expanded, however, deer hunting as well as salmon fishing came to be virtually prohibited all over Hokkaido by the late Meiji Period.

The decrease in land that could be used for traditional means of living, as well as the regulations on it, eventually weakened the bond between the Ainu and the nature that functioned as a source of their culture. Ainu culture in a broader sense, including the Ainu way of life, was seriously damaged, driving the Ainu people into poverty.

(5) Immigration caused by national border changes

After the conclusion of the Treaty for the Exchange of Sakhalin for the Kurile Islands (Treaty of Saint Petersburg) of 1875, Ainu people living both in Karafuto (Sakhalin Island) and on the northern Chishima Islands, such as Shumshu Island, were obliged to immigrate to Hokkaido and Shikotan Islands. Despite welfare measures by the government, including encouragement of agriculture, many Ainu died due to drastic changes in their lifestyle and plagues.

After Japan received the southern half of Sakhalin Island south of the 50th parallel from Russia, in accordance with the Portsmouth Peace Treaty, which ended the Russo-Japanese War in 1905, many of Karafuto Ainu went back to Sakhalin. As the result of

the Second World War, however, they had to return to Hokkaido and other regions in Japan. The Chishima Ainu, who had moved to Shikotan Island, faced the same fate. Today, no one is left to carry on their cultural traditions.

(6) Agriculture promotion policies

In 1871, the Meiji government introduced a measure to provide houses and farming tools to Ainu people who reclaimed land, in order to encourage them to engage in agriculture.

With the decrease in deer hunting and salmon catching yields, Nemuro Prefecture in 1883 and then Sapporo Prefecture in 1885 formed the *kyu-dojin kyusai hoho* (measures to rescue the “former aborigines”) to promote agricultural pursuits by the Ainu on a large scale. Both prefectural governments dispatched agricultural instructors and provided farming tools, seeds, and food, in order to rescue the Ainu from poverty and pave the way for them to become independent farmers. In that regard, some Ainu people living sparsely in remote areas had to move to larger villages for efficient coaching.

These measures continued until 1890, just after the three prefectural governments in the Hokkaido region (Hakodate, Sapporo, and Nemuro) were abolished and the Hokkaido Government was newly established in 1886. By that time, about half of Ainu households in the areas covered by the measures were engaged in farming. Most of the farmlands, however, went uncultivated once public instruction ended, which implies that, in the end, many Ainu , being hunter-gatherers originally, were not able to stabilize their lives through farming at that time.

(7) Enactment of the “*Hokkaido Kyu-Dojin Hogo Ho*”

In the middle Meiji Period, the issues of poor living conditions of Ainu people were taken up in the Imperial Diet, which led to the enactment of the *Hokkaido Kyu-Dojin Hogo Ho* (Hokkaido Former Aborigines Protection Act) of 1899.

This act aimed to comprehensively address a variety of problems about the living conditions of Ainu people at that time. Major measures taken by the government included: granting lands for agriculture (Article 1), providing farming tools and seeds (Article 4), providing medical care and medicines (Article 5), offering livelihood assistance and funeral assistance (Article 6), granting tuition (Article 7), establishing elementary schools (Article 9), and managing the shared properties of Ainu people (Article 10).

The costs of the measures from Articles 4 to 7 were covered primarily by the profits from the Shared Properties of the Former Aborigines in Hokkaido (the properties managed by the government for the sake of Ainu people, including profits from government-operated fisheries), and the government covered the rest.

With regard to land, the government gave each Ainu household 15,000 *tsubo* (almost

five hectares) of land, which corresponded to the farmland area of an average farming household in Hokkaido at that time. However, because much of the land suitable for agriculture had already been granted to Wajin, the land granted to the Ainu was not necessarily suitable for farming. In addition, few agricultural instructions were provided by the government. As such, these measures did not effectively succeed in improving the living conditions of Ainu people.

With regard to education, segregated elementary schools that were established pursuant to this Act (called *dojin gakko*) provided four years of education to Ainu children, giving the priority to Japanese language learning. Ainu elementary schools differed from Wajin ones in that they had no classes in science or geography, and the number of years of schooling was shorter than that of Wajin elementary schools (which was extended to six years). (It could be noted that not a few Ainu elders learned the Japanese language, rather than their mother tongue, in a *dojin gakko*.) Later, the revised Act of 1937 deleted Article 9, which abolished the *dojin gakko* system.

(8) Studies of the human remains of Ainu people

Human remains of Ainu people have been subjected to anthropological studies for years.

In 1865, at the end of the Edo Period, an incident occurred where British consular staff dug up the graves of Ainu people in two spots in southern Hokkaido and took away human remains.

In the middle of the Meiji Period, with the rise of nationalism in Japan, the origin of Japanese people became an active area of research. From that time, on into the early Showa Period, Japanese researchers dug up and collected the human remains of Ainu people. Today, several universities continue to keep those remains, some of which must have been collected without appropriate consultations with Ainu people, or even against their will.

(9) Rise in ethnic consciousness

From the end of the Meiji Period to the Taisho Period, a liberal atmosphere prevailed in Japan. Various individuals and groups called for liberty and civil rights, as well as for freedom from oppression. They expressed their opinions vigorously.

During this period, Ainu people also asserted their opinions, and struggled to live with pride in their ethnic culture, even though they were called the “disappearing Ainu.” This was a period in which the Ainu strongly expressed their ethnic consciousness, even as the assimilation of the Ainu was considered to be progressing.

From the beginning of the Showa Period, a variety of Ainu groups initiated organized activities in spite of the remaining discrimination and prejudice.

5. Summary: National policies and their impacts

As described above, the Ainu, an indigenous people who have lived around the northern part of the Japanese Archipelago, especially in Hokkaido, with a unique language and distinctive culture, had kept a close relationship with Wajin, particularly since the Middle Ages. In the Middle Ages, Ainu and Wajin interacted as trading partners and influenced each other's cultures. In the early modern age, although harsh labor under the *basho ukeoi* system impoverished them, the Ainu maintained and developed their own culture, keeping a deep relationship with Wajin.

In contrast, in the Meiji Period, a large-scale immigration of Wajin advanced the development of Hokkaido, which in turn seriously damaged native Ainu culture. The introduction of the modern land ownership system, which restricted the territories that the Ainu could use for hunting, fishing, and gathering, as well as the prohibition of hunting and fishing, eventually impoverished them. Moreover, the restriction on and prohibition of practicing Ainu customs, as well as the declining usage of the Ainu language, accelerated the assimilation of Ainu into Wajin, and Ainu culture approached the verge of extinction. In this way, throughout the process of establishing a modern nation state, the culture of indigenous Ainu people was irreparably damaged by land and assimilation policies. Faced with an overwhelming majority of Wajin immigrants, Ainu people were almost relegated to a subordinate class and were often discriminated against. Even the enactment of the Hokkaido Former Aborigines Protection Act of 1899 was insufficient to improve the poor living conditions of Ainu people.

II. Current Conditions of Ainu People and Recent Movements around Them

1. Current conditions of Ainu people

(1) Settlements of Ainu people

It is commonly thought that the majority of the Ainu still live in Hokkaido.* Today there are no settlements consisting solely of Ainu people; they live with other Japanese in the same regions.

Although it is said that not a few Ainu people have migrated outside Hokkaido, a precise picture remains to be seen.*

* The 2006 survey by the Hokkaido prefectural government calculated 23,782 Ainu in Hokkaido. Similarly, the 1988 survey by the Tokyo metropolitan government estimated about 2,700 Ainu in Tokyo.

(2) Lifestyle of Ainu people

Today Ainu live a lifestyle similar to other Japanese in all aspects. They hardly speak the Ainu language in fluid conversations in their daily lives, but words from the Ainu language are sometimes used in their speech. Some Ainu have listening comprehension skills in the Ainu language, even though they cannot speak it.

(3) Living and educational conditions of Ainu people

Special assistance for the livelihood and education of Ainu people ended soon after the Second World War.* After that, while Japan achieved rapid economic growth, the gaps between the living standard of Ainu and other Japanese did not narrow. Discrimination against Ainu in educational and job opportunities still remained.

In this regard, with the support of the national government, the Hokkaido prefectural government launched welfare measures for Ainu people in 1961. The measures included the development of community centers and communal bathhouses for Ainu communities. In 1974, the prefectural government formed a policy package named the *Hokkaido Utari Welfare Measures*.² Based on this policy package, the prefectural government implemented comprehensive measures for Ainu people, from the improvement of social welfare services to the promotion of education and culture. In 2002, the prefectural government streamlined its measures, in view of the cultural promotion measures newly introduced by the national

² *Utari* is an Ainu word meaning *companion* or *compatriot*.

government. The prefectural government established a new policy package, the *Measures on the Improvement of Living Standards of Ainu People*, based on which it has taken such measures.

To comprehend the living and educational conditions of Ainu people living in Hokkaido, the Hokkaido prefectural government has carried out a survey almost every seven years since 1972 (the latest survey was conducted in 2006). The Hokkaido University Center for Ainu and Indigenous Studies also conducted the *Hokkaido Ainu Living Conditions Survey* in October 2008. The 2008 survey shows that the ratio of Ainu households receiving public assistance was about 1.5 times that of all households in Hokkaido and 2.5 times that of households throughout the whole country. The college entrance rate of Ainu people under 30 was about half of the national average. More than 70 percent of Ainu people who advanced to higher education reported financial difficulties, while about three quarters of those who gave up on a college education cited economic difficulties as the reason.

The surveys have revealed that the living and educational conditions of Ainu in Hokkaido have steadily improved. However, gaps between Ainu and other Japanese still remain.

Some people point out that such gaps are one of the sources of persisting discrimination against the Ainu. It should not be overlooked that the discrimination undermines their identity as Ainu, i.e., their consciousness of an ethnicity with a different culture from other Japanese, even if they are young.

Last autumn, this Advisory Council conducted interviews with Ainu living in the Tokyo metropolitan area, that showed the poor living conditions of Ainu outside Hokkaido. However, their actual conditions have not been formally investigated since the Tokyo survey of 1988. While the Hokkaido prefectural government has implemented a variety of welfare measures for Ainu in Hokkaido, those living in the Tokyo and other regions outside Hokkaido have not been eligible for such special assistance.

* *The abolishment of the Hokkaido Former Aborigines Protection Act*: With the introduction of new social security and welfare laws after the Second World War, the provisions on vocational aid, medical care, and relief were deleted from the Hokkaido Former Aborigines Protection Act in 1946. Although the provisions that dealt with land grants and shared properties management remained, no one had applied for the land grant since about 1935. In addition, the title of the Act conveyed a discriminatory connotation. Hence, the Act was abolished in 1997 when the Ainu Culture Promotion Act was enacted. (A special law entitled the Act of the Disposal of the Protected Areas for Former Aborigines in Asahikawa was abolished at the same time.)

(4) Cultural activities by Ainu people

With the modernization of Japan and the development of Hokkaido since the Meiji Period, Ainu culture was seriously damaged, especially through assimilation policies, and no specific measures were taken even after the Second World War. Around 1975, the revival

movement of traditional rituals began gathering momentum among the Ainu. They restored such rituals as *icharupa* (memorial services for ancestors), *iomante* (brown bear sacrifices) and *ashiricheppunomi* (ceremony of receiving the first salmon of the season). They also started learning the Ainu language.

In 1997, the Ainu Culture Promotion Act was enacted, based upon which cultural promotion measures have been actively implemented. The measures have expanded the range and scope of cultural activities by Ainu people. For example, the younger generation of Ainu actively participates in Ainu language learning and international exchanges with foreign indigenous peoples. Such experiences have enhanced their consciousness as an ethnic group. The Ainu have also gained experience in cooperating and collaborating with governments and other public organizations.

Meanwhile, the cultural promotion measures taken so far have put their focus mainly on Ainu language, music, dance, and craftwork. Some people point out that the measures have not worked well in some respects to develop Ainu culture and pass it on to the next generation. For example, weaving *attusi*, the ethnic traditional clothes of the Ainu, requires natural materials, including the fiber of the Manchurian elm. However, the Ainu face difficulty in obtaining these materials and the measures do not cover such a case.

On the other hand, in order to ensure that as many Ainu people as possible are able to engage in cultural activities, securing their livelihoods is a prerequisite. Yet many of the cultural activities have not necessarily resulted in employment or business opportunities that take advantage of Ainu culture.

Furthermore, cultural activities of the Ainu and an understanding of them have not enough spread outside Hokkaido, because the issues of the Ainu have been widely considered to be solely those of Hokkaido.

(5) Ethnic identification of Ainu people

Today the Ainu live a lifestyle similar to other Japanese in all aspects. However, they have inherited their ethnic identity as Ainu, in spite of experiences of discrimination as well as assimilation policies in the modern era. With ethnic pride and dignity, Ainu individuals and groups make efforts to preserve and develop the Ainu language and other traditional culture.

It should be noted that each individual leads a life that sometimes ethnically identifies with the Ainu, and has a life similar to other Japanese at other times. Such dynamics are dependent upon one's circumstances, and should be generously understood and respected.

2. Recent movements around Ainu people

(1) UN Declaration on the Rights of Indigenous Peoples

On September 13, 2007, the United Nations General Assembly adopted the “United Nations Declaration on the Rights of Indigenous Peoples,” with Japan’s affirmative vote. The Declaration specifies the rights and freedoms of indigenous peoples and individuals in a wide range of areas, including politics, economy, and culture. It also emphasizes the importance of partnerships between indigenous peoples and states or the ethnic majority.

It is meaningful that the Declaration was finally adopted by the great majority of states after discussions for more than twenty years. It is also noteworthy that some states that opposed the Declaration have been changing their attitudes.

It should be noted that some Ainu also actively worked for the adoption of the Declaration.

(2) Resolution to Recognize the Ainu as an Indigenous People

On June 6, 2008, after the adoption of the UN Declaration, the House of Representatives and the House of Councilors unanimously adopted the “Resolution to Recognize the Ainu as an Indigenous People.”

The Resolution stated an understanding of the history of the Ainu situation: how in the process of the modernization of Japan, many Ainu people were discriminated against and impoverished, even though they were Japanese citizens, legally equal to other citizens under the law. In addition, the Resolution required the government: (a) to recognize that the Ainu are an indigenous people who have lived around the northern part of the Japanese Archipelago, especially in Hokkaido, with a unique language as well as religious and cultural distinctiveness; and (b) to establish comprehensive policy measures, in addition to further enhancing the Ainu policy taken so far, consulting high level experts.

In response to the Resolution, the Japanese government expressed its recognition that the Ainu are an indigenous people, and its intention to make efforts to establish comprehensive policy measures, in reference to relevant clauses of the UN Declaration, in addition to further enhancing the Ainu policy taken so far. This Advisory Council was set up to give such comprehensive consideration.

III. New Principles and Measures for Future Ainu Policy

1. New principles for future Ainu policy

(1) Policy development and implementation under the recognition of indigenesness

(a) *Reaffirmation of indigenesness*

(i) *Recognition in the report of the former advisory body*

The 1996 report of the Advisory Committee on the Future Measures for Ainu People, the former ad-hoc advisory body to the Chief Cabinet Secretary, recognized the indigenesness of Ainu people, saying, "...in the context of the Japanese history, since the late Middle Ages at the latest, it cannot be denied, based on academic findings, that Ainu people have lived around the northern part of the Japanese Archipelago, especially in Hokkaido, as an inherent territory of Japan, before 'Wajin' went to live there." However, this statement merely reaffirmed the historical facts, and was not linked to any new policy measures. The same is true for the Ainu Culture Promotion Act that was enacted just after the Report: the cultural promotion measures based on the Act were not derived from the indigenesness of Ainu people.

(ii) *Indigenesness of Ainu people*

There is considerable international controversy regarding the definition of indigenous peoples. Some even argue that the definition should be determined by the indigenous people in question. In this regard, the Council would like to present a provisional definition, to the extent necessary for the development and implementation of national policies: *an indigenous people is an ethnic group that lived in a region before the region fell under the rule of a state, with a distinctive culture and ethnic identity that are different from the ethnic majority of the state, and that was later governed, against its will, by the ethnic majority, yet continues living in the region without losing its own culture and ethnic identity.*

As described in Section I, the Ainu people have lived, as an autonomous ethnic group with their own culture, around the northern part of the Japanese Archipelago, especially in Hokkaido, without being ruled or controlled by other groups until those regions fell under the rule of Japanese governments. Then, in the process of the modernization of Japan, the Ainu were governed against their will by the majority Japanese. Land policies and assimilation policies by the national government severed the bond between the Ainu and nature, restricted the territories in which they could earn their own living, and eventually impoverished them. They faced difficulty in passing down their culture to the next generation, and their traditions and culture were seriously damaged. However, Ainu people today have yet to lose their ethnic identity or their own culture; they continue to demonstrate the will to

bring about a cultural renaissance and to live in the region around Hokkaido. For these reasons, therefore, the Ainu can be regarded as an indigenous people from the northern part of the Japanese Archipelago, especially in Hokkaido.

(b) Development and implementation of measures derived from indigenouness

Future Ainu policy should be developed and implemented under the recognition that the Ainu are an indigenous people.

That is to say, future Ainu policy should be derived from the recognition that 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 as a national policy seriously damaged their culture. The revival of Ainu culture must enable Ainu people to maintain and develop their own culture again, in accordance with their own will.

The term “culture” referred to here should be interpreted as all the unique lifestyles of the Ainu, including land usage, as well as language, music, dance and craftwork. The cultural identity of the Ainu in question should be considered from this wider perspective. It should also be noted that the “revival of culture” is not equal to the restoration of the original state from some time in the past. The national government must listen to the voices of Ainu people living today, when it takes measures to ensure the revival of Ainu culture. This is because, taking into consideration that Ainu today live a lifestyle similar to other Japanese, the revival of their culture would require another wide perspective from the past to the future, from respect for their long standing traditions toward the creation of new Ainu culture.

(c) Necessity of public understanding for policy implementation

Ainu people have suffered from discrimination and prejudice due to the implementation of assimilation policies since the Meiji Period. These problems still remain. In order to eradicate such discrimination and prejudice, and to smoothly promote new Ainu policies in the future, it is indispensable to ensure the sound understanding of the people and to share knowledge of the Ainu.

The modernization of Japan enabled all the Japanese people to enjoy benefits such as liberty, democracy, and economic prosperity. Behind the scenes, however, Ainu culture has been severely damaged. The gaps between Ainu and other Japanese, for example, on income levels and in college entrance rates, have still remained. This might lead to persisting discrimination. Japanese people as a whole should never shut our eyes to the reality that there exist young Ainu who suffer from and worry about being Ainu. The current generation, which enjoys an inheritance from past generations, should acknowledge the previously ignored historical background of the Ainu as their own issue, and should pave the way for a future society where later generations of people, including the Ainu, can respect each other and have

a life marked by hope and pride.

(2) Significance of the UN Declaration, etc.

(a) Significance of the UN Declaration

Consideration of the policy for the revival of indigenous culture requires a reference to relevant clauses of the UN Declaration on the Rights of Indigenous Peoples.

The Declaration is a significant achievement both for indigenous peoples and for states. Although it is not legally binding, the Declaration should be fully respected as a general international guideline for indigenous policies.

However, just as the histories and current situations of the world's 370 million indigenous people are enormously diverse, so are the countries in which they live. These individual conditions cannot be ignored as far as the Declaration is concerned. In this respect, Japan should establish its Ainu policy in line with the current conditions of the country as well as of Ainu people themselves, referring to relevant clauses of the Declaration and sincerely listening to the voices of Ainu people living today.

(b) Development and implementation of Ainu policy under the Constitution

The Ainu policy implemented by the national and local governments must comply with the Constitution of Japan, the supreme law of the country. Some point out, for example, that special consideration for Ainu people is against the principle of equality in Article 14 of the Constitution. However, it is generally interpreted that this Article allows differentiated treatment for a portion of the population if it is based upon rational reasons in accordance with the nature of things. As seen above, it would be apparent that deriving policies from the indigenesness of the Ainu would satisfy the condition of a "rational reason in accordance with the nature of things." In addition, it should be noted that the second paragraph of Article 2 of the "International Convention on the Elimination of All Forms of Racial Discrimination,"* which Japan acceded, allows special and concrete measures to ensure equal enjoyment of human rights of certain racial groups.

In this respect, Ainu policy is constitutional as long as there are rational reasons, even if the Constitution might work to constrain the introduction of some specific measures for Ainu people. More important in the future would be exploring the possibilities of placing the foundation of Ainu policy upon relevant clauses of the Constitution and actively promoting it.

* *International Convention on the Elimination of All Forms of Racial Discrimination*: A UN convention whose main content includes to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms, in order to ensure equal enjoyment or exercise of human rights and fundamental freedoms. Article 2, Paragraph 2, of the Convention says:

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms.

(3) Principles for the development and implementation of Ainu policy

Future Ainu policy should be developed and implemented, based on the recognition that the Ainu are an indigenous people and that the national government has a great responsibility to take sufficient measures to ensure the revival of their culture, in line with the significance of the UN Declaration as a general international guideline for indigenous policies, and in accordance with the Constitution of Japan as the supreme law of the country. In this regard, the Council presents the following principles for the development and implementation of future Ainu policy.

(a) Respect for the identity of the Ainu

Among the provisions on human rights in the Constitution, Article 13, which addresses the right of the people to “be respected as individuals,” provides the most fundamental principle that serves as the basis for the Japanese legal system. If an Ainu individual willingly chooses to live with the identity of an Ainu, with a different culture from many other Japanese, his/her choice should not be unjustly hindered by the government or any other individual. Moreover, the government should take care of measures that open doors for Ainu individuals to live with the identity of an Ainu.

Given this perspective, the national government should give special consideration to measures that respect the spirituality of the Ainu, including the promotion of the Ainu language, within Ainu culture.

In addition, Ainu people have traditionally had a deep spiritual and cultural attachment to the land on which their ancestors earned their living and performed rituals. Hence, due consideration should be given to measures for the utilization of land and resources, in keeping with the views and the actual livelihoods of Ainu people living today.

Moreover, the historical gaps in the living and educational standards of the Ainu and other Japanese might bring about discrimination against the Ainu, which would prevent them from choosing to proudly live as Ainu. Thus, measures to eliminate these discrepancies should be promoted. Such measures would create the conditions to realize the philosophy of Article 13 of the Constitution.

It should also be noted that the very existence of the Ainu as an ethnic group is essential for Ainu individuals to preserve their identity as Ainu. To that extent, therefore, measures targeting the Ainu as an indigenous group can be regarded as necessary and reasonable.

(b) Respect for cultural diversity and ethnic harmony

It is very meaningful that there live Ainu who have the will to revitalize, maintain, and develop their distinctive culture, in spite of severe damages it has incurred historically. It would thus be beneficial to the whole nation to focus on the principles for Ainu policy upon the revival of their culture, in the sense that it would help the people share diverse, rich cultures. It should also be noted that the UN Declaration also requests respect for the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind.

The Japanese people should share the ideal of “ethnic harmony,” which is pursued worldwide, because the country aims to realize a harmonious and pluralistic society where individuals mutually respect each other’s identity and personality. Each and every individual in the country must recognize and respect the fact that he/she belongs to some ethnic group while the Ainu, as an indigenous people, live together with him/her in this country.

From a global perspective, it might not be an overstatement to say that Japan’s achievements—its rapid modernization since the Meiji Period and its rapid economic growth to become the world’s second largest economy and the second largest contributor to the United Nations, accounting for one-fifth of the total contributions—have received some commendation from the international society, and at the same time have provided a model for the growth and development of developing countries. If Japan were able to succeed in respecting and developing the culture of the Ainu as its indigenous population, this would heighten the status of the country in the international community, where “ethnic harmony” and “respect for the cultural diversity” are pursued.

(c) Nationwide policy implementation by the initiative of the national government

Today the Ainu live not only in Hokkaido, but also in other regions in Japan. Hence, each region or community is expected to regard and address the issue of ethnic harmony and cultural revitalization as its own issue, in order to establish a better local community. In fact, some relevant local governments have made efforts so far to do so. It is important to ensure and promote further voluntary efforts by local governments and the private sector.

Nevertheless, achieving harmonious living between indigenous Ainu and other Japanese is a fundamental challenge to the whole nation. The history of how the modernization policy of the national government left a significant impact on the culture of indigenous Ainu people should also be recalled. Thus, the national government should take greater initiative in policy planning and implementation than ever.

In this regard, it is important for the national government to cooperate and collaborate with relevant local governments and private organizations to enhance policy effects.

In addition, policy measures for individuals with Ainu identity should not be

dependent upon their residences. Such measures should be implemented nationwide, because today's Ainu people live across the country.

2. Concrete measures

The realization of the aforementioned principles requires: (a) ensuring the sound understanding of the people on the history, traditions, and current status of indigenous Ainu; and (b) enhancing the ongoing cultural promotion measures and promoting a wide range of Ainu policies, enabling Ainu people today to proudly live as Ainu, making all people appreciate and share diverse values, and leading to the creation and development of new cultures.

In this respect, based upon the status and challenges of the ongoing measures to be clarified, future Ainu policy should be established with a focus on the following three aspects, in addition to the ongoing cultural promotion measures: (a) promotion of the public understanding (education and awareness); and (b) promotion of measures for Ainu culture in a broader sense (development of the “symbolic space for ethnic harmony,” promotion of research, promotion of Ainu culture, including the Ainu language, promotion of the use of land and resources, promotion of business, and improvement of living conditions). Furthermore, (c) the national government should establish an organizational framework to implement these measures.

(1) Promotion of the public understanding

It is important for the whole nation to recognize that the Ainu are an indigenous people who have lived around the northern part of the Japanese Archipelago, especially in Hokkaido, with a unique language as well as religious and cultural distinctiveness. It is also necessary to realize a society where discrimination and prejudice are eradicated, so that Ainu people can proudly lead their lives as Ainu. In order to achieve these goals, it is significantly important for the people to acquire a sound understanding of the history and culture of the Ainu through their education and other opportunities, and to appreciate the value of the Ainu and their culture in our country.

(a) Education

To promote the public understanding of the history and culture of the Ainu, it is essential to facilitate student acquisition of basic knowledge and understanding of the Ainu, according to the developmental stage of the students.

With regard to the current situation of education about the Ainu, the Courses of Study for lower-secondary schools deal with the Ainu in the Social Studies section. However, it is merely suggested that teachers “attract students’ attention to the Ainu who engaged in

trade with people in the north of Japan,” in the context of Japan’s foreign relations under its national isolation policy of the Tokugawa shogunate. Based on this standard, various textbooks mention the history of the Ainu and the elimination of discrimination against them, but the content and the volume of their descriptions differ. The Foundation for Research and Promotion of Ainu Culture (FRPAC)³ also publishes side readers for students in elementary and junior high schools, named “The History and Current Status of the Ainu: for a Future of Living Together.” In Hokkaido, the side readers have been distributed to all elementary school fourth graders and junior high school second graders; in contrast, only one copy has been distributed to each school outside Hokkaido. In either case, the use of the material is solely at the discretion of each school. Moreover, not a few teachers encounter difficulties in teaching the history of the Ainu, and only a limited number of local communities and schools have active learning programs on Ainu culture.

Based on the current status described above, the challenges are as follows: (a) educational plans for the history and culture of the Ainu do not necessarily correspond to the developmental stage of the students, which makes it difficult for the students to obtain a broad understanding; (b) many teachers do not have enough knowledge and understanding themselves; and (c) effective education through active and advanced practices is solely subject to chance factors, such as teachers’ attitudes or the presence of instructors.

In order to address these challenges, it is important to improve educational programs and methods on the history and culture of the Ainu, so as to ensure sufficient and appropriate understanding and instruction. In particular, universities and other institutes are encouraged to comprehensively study the educational methods for facilitating an appropriate understanding of students in accordance with their developmental stage as well as for effective teaching by instructors. Those methods should be utilized in the classroom as well as be considered in the process of revising the Courses of Study next time. In the near future, the following measures should be taken: the improvement of the text in textbooks; the further utilization of side readers including an increase in their circulation; the improvement of training programs for teachers; and the sharing and promotion of best practices on active learning programs for Ainu culture. As such, it should be ensured that all students acquire a basic knowledge and understanding of the history and culture of the Ainu by the time they finish their compulsory education.

(b) Awareness

Smooth implementation of the new Ainu policy requires a broad understanding from all levels of the Japanese society, in addition to the dissemination of basic knowledge to students at their compulsory education stage and the promotion of their understanding.

³ The Foundation for Research and Promotion of Ainu Culture (FRPAC) is the only juridical person designated by the Ainu Culture Promotion Act to implement the business concerning the promotion of Ainu culture, etc., based on the Act.

With regard to the current situations of raising awareness about the Ainu, the FRPAC conducts public relations activities on the traditions of the Ainu, mainly within Hokkaido. The Ministry of Justice and other organizations carry out awareness-raising activities on the Ainu as parts of their human rights promotion activities. In addition, many museums across the country exhibit Ainu cultural artifacts.

The challenge is that the ongoing activities have yet to spread nationwide due to their limited approaches and frequencies. In fact, these activities have been carried out chiefly by the public sector (including the FRPAC), and predominantly within Hokkaido.

Therefore, it is necessary to launch an intensive nationwide campaign of public relations activities and events to deepen the public understanding of the history and culture of the indigenous Ainu. One example would be the establishment of the “Ainu Day” (provisional title). Exhibiting more Ainu cultural artifacts in public spaces is also necessary. In addition, it is important to encourage various actors, including private corporations, to enter into activities to raise public awareness. Possible activities include the production of movies and television dramas that feather the history and culture of the Ainu, as well as the enhancement of education via broadcasting and telecommunications. A variety of such public awareness activities should ensure nationwide understanding.

(2) Measures for culture in a broader sense

As stated above, measures for the revival of indigenous Ainu culture, which was once damaged by the modernization policy, should aim at all the unique aspects of the lifestyles of the Ainu including land usage, in addition to language, music, dance, and craftwork. On this basis, it is necessary to develop an environment that enables Ainu individuals to willingly choose to live with their Ainu identity and to practice and pass down their culture. It is also necessary to promote efforts that help Ainu people establish their autonomous lives, in collaboration with the economic activities of the private sector. These measures would necessitate such perspectives as the modern revival and future development of Ainu culture, as well as diverse culture and ethnic harmony, so that the people would appreciate and share the value of Ainu culture. Given the perspectives, the following measures for culture in a broader sense should be implemented.

(a) Development of the Symbolic Space for Ethnic Harmony

Given the historical background of the Ainu, the significance of Ainu culture’s harmony with nature, and the necessity of the public understanding, facilities should be developed for education, research, and the exhibition of the history and culture of the Ainu, as well as for the training of successors for their traditional craft skills. Additionally, from the perspective of respecting the spirituality of the Ainu, special consideration should be given to the establishment of a memorial facility that would allow a dignified memorial service for the

human remains of Ainu people, which were excavated and collected in the past and are now conserved by universities and other institutions. In this respect, it would be highly desirable to develop a park that could serve as the “symbolic space for ethnic harmony,” where the above facilities would be surrounded by a rich natural environment with mountains, the sea, and rivers, and where many people would come together to obtain a broader and deeper understanding, and experience Ainu culture.

The idea of the facilities and the “space” described above must be regarded as the “axis of fun” (i.e., the core or the most vital point) of this whole report. It should symbolize Japan’s will to have the country shall establish such a vigorous society that the dignity of an indigenous people would be fully respected, that discrimination and prejudice would never be found, and that diverse and rich cultures flourish.

(b) Promotion of research on the Ainu

To secure the stable, long-lasting practice and inheritance of the Ainu language and their traditional culture as the origin of their identity, it is necessary to promote and enrich comprehensive and practical research on the Ainu, and to foster an environment where the Ainu take the initiative in research and education.

With regard to the current situation of research on the Ainu, the FRPAC offers grants for research on the Ainu and its publication, while some universities and institutes conduct academic research.

This research has been carried out separately by individual institutes. Collaboration and exchanges between researchers is still in an immature stage. In addition, Ainu people seldom have opportunities to take part in research projects on the Ainu, and researchers from among the Ainu remain few and far between. In this regard, comprehensive and practical research on the Ainu has yet to be sufficiently conducted.

Therefore, a strategic research system should be established as soon as possible, to conduct research on the Ainu and to foster researchers, including those from among the Ainu people. Specifically, the functions and organizations of a pioneering institute working on Ainu-related research should be expanded and strengthened. These institutes should take the lead in networking Ainu-related research as well as fostering researchers. In the medium- and long-term, such a collaborative network on Ainu research should grow into a system that promotes comprehensive and practical research. Additionally, it is important to support voluntary efforts of Ainu people including the improvements in their access to higher education.

(c) Promotion of Ainu culture, including the Ainu language

With regard to the current situation of the promotion of the Ainu language as the core of the identity of the Ainu, the FRPAC, mainly in Hokkaido, trains Ainu language

instructors, holds speech contests in the Ainu language, and broadcasts Ainu language courses on the radio. Besides the language, the FRPAC also holds classes on Ainu cultural traditions and subsidizes exhibitions of traditional handicrafts. It should also be noted that traditional Ainu dance (the songs and dances, transmitted by Ainu people from generation to generation, and performed at their major festivals as well as privately in daily life), which has been designated as an Important Intangible Folk Cultural Property of Japan, has been nominated for UNESCO's Representative List of the Intangible Cultural Heritage of Humanity.⁴

As such, since the Ainu Culture Promotion Act went into effect, cultural promotion measures have steadily broadened the reach of the cultural inheritance of Ainu people, in terms of the Ainu language and other aspects of Ainu culture. This is shown by increasing participation of the younger generation in Ainu language courses. However, the current measures do not sufficiently meet the needs for learning Ainu language and experiencing Ainu culture, due to the limited opportunities offered as well as the shortage of instructors and teaching materials.

In this respect, the opportunities to learn and experience Ainu culture should be further increased. Not only should the ongoing cultural promotion measures be enhanced, including the provision of Ainu language courses and the training of instructors; but the creation and collection of audio materials in the Ainu language should be pursued, as well as an increase in the number of signs where place names are written in the Ainu language or which explain that the place names are of Ainu origin. Recognition of the long-term contributions of elder Ainu individuals to the succession of Ainu culture, including *yukar*, should also be maintained.

(d) Promotion of the use of land and resources

The Ainu have had a deep spiritual and cultural attachment to their land. It is thus significantly important, for the promotion and succession of indigenous Ainu culture, to ensure that the contemporary use of land and resources, in accordance with the opinions of Ainu people today and their actual living conditions, embodies their cultural inheritance in a comprehensive manner.

Currently, the regeneration projects of traditional living spaces (*ior*) of Ainu people* are ongoing in two towns in Hokkaido. Mainly on public lands there, natural materials are grown for the sake of cultural inheritance, and cultural experience activities are offered. In some rivers there, special permission for inland water fishing of salmon has also been given for the sake of traditional rituals.

Meanwhile, some Ainu have pointed out that regulations on land and resources do not allow them to obtain as many natural materials as they want for their cultural inheritance

⁴ Traditional Ainu dance was inscribed in 2009 on the UNESCO's Representative List of the Intangible Cultural Heritage of Humanity.

activities, and that they work against the inheritance and development of Ainu culture.

With regard to the use of land and resources for cultural inheritance, it is important to listen to the opinions of those involved in cultural inheritance activities. At the same time it is also important to gain the public understanding of the necessity and rationality of special treatment.

In recent years, the importance of a harmonious relationship with nature has been increasingly recognized. It is thus meaningful to further promote Ainu culture which has been fostered in harmony with nature. In this light, it would be significant to develop an environment where natural materials for cultural inheritance, such as trees, could be smoothly utilized, with the understanding and cooperation of the local people concerned.

Specifically, the regeneration projects of traditional living spaces (*ior*) should be expanded to other towns, based on the opinions of Ainu people and other people concerned. In addition, a platform among the Ainu, governments, and other actors should be established in each project area to coordinate the use of natural materials on public land as well as in the sea and inland waters. As such, the transmission of Ainu culture should be realized with the contemporary use of land and resources and in a step-by-step manner.

* *Regeneration project of traditional living spaces (ior) of Ainu people*: A project to form spaces where Ainu people can obtain natural materials such as trees and plants in forests or on waterfronts, and can use them for their cultural transmission.

(e) Promotion of business

To facilitate the stable inheritance of Ainu culture with the voluntary participation of many Ainu people, it is important to ensure the collaborative linkage between cultural inheritance and business activities.

Some local communities in Hokkaido provide good examples of a harmonious relationship between the two, where both Ainu and other people in the communities recognize Ainu culture as their own important tourism resource and cooperate to utilize it for their regional development and tourism promotion.

However, most of such activities still remain small-scale. In fact, the Ainu cannot make a living on cultural inheritance activities alone, a factor which may have prevented many Ainu from actively inheriting and promoting their culture.

To establish a good linkage between Ainu cultural promotion and inheritance and their economic independence, the following efforts and strong support to the efforts are needed: improvements in the skills for traditional Ainu handicrafts and a broadening of their market; the establishment of an Ainu brand; the appropriate mobilization of Ainu culture as a tourism resource and its incorporation into a tourist destination; and the promotion, domestically and abroad, of tourism based on Ainu culture. In particular, a market survey should be carried out for the expansion of sales channels and the establishment of an Ainu

brand. In order to further encourage collaboration between Ainu culture and business activities in the local community, support for cooperative efforts by both Ainu people and local residents should be encouraged.

(f) Improvement of living conditions

With regard to measures for the improvement of living conditions of the Ainu, the Hokkaido prefectural government provides a variety of support services, such as scholarships, welfare counseling services, job placement support, infrastructure development for agriculture, forestry and fishery, and training in craft skills.

The living conditions of the Ainu in Hokkaido have steadily improved. However, the Hokkaido Ainu Living Conditions Survey conducted by Hokkaido University and other research reveal that the gaps between the Ainu and other Japanese have still been found in, for example, the public assistance rate and the college entrance rate. This implies the continuing need for the improvement measures. Such gaps might impede Ainu people from choosing to proudly live as Ainu, which may in turn make the inheritance and promotion of Ainu culture difficult. Furthermore, Ainu people living outside Hokkaido are beyond the reach of the improvement measures taken by the Hokkaido prefectural government.

Therefore, support for the Ainu is required so that they can make a living on their own and pursue cultural promotion and inheritance activities regardless of their residences. A survey of the current living conditions of Ainu people outside Hokkaido needs to be conducted. Then, nationwide assistance measures should be considered and, if necessary, implemented. In this case, if it becomes necessary to identify Ainu individuals to apply those measures to, the identification procedures should be carefully considered so that they will be sufficiently transparent and objective.

It should also be noted and respected that some Ainu people have resolved to follow a different way of life; thus the assistance measures should not be applied uniformly to such individuals against their will.

(3) Establishment of an organizational framework for future Ainu policy

The national government ministries that have jurisdiction over the current policy measures for the Ainu are as follows:

- (a) Cultural promotion measures based on the Ainu Culture Promotion Act: the Ministry of Land, Infrastructure, Transport and Tourism (MLIT) and the Ministry of Education, Culture, Sports, Science and Technology (MEXT);
- (b) Support for the measures taken by the Hokkaido prefectural government to improve living conditions of Ainu in the region: MEXT, the Ministry of Health, Labour and Welfare, the Ministry of Agriculture, Forestry and Fisheries, the Ministry of Economy, Trade and Industry, and MLIT;

- (c) Human rights education: MEXT; and
- (d) Human rights awareness: the Ministry of Justice.

No central ministry oversees Ainu policy as a whole, or plays a role as a liaison organization. Some point out that this might prevent the national government from ensuring coordinated policy measures. On the other hand, several platforms of the government and the Ainu people have been established in considering measures for cultural promotion and the improvement of living conditions. However, these platforms might not sufficiently reflect the views of Ainu people to address new challenges.

From a nationwide perspective, therefore, the national government should take the initiative to promote future Ainu policy comprehensively, and should establish a mechanism or framework to reflect the opinion of the Ainu on the policy. Specifically, the national government should develop its mechanism for the comprehensive planning and promotion of Ainu policy. At the same time, it should establish a forum or council to promote and monitor the implementation of the policy, as well as take the opinions of the Ainu into account. Such an organizational framework would ensure the effective promotion and verification of the policy in line with Ainu opinions.

Note that special parliamentary seats only for the representatives of the Ainu would be unconstitutional unless the Constitution of Japan was amended, since the Constitution proclaims that both Houses shall consist of the representatives of all the people. Other methods of political participation would require careful consideration on their effectiveness and constitutionality, in reference to foreign cases, and thus should be regarded as a middle-to long-term issue. Political participation would in turn require that Ainu people strengthen their capabilities to manage their own affairs and to form a uniform opinion. Considering these factors, it is essential to take the first step by establishing a mechanism to reflect the opinions of the Ainu people in the promotion of future Ainu policy.

Conclusion

Strongly conscious of the importance of the mission entrusted by the government, in response to the “Resolution to Recognize the Ainu as an Indigenous People” of both Houses, this Council has made serious consideration and gives unanimous approval to this final report. Throughout the deliberation process, we, the members of the Council, felt distressed by the harsh history of the Ainu, and were also deeply impressed by their motivation and efforts to inherit their culture and to live actively for the future even in difficult situations.

This year UNESCO has pointed out that the Ainu language is in a “critically endangered” situation. In this regard, the government should immediately take the various measures recommended in this report. Because the recommended measures are organically related to each other, they should be introduced as a policy package. Of course, some of the recommendations would require a long-term effort, and some might have to wait for further consideration in the future. In any case, there are high expectations for the national government to make continuous, steady efforts for Ainu policy. In this respect, it would be meaningful that the government would show its positive stance and willingness through legislation in order to ensure steady implementation of the policy. The Council encourages the government’s deliberation.

This report focuses upon the policy measures of the national government, in accordance with the request from the Chief Cabinet Secretary. To ensure truly effective policy implementation, relevant local governments should also make a more proactive effort than ever, in accordance with the actual conditions of their communities, toward the revitalization of Ainu culture and the realization of ethnic harmony. Furthermore, private firms and organizations, as well as even individuals, are expected to deepen their understanding of the history and current situations of the Ainu and to make efforts to achieve the ethnic harmony in their own circumstances. (Currently, for example, some private universities provide Ainu students with incentive measures such as scholarships. It would be wonderful if firms would actively hire the graduates from such universities.) Most of all, the Council would like to emphasize the importance of education. Education is the very means by which the people will be able to deepen their understanding about the Ainu, and it can provide important opportunities for Ainu children to become attached to and proud of their own ethnic culture.

Hokuto Iboshi, who devoted his life to improving the dignity and living conditions of Ainu people and passed away at the young age of 27 in 1929, wrote the following *tanka* (Japanese short poem):

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|--|--|
| <i>Ainu to iu atarashiku yoi gainen wo</i> | Ainu, the brand-new, wonderful concept! |
| <i>Naichi no hito ni ataetaku omou</i> | I wish to give it to the people of the mainland. |

Today, we are opening the door to a new phase to understand the Ainu genuinely and to realize a harmonious society where they can proudly lead their lives as “indigenous people.”

Such sincere efforts would contribute to the formation of a society where individuals respect each other, and where future generations, including the Ainu, may live with hope and pride, even in the midst of the country's difficulties. This endeavor, we believe, would also lead Japan to "occupy an honored place in an international society" (the Preamble of the Constitution of Japan).

Appendix A: The Council's Meetings

| No. | Date | Agenda |
|-------------------------|---------------------|--|
| 1st meeting | August 11, 2008 | <ul style="list-style-type: none"> • Election of the chairman (Dr. Sato) • Overview of Ainu people and UN Declaration • Organization of the future meetings |
| 2nd meeting | September 17, 2008 | <ul style="list-style-type: none"> • Overall schedule of the future meetings • Actual living conditions of Ainu people; evaluation of past Ainu policies <ul style="list-style-type: none"> – Presentations by members Mr. Kato and Ms. Takahashi |
| Site visits in Hokkaido | October 13-15, 2008 | <ul style="list-style-type: none"> • Visit Sapporo, Shiraoi, and Biratori to exchange views with Ainu people and local government officials • Suehiro Elementary School in Chitose |
| Site visits in Tokyo | November 23, 2008 | <ul style="list-style-type: none"> • Visit Ainu Culture Center in Yaesu, Tokyo, to exchange views with Ainu people in the Kanto region |
| 3rd meeting | December 25, 2008 | <ul style="list-style-type: none"> • Major opinions and requests regarding the previous meetings • UN Declaration, indigenous policies abroad, and issues related to the Ainu policy <ul style="list-style-type: none"> – Presentations by members Dr. Ando and Dr. Tsunemoto |
| 4th meeting | January 21, 2009 | <ul style="list-style-type: none"> • Establishment of ethnic harmony with Ainu people as an indigenous people, based on history <ul style="list-style-type: none"> – Presentations by members Dr. Yamauchi and Dr. Sasaki |
| 5th meeting | February 26, 2009 | <ul style="list-style-type: none"> • Presentations by outside experts <ul style="list-style-type: none"> – The Ainu from a physical anthropology perspective, by Dr. Kenichi Shinoda (Senior Curator, National Museum of Nature and Science) – The future of Ainu language learning, by Mr. Hiroshi Nakagawa (Professor, Chiba University) |
| 6th meeting | March 27, 2009 | <ul style="list-style-type: none"> • Review and identification of basic issues |
| 7th meeting | April 24, 2009 | <ul style="list-style-type: none"> • Review and identification of basic issues (cont.) <ul style="list-style-type: none"> – Current situation of Ainu-related measures and the challenges identified from the former discussions – Recommendations for future Ainu policy by member |

| | | |
|-------------------------|----------------|---|
| | | Ms. Takahashi |
| Site visits in Hokkaido | May 8-10, 2009 | <ul style="list-style-type: none"> • Visit Kushiro (Akan-area) and Shiranuka to exchange views with local Ainu people and local government officials |
| 8th meeting | May 29, 2009 | <ul style="list-style-type: none"> • Review and identification of basic issues (cont.) <ul style="list-style-type: none"> – the challenges and measures identified from the former discussions |
| 9th meeting | June 29, 2009 | <ul style="list-style-type: none"> • Final report (draft) |
| 10th meeting | July 29, 2009 | <ul style="list-style-type: none"> • Final report (draft) • Adoption of the final report and submission to the Chief Cabinet Secretary, Mr. Takeo Kawamura |

Appendix B: Members of the Advisory Council

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|------------------------|---|
| ANDO, Nisuke: | Director General, Kyoto Human Rights Research Institute |
| KATO, Tadashi: | Executive Director, the Ainu Association of Hokkaido |
| SASAKI, Toshikazu: | Professor, National Museum of Ethnology, National Institutes for the Humanities |
| SATO, Koji (Chairman): | Professor Emeritus, Kyoto University |
| TAKAHASHI, Harumi: | Governor, Hokkaido Prefecture |
| TSUNEMOTO, Teruki: | Dean, School of Law, Hokkaido University; Director, Hokkaido University Center for Ainu & Indigenous Studies |
| TOYAMA, Atsuko: | President, New National Theatre Foundation |
| YAMAUCHI, Masayuki: | Professor, the University of Tokyo |

(As of July 29, 2009)