

FFWPU Europe and the Middle East: Japan's Gross Human Rights Violation - State Run Faith-Breaking

John Milton
November 13, 2024



Four of the [4,300 Japanese members](#) of the [Family Federation](#) who became victims of state-permitted kidnapping, forcible detention and attempted deprogramming. Here at a conference in Tokyo 10th September 2023. Hirohisa Koide is second from left



Patricia Duval, French attorney and expert on international human rights law. She has defended the rights of minorities of religion or belief in domestic and international fora, and before international institutions such as the European Court of Human Rights, the Council of Europe, the Organization for Security and Co-operation in Europe, the European Union, and the United Nations. She has also published numerous scholarly articles on freedom of religion or belief

Huge rights violation looming as Japan passes laws and initiates projects to prepare the ground for state-governed faith-breaking against religious minority with 600,000 followers

**BITTER
WINTER**

Patricia Duval, French attorney specialised in international human rights law, sent on 22nd September 2024, a 29-page report titled "Japan: A Witch Hunt to Eradicate the [Unification Church](#)" to several UN offices. [Bitter Winter](#), the leading international magazine on religious freedom and human rights published 3 days later, on 25th September, an [executive summary](#) of the report. The day after, the magazine started publishing a 5-part series where Duval gives a more detailed description of the content.

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Text: John Milton

Japan passes new laws and initiates programs to prepare for large-scale state-organized faith-breaking against religious minority with more than half a million followers

State-organized faith-breaking: A new anti-religious strategy in Japan

Japan has recently implemented a legal framework and counseling initiatives, which are widely considered as part of a strategy to put an end to the large religious minority the [Family Federation](#). While

the measures taken by the Japanese authorities have been introduced as support for victims, the course of action chosen instead risk perpetuating a cycle of government-supported coercion used against believers under the guise of assistance.



Japan on course to violate the fundamental rights of individuals to practice their religion freely. Here member of [Family Federation](#) in praye

This approach threatens the fundamental rights of individuals to practice their religion freely and undermines the rights of parents to raise their children according to their beliefs. As Japan navigates this complex landscape, it must definitely consider its obligations to international human rights treaties to ensure that its actions do not infringe upon the rights of its citizens.

Indeed, Japan's recent legal and social initiatives targeting new religious movements, particularly the [Family Federation](#), do raise significant human rights concerns. Following a history of scandals involving illegal abductions for "[faith-breaking](#)" purposes, the Japanese government appears to be pursuing a new strategy, which may still seriously infringe on individual rights under the guise of providing support.

Legislative background



Japan violates international treaties it has ratified, such as the [International Covenant on Civil and Political Rights \(ICCPR\)](#)

Article 18.2 of the [International Covenant on Civil and Political Rights \(ICCPR\)](#) states,

"No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice."

This principle prohibits not only physical coercion but also psychological pressure, which can manifest in mandatory counseling sessions aimed at dissuading individuals from their faith.

On 18th January 2024, the Japanese newspaper Nikkei Shinbun reported on a Cabinet meeting focused on "Supporting the Victims of the Former [Unification Church](#)". During this conference, a support plan was finalized, building upon the [Special Measures Law](#) enacted in December 2023 (Law 89). This new framework outlines measures

intended to assist victims. Instead, those measures target the [Family Federation](#) in a very specific manner.

The support plan

The "relief measures" are designed to provide "counseling" specifically aimed at individuals labeled as "victims" or "potential victims", including children of [Family Federation](#) members. This plan entails the involvement of former members of the [religious minority](#) who serve as instructors to government counselors. The idea is that these former followers can provide valuable insights based on their experiences to aid in the counseling process.



From the "SOS Mini Letter." One example of abuse is "Because of my parents' religion I cannot participate in sport events."

According to government announcements, this program intends to make children and young people from second-generation believers aware of perceived manipulation by their religious organization. The government's plan includes expanding the number of counselors in schools and establishing "Human Rights Classes" aimed at educating children about their rights, allegedly

to help them escape from perceived religious coercion.

One notable aspect is the distribution of a "Children's Human Rights SOS Mini Letter" to students, which is designed to enable children to discreetly reach out for help. The troubling implication is that this initiative could incite children to seek state intervention, potentially leading to them being removed from their families and their religious upbringing.

Implications for families and religious freedom

These measures can be seen as a form of institutionalized "[faith-breaking](#)", where the state actively encourages children to renounce their parents' faith. This approach infringes not only on the individual rights of these children but also violates the rights of their parents to educate them in accordance with their own beliefs. Article 18.4 of the [ICCPR](#) states,

"States Parties undertake to have respect for the liberty of parents [...] to ensure the religious and moral education of their children in conformity with their own convictions."

Similarly, Article 14.1 of the Convention on the Rights of the Child affirms the right of the child to freedom of thought, conscience, and religion.



Moreover, the Japanese government's plan undermines the essence of parental authority and could lead to further family breakdowns. The focus on [faith-breaking](#) highlights an alarming trend where the state intervenes in deeply personal and familial matters, particularly in the context of religious beliefs.

Patricia Duval writes in her report to the UN,

The plan tailor-made by the Government for the [Unification Church](#) [Editor's note: Now called the [Family Federation](#)] also includes that the Children and Families Agency

should provide support at child guidance centers, "based on the '[Q and A regarding responses to child abuse related to religious beliefs](#).'"

The [Q and A](#) they refer to are the Guidelines on child abuse related to religious beliefs, published on 27 December 2022 by the Ministry of Health, Labor, and Welfare.

We refer here to the [report made by the Jehovah's Witnesses](#) on those Guidelines and the [Special Rapporteurs' letter](#) to the Japanese Government expressing their concerns on the matter.

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Right To Spiritual Self-Determination Denied

• November 11, 2024 • Knut Holdhus

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French human rights expert reveals in report to UN how members of religious minority in Japan are being denied their spiritual self-determination



Patricia Duval, French attorney and expert on international human rights law. She has defended the rights of minorities of religion or belief in domestic and international forums.

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Text: John Milton / Knut Holdhus

Japan's new laws implicitly support families who reject a member's religious conversion, effectively denying the individual's right to spiritual self-determination

In her recent report to the UN, Patricia Duval describes an alarming aspect of new laws passed in Japan that **clearly violate "the right of Japanese citizens to freedom to adopt a new religion or belief"**. Japan's recent legislation aimed at the [Family Federation](#) allows families of members to **claim damages based on the concept of "undue influence"**, framing family estrangements linked to religious conversion as civil wrongs that make potential claimants suffer harm or loss. Critics argue that this move infringes upon individual rights to religious freedom, raising ethical and legal concerns about Japan's approach to religious expression.



Still free to adopt a new religion. Illustration: Microsoft Designer Image Creator, 11th November 2024

Family rights over donations and estrangement claims

Under the new law, **families of Family Federation adherents can rescind donations made by relatives, asserting that undue influence was involved**. Families who believe their kin were pressured into donating can contest these donations, even if the donors themselves have not objected. If a family suspects that a religious conversion influenced their kin's behavior or financial decisions, they can contest donations made to the [Family Federation](#) and potentially sue for damages due to family estrangement.

A network of activist leftwing lawyers in Japan hostile to the [Family Federation](#) asserts that these provisions allow family members to claim damages, alleging that the [Family Federation](#) has caused family break-ups. This presumption is that [Family Federation](#) practices have negatively impacted familial harmony, warranting compensation. However, this interpretation has garnered criticism from scholars and advocates of religious freedom, who argue it ignores individual autonomy and fails to account for the diverse causes of family disputes.

International precedents on religious freedom and family disputes

In a similar case, the *European Court of Human Rights* (ECHR) addressed **accusations from the Russian government against the Jehovah's Witnesses, claiming the group's practices led to family break-ups**. The ECHR's 2010 decision in "Jehovah's Witnesses of Moscow v. Russia" **ruled against this notion**, noting that **personal dedication to religious beliefs, if freely chosen, cannot be blamed for family conflict**. The court stated,



A logo of the European Court of Human Rights (ECHR). Photo: ECHR. Public domain image. Cropped

"As long as self-dedication to religious matters is the product of the believer's independent and free decision [...] the ensuing

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the believer's independent and free decision [...], the ensuing estrangement cannot be taken to mean that the religion caused the break-up in the family" (§111).

This ruling highlights that family conflicts are complex and can arise from both sides' unwillingness to compromise. It underscores the need for governments to respect individuals' rights to freely choose their beliefs without automatically assigning blame to religious organizations for family disputes.

Japan's stance on religious conversion and individual autonomy



Forcibly detained for 12 years in an attempt to break his faith, but not allowed by authorities to press criminal charges: Toru Goto (後藤徹), here in 2008 barely able to move after being held in forcible detention by faith-breakers for more than 12 years. Photo: [Japanese Victims' Association against Religious Kidnapping and Forced Conversion](#)

Critics emphasize the **troubling implications for personal autonomy**. By enabling families to claim damages for religious conversions they deem harmful, **Japan questions the ability of adult citizens to make independent spiritual choices**. Reports of forcible faith-breaking practices in Japan, where families detain [Family Federation](#) adherents to coerce them into renouncing their beliefs, complicate this issue.

Despite the controversy surrounding such practices, Japan's new law implicitly supports families who reject a member's religious conversion, **effectively denying the individual's right to spiritual self-determination**. This legal stance challenges the freedom of religious expression protected under international agreements like the *International Covenant on Civil and Political Rights* (ICCPR), to which Japan is a signatory. Under these frameworks, citizens retain the **right to choose and manifest religious beliefs without fear of reprisal or interference**.

Potential consequences of Japan's

approach

If implemented broadly, Japan's legal measures could set a **worrying precedent**, encouraging similar actions in other countries where governments may seek to curtail minority religious practices. Advocates argue that these policies threaten not only religious freedom but also social harmony by perpetuating divisions within families and placing undue scrutiny on religious minorities.

Japan's current approach positions the state as an arbiter in religious disputes, questioning the legitimacy of new religious movements. As international eyes turn to Japan, the outcome of these policies will be closely watched, as they carry potential implications for freedom of belief in other democratic societies worldwide.

Featured image above: From a [Family Federation](#) information stand in Oslo, Norway 16th July 2016. Photo: [FFWPU](#)

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