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**Submission by the Japan Victims' Association Against Religious Kidnapping
and Forced Conversion to the United Nations Universal Period Review**

Session 14 of the UPR Working Group, 22 October-5 November 2012

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JAPAN

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Summary:

1. The *Japan Victims' Association Against Religious Kidnapping and Forced Conversion* is an independent, nongovernmental organization. It was created on 8 January 2010, and has about 500 members. Its mission is to eradicate the phenomenon of kidnapping, confinement and deprogramming aimed at forcing members of religious communities to renounce their faith; to urge judicial authorities to prosecute the perpetrators of these actions; to provide support for victims; and to raise awareness on this issue in Japan and in the international community.

2. This Submission to the UN Universal Periodical Review thus focuses on the particular human rights violation in Japan of the failure to prevent and prosecute perpetrators of kidnappings of members of minority religions, which is at variance with Japan's international legal commitments to provide equal protection under the law and to protect the freedom of religion.

3. The Submission provides information under sections C and D as stipulated in the *General Guidelines for the Preparation of Information under the Universal Periodic Review*:

Section C contains information about several cases of abduction and deprivation of freedom for the purpose of forcing changes in religious faith, referring briefly to Japan's international legal obligations as a State party to the International Covenant on Civil and Political Rights (ICCPR).

In Section D, the Victims' Association makes certain recommendations to the Japanese government that can help alleviate this problem.

Section C—Promotion and Protection of Human Rights

4. Forced abductions to coerce members of minority religions has been a serious, and yet largely ignored problem in Japan since the 1960s. Victims number in the thousands. Until recently no major international human rights organization has documented the problem, and the US Department of State is the only governmental organization to acknowledge it. Despite victims having lodged many complaints, accompanied by concrete documentation to the police and judicial authorities, and despite rulings in a number of civil suits establishing that victims have suffered damages, not a single criminal case has been brought against the perpetrators.

Abductions since 2009

5. The Victims' Association has documented 21 confirmed and apparent cases of abduction for the purpose of forcing victims to renounce their faith since 2009: four in 2009; nine in 2010; five in 2011; and already three in 2012. Of course, it is highly unlikely that these represent the only such members of minority religions who have been thus victimized in Japan, as many cases do not come to light because of social pressures and negligence on the part of the authorities.

6. Brief accounts of these abductions follow; in some cases, to protect the victims from further abuse, names and initials are withheld.

--H. K., a female member of the Unification Church (born 13 August 1980), was kidnapped by members of her family on 18 August 2009 and confined for two months and five days in an apartment in Kurashiki, Okayama Prefecture. She was subjected to psychological abuse by Pastor Tadaharu Takayama of the Japan Alliance Christ Church, and suffers from severe anxiety following her ordeal.

--Victim 2009-2, a female member of the Unification Church (born 2 November 1979), was abducted on 18 September 2009 for an unknown duration. She subsequently broke off contact with the Unification Church.

--Victim 2009-3, a male member of the Unification Church (born 1982), was abducted in August 2009 for four months. He left the Unification Church following his kidnapping.

--Y.M., a female member of the Unification Church since 1985 (born 30 June 1949), was abducted on 4 October 2009 and confined against her will for six months. She had been confined by her husband and other family members two times previously. During these confinements she was subjected to severe psychological pressure by Christian pastors engaged by her family to force her to give up her faith.

--Victim 2010-1, a female member of the Unification Church (born 2 December 1987), was abducted on 15 January 2010, for an unknown length of time. She subsequently broke off contact with the Unification Church.

--Y.M2, a female member of the Unification Church (born 24 November 1979), was abducted on 7 February 2010, and confined against her will for 5 months and 20 days.

--Victim 2010-3, a male member of the Unification Church (born 3 January 1985), was abducted on 14 June 2010 for one and one-half months. Following his confinement, he broke off contact with the Unification Church.

--Miyuki Kohata, a female member of the Unification Church (born 9 December 1980), was abducted on 12 August 2010 for one month and 24 days. When she was abducted, she screamed for help and local police were made aware of her situation but ignored her request for help. She was subjected to harsh psychological pressure, arranged by her family and Fujio Kaoru, a former Unification Church member who currently belongs to Ogikubo Eiko church. Her fiancé and a lawyer requested the Miyamae Police Department of Kawasaki City to search for her. Her family was summoned on 6 October and she went to the police station with her family. After that she was released.

--Victim 2010-5, a female member of the Unification Church (born 25 January 1983), was abducted on 14 August 2010 and confined for an unknown length of time. Following her abduction she broke off contact with the Unification Church.

--Keiichi Murata, a male member of the Unification Church (born 10 March 1978), was abducted on 12 August 2010 and confined for 80 days by members of his family with no contact to the outside world possible. In a written testimony, he stated: "I expect that people in authorized positions should protect the rights of freedom of religion and faith even if there is a dispute about it among family members."

--Y. M., a female member of the Unification Church (born 19 July 1977), was abducted on 13 September 2010 and confined for one and one-half months. She was subjected to psychological abuse by her father and Pastor Takaaki Inoue of the United Church of Christ, and suffers from severe anxiety following her ordeal.

--Victim 2010-8, a female member of the Unification Church (born 1980), was abducted on 21 November 2010 and confined for 10 days. She subsequently broke off contact with the Unification Church.

--Victim 2010-9, a female member of the Unification Church (born 6 July 1974), was abducted on 14 December 2010 and confined for five months. Following her confinement she broke off contact with the Unification Church.

--Victim 2011-1, a female member of the Unification Church (born 8 June 1978), was abducted on 2 January 2011. She was confined for a period of 24 hours by members of her family and a former teacher, and subjected to harsh psychological pressure by an individual evidently engaged by them to break her faith. She escaped by climbing down an electrical pole from the apartment where she had been held.

--S. S., a female member of the Unification Church (born 29 September 1977), was abducted on 25 February 2011, and confined for a period of 22 days.

--Victim 2011-3, a female member of the Unification Church (born 25 September 1976), was abducted on 19 June 2011, and confined for one month and three

days. Following her confinement, she broke off contact with the Unification Church.

--Victim 2011-4, a female member of the Unification Church (born 18 March 1979), was abducted on 9 July 2011 and confined for about three months. She subsequently broke off contact with the Unification Church.

--Victim 2011-5, a male member of the Unification Church (born 8 February 1979), was abducted around mid-September 2011, and confined for four months. He subsequently broke off contact with the Unification Church.

--N.I., a female member of the Unification Church (born 19 October 1977), was abducted on 3 January 2012. As of this writing, she is still missing.

--Victim 2012-2, a female member of the Unification Church (born 1949), was abducted on 14 January 2011, and confined for 14 days. She subsequently broke off contact with the Unification Church.

--S.K. a male member of the Unification Church (born 26 September 1983) was abducted on 11 March 2012. As of this writing, he is still missing.

The Case of Toru Goto

7. An earlier case bears special examination. Mr. Toru Goto, born 2 November 1963, joined the Unification Church in 1986. Abducted under force and subjected to psychological pressure, starvation and physical abuse, he was confined for a period of 12 years. Eventually he was released, in an emaciated and debilitated state, in a manner that threatened his health and life.

8. In April 2008, Goto submitted a written statement to the Head of the Sugamo Police. In June 2008, he filed a criminal charge against those involved in his confinement.

9. On 9 December 2009, the prosecution decided to waive the indictment of a criminal complaint on the grounds of insufficient evidence. On 23 June 2010, Goto appealed to the Tokyo Committee for the Inquest of Prosecution, with the hope of reopening the criminal case. On 6 October 2010, the appeal was rejected by the Tokyo Committee for the Inquest of Prosecution on the ground that there were too many doubts to judge the case as an attempt of compulsion, capture, confinement and injury.

Violations of International Human Rights Obligations

10. As a State Party to the International Covenant on Civil and Political Rights (ICCPR), Japan is obligated to provide all citizens with equal protection under the law, according to Article 2. Indeed, equality before the law, and the right not to suffer discrimination in the way the law is applied, is a central theme of the Covenant that runs through the protections of all the rights that it guarantees. Apparently because of prejudice against their religion and unwillingness to prosecute crimes committed by family members, victims of often-violent abductions are

suffering from discrimination, while perpetrators are enjoying impunity.

11. The Japanese government is also failing to honor the freedom to choose one's religion, protected by Article 18. In the cases described above, the freedom to choose one's religion has been infringed upon by other citizens. It is the legal responsibility of the Japanese government to uphold its obligations under the Covenant by ensuring that law enforcement and judicial authorities prosecute perpetrators who try to force other citizens to relinquish their faith.

Section D—Recommendations for Action by the State Under Review

12. The Victims' Association respectfully submits the following recommendations, with a request that United Nations member states give them voice before the Japanese government during the Universal Periodic Review:

13. The National Police Agency should establish a training program to inform police about their obligations to investigate domestic violence including abductions for the purpose of forcing others to change their religion. The police should bring in international experts and nongovernmental organizations to assist in the design and implementation of the program.

14. The National Police Agency should facilitate an independent review of relevant cases, from a list derived from information provided by minority religious organizations. Experts, jurists, academics and journalists should be engaged to ensure transparency. Judicial authorities should re-open cases as appropriate.

15. The Japanese Diet should hold public hearings to expose the plight of victims; to educate the public and media; and to clarify issues of police accountability and oversight.

16. The Japanese government should invite the UN Special Rapporteur on Freedom of Religion to investigate and make recommendations to the government on freedom of religion in Japan.