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Japan: The Dissolution of the Unification Church and International Law. 1. A Warning by the United Nations

by Patricia Duval | Mar 2, 2026 | Op-eds Global

Four UN Special Rapporteurs told Japan that dissolving the Family Federation would be against the International Covenant on Civil and Political Rights.

by Patricia Duval*

*Compiled by Keita Ando for "Monthly Seron."

Article 1 of 2.



Nazila Ghanea, UN Special Rapporteur on Freedom of Religion or Belief. Credits.

ON OCTOBER 1, 2025, the Office of the United Nations High Commissioner for Human Rights (OHCHR), headquartered in Geneva, Switzerland, issued a press release concerning the dissolution order against the Family Federation for World Peace and Unification (formerly the Unification Church). The statement amounted to an extremely serious warning to Japan's legal system and judiciary under international human rights law.

The statement was a joint declaration by four United Nations Special Rapporteurs, each possessing the highest level of expertise in their respective fields, including freedom of religion or belief, minority issues, and freedom of association and assembly. Although Japanese media outlets have largely ignored the declaration, its implications are profound and grave.

Who, then, are the United Nations Special Rapporteurs who issued this joint statement? They are independent experts mandated by the United Nations Human Rights Council to carry out specific thematic or country-related responsibilities. These mandates are entrusted to leading scholars and practitioners in their fields—individuals who possess the highest level of specialized knowledge and experience within the international community.

While they are not United Nations officials, Special Rapporteurs function as the "eyes and ears" of the Human Rights Council. They are tasked with monitoring human rights situations in specific countries or on particular themes and must submit annual reports to the Council. Because their assessments are grounded in expert analysis, they are regarded as authoritative.

The Ambiguity of "Public Welfare" and International Law

What, then, was at issue in the joint statement? The Tokyo District Court based its dissolution order against the former Unification Church on Article 81, paragraph 1, item (i) of the Religious Corporations Act, which provides for dissolution when a religious corporation has committed acts "clearly recognized as substantially harming the public welfare."

However, international human rights law does not recognize the concept of

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“public welfare” as a legitimate ground for restricting freedom of religion or belief.

Article 18, paragraph 3 of the International Covenant on Civil and Political Rights (ICCPR) sets out extremely strict conditions under which freedom of religion or belief may be limited. First, any restriction on the “freedom to manifest one’s religion or belief” must be a “limitation prescribed by law.”

Moreover, it is not sufficient that a restriction merely be provided for in law. The law itself must define, in advance, precise and rigorous criteria determining whether it applies—criteria comparable to the constituent elements of a criminal offense.

Even where such a legal basis exists, a restriction on freedom of religion or belief is permissible only if it is necessary to protect one of the following five strictly enumerated grounds:

1. Public safety
2. Public order
3. Public health
4. Morals
5. The fundamental rights and freedoms of others

The Human Rights Committee has emphasized that these limitation clauses must be interpreted strictly. Restrictions based on grounds not explicitly listed in the Covenant are not permitted as limitations on freedom of religion or belief, even if such grounds might be acceptable in relation to other rights.

For example, regarding public health under category (3), a religious group in Ghana that practiced the smoking of cannabis (marijuana) as a form of spiritual discipline once challenged a government ban on cannabis as a violation of freedom of religion. The Human Rights Committee held that, because drugs raise concerns relating to public health, the government was justified in restricting freedom of religion on health grounds.

By contrast, the “public welfare” referred to in Japan’s Religious Corporations Act is distinct from “public safety” in category (1). It is also distinct from “public order” in category (2). “Public order” refers to concrete standards necessary to maintain the functioning, security, and peace of society, including measures to prevent riots or disorderly assemblies and to preserve the basic stability of civic life.

Whether invoked on grounds of public safety or public order, any restriction on freedom of religion must be subjected to strict scrutiny under the principle of proportionality. This includes examining whether the restriction is prescribed by law, whether it is “necessary” to achieve a legitimate aim, whether it constitutes the least restrictive means available, and whether the severity of the restriction is proportionate to the importance of the objective pursued.



British sociologist Eileen Barker played a key role in debunking pseudo-scientific mind control theories.

Mind Control

The civil tort judgments that formed the basis for Japan’s dissolution order rest on the premise that donations and proselytizing activities were carried out through “mental manipulation” or so-called “mind control.” However, the theory of “mental manipulation” itself is fundamentally flawed and entirely unfounded.

The underlying assumption is that individuals who made donations did so of their own free will at the time, but later—after being questioned by liquidators or lawyers—suddenly “awoke” to the realization that they had been mentally manipulated. Yet the very phenomenon of “mental manipulation” cannot be objectively measured in any way.

The unscientific nature of this theory has already been the subject of legal determinations by prominent European courts.

At one time, the Italian Penal Code contained a criminal provision punishing “mental manipulation.” In 1981, however, the Italian Constitutional Court declared this provision unconstitutional. The Court reasoned that in a wide range of human relationships—such as those between teachers and students, governments and citizens, or religious leaders and their followers—it is impossible to measure influence using objective criteria. Because the degree of influence could not be assessed and the constituent elements of the offense were excessively vague, the provision was held to be incompatible with the Constitution.

Similarly, in a case concerning the dissolution of Jehovah’s Witnesses by the Russian government, the European Court of Human Rights rejected the government’s reliance on alleged “mental manipulation.” The Court placed significant weight on the testimony of active members who stated that they had joined the religion of their own free will and concluded that it was not Jehovah’s Witnesses, but rather the Russian government, that had violated freedom of religion.

As these international precedents demonstrate, solicitation of donations and proselytizing activities constitute essential components of the right to manifest religious belief, a right protected under international human rights law.

To clarify the scope of protection afforded to freedom of religion, it is also instructive to recall the 1998 Larissis case, in which the European Court of Human Rights drew a clear line between “protected proselytizing” and “prohibited coercion or abuse of authority.”

In that case, three individuals, including Mr. D. Larissis, an officer in the Greek Air Force, were criminally prosecuted and convicted for proselytizing activities conducted as members of a Pentecostal church. They spoke to others about their faith and encouraged them to convert. They argued that they had merely engaged in religious discussion and that the case should be brought before the European Court of Human Rights, claiming a violation of freedom of religion.

The Court held that activities by religious groups to convey their beliefs to others and to solicit donations are, in principle, matters of individual choice and are protected under international law. However, it also found that restrictions may be justified where there is clear “coercion” or “abuse of authority,” such as the exploitation of an objective relationship of dependence or hierarchy—like that between a military officer and a subordinate—as was present in Mr. Larissis’s case. By contrast, vague concepts such as “mental manipulation” or “mind control,” which cannot be measured by objective criteria, have been categorically rejected by international experts and courts as lacking any legal foundation.

Basing decisions requiring the return of large sums of donations—or ultimately, the dissolution of a religious corporation—on the unscientific notion of “mental manipulation” therefore lacks legitimacy under international law.

Solicitation of donations and proselytizing activities are protected under Article 18, paragraph 1 of the Covenant. The United Nations General Assembly has called upon States to guarantee the “freedom to establish and maintain appropriate charitable or humanitarian institutions” and the “freedom to solicit and receive voluntary financial and other contributions from individuals or institutions.”

[Japan, Religious Liberty, Unification Church](#)



Patricia Duval

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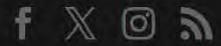


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