

JAPAN 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion and prohibits religious organizations from exercising any political authority or receiving privileges from the state. Falun Gong members continued to report difficulty in renting performance spaces, which they attributed to People's Republic of China (PRC) embassy interference. Japan Uyghur Association (JUA) Honorary Chairman and World Uyghur Congress Representative for East Asia and the Pacific Ilham Mahmut reported concern regarding potential bias against Uyghur Muslims applying for refugee status at government immigration centers, as well as continued intimidation by PRC officials. The Ministry of Justice (MOJ) reported that in 2019 (latest statistics available), its human rights division received 224 inquiries related to potential religious freedom violations, compared with 164 in 2018, and confirmed seven cases, compared with eight in 2018, as highly likely to be religious freedom violations. The country continued to have a low rate of approval of refugee applications, a policy the UN High Commissioner for Refugees (UNHCR) and nongovernmental organizations (NGOs) criticized. In 2019 (latest statistics available), the government granted refugee status, based on the UN Convention relating to the Status of Refugees and its protocol, to four applicants who had a well-founded fear of being persecuted for religious reasons, compared with two in 2018.

The Beppu Muslim Association faced opposition from some residents in response to its plan to build an Islamic cemetery on land that it owns in Hiji Town, Oita Prefecture.

In meetings with the Ministry of Foreign Affairs and while participating in a symposium attended by lawmakers, U.S. embassy officials encouraged the government to continue to work with the United States to protect Muslims originating from China and from other countries that restrict religious freedom. Embassy officials also engaged with faith-based groups and religious minority leaders and their supporters to promote religious freedom and acceptance of diversity. The embassy used its social media platforms to highlight the importance of religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 125.5 million (midyear 2020 estimate). A report by the Agency for Cultural Affairs (ACA) indicates that membership in religious groups totaled 183 million as of December 31, 2019. This number, substantially more than the country's population, reflects many citizens' affiliation with multiple religions. For example, it is common for followers of Buddhism to participate in religious ceremonies and events of other religions, such as Shinto, and vice versa. According to the ACA, the definition of follower and the method of counting followers vary with each religious organization. Religious affiliation includes 88.9 million Shinto followers (48.6 percent), 84.8 million Buddhists (46.3 percent), 1.9 million Christians (1 percent), and 7.4 million adherents of other religious groups (4 percent). The category of "other" and nonregistered religious groups includes Islam, the Baha'i Faith, Hinduism, and Judaism. The indigenous Ainu people mainly practice an animist faith and mostly reside in the northern part of Honshu, in Hokkaido, and in smaller numbers in Tokyo.

Most immigrants and foreign workers practice religions other than Buddhism or Shinto, according to an NGO in close contact with foreign workers. A scholar estimates as of 2018, there are 157,000 non-Japanese Muslims and 43,000 Japanese Muslims in the country, an increase of nearly 60,000 from previous estimates from 2013. He attributed the increase to more non-Japanese Muslims holding permanent residency, marriages between non-Japanese Muslims and Japanese converts to Islam, and their children. Most of the approximately 350 Rohingya Muslims in the country live in Gunma Prefecture, north of Tokyo, with some of them residing in Saitama, Chiba, and Tokyo, according to Burmese Rohingya Association in Japan (BRAJ) President Zaw Min Htut. Ilham Mahmut, the JUA honorary chairman and World Uyghur Congress Representative for East Asia and the Pacific, said most of the 2,000 to 3,000 Uyghur Muslims in the country reside in Tokyo or its surrounding prefectures of Chiba, Saitama, and Kanagawa. The total Jewish population is approximately 3,000 to 4,000, according to a long-term Jewish resident.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees freedom of religion and requires the state to refrain from religious education or any other religious activity. It prohibits religious organizations from exercising any political authority or receiving privileges from

the state. It states that the people shall not abuse their rights and shall be responsible to use their rights for the public welfare.

The government does not require religious groups to register or apply for certification, but certified religious groups with corporate status do not have to pay income tax on donations and religious offerings used as part of their operational and maintenance expenses. The government requires religious groups applying for corporate status to prove they have a physical space for worship and their primary purpose is disseminating religious teachings, conducting religious ceremonies, and educating and nurturing believers. An applicant must present in writing a three-year record of activities as a religious organization, a list of members and religious teachers, the rules of the organization, information on the method of making decisions on managing assets, statements of income and expenses for the past three years, and a list of assets. The law stipulates that prefectural governors have jurisdiction over groups seeking corporate status in their respective prefecture, and that groups must apply for registration with prefectural governments. Exceptions are granted for groups with offices in multiple prefectures, which may register with the Ministry of Education, Culture, Sports, Science, and Technology (MEXT). After the MEXT minister or a prefectural governor confirms an applicant meets the legal definition of a certified religious group with corporate status, the law requires the applicant to formulate administrative rules pertaining to its purpose, core personnel, and financial affairs. Applicants become religious corporations after the MEXT minister or governor approves their application and they register.

The law requires certified religious corporations to disclose their assets, income, and expenditures to the government. The law also authorizes the government to investigate possible violations of regulations governing for-profit activities. Authorities have the right to suspend a religious corporation's for-profit activities for up to one year if the group violates the regulations.

The law stipulates that worship and religious rituals performed by inmates in penal institutions, alone or in a group, shall not be prohibited. To support the law and the constitutional right to religious freedom, the Ministry of Justice offers inmates access to volunteer chaplains from various faiths in prisons.

The law states that schools established by the national and local governments must refrain from religious education or other activities in support of a specific religion. Private schools are permitted to teach specific religions. The law also states that an attitude of religious tolerance and general knowledge regarding religion and its position in social life should be valued in education. Both public and private

schools must develop curricula in line with MEXT standards. These standards are based on the law, which states that schools should give careful consideration when teaching religion in general to junior high and high school students.

Labor law states a person may not be disqualified from union membership on the basis of religion.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

According to the president of the Japanese Falun Dafa Association, Shen Yun Performing Arts (Falun Dafa's performance company) continued to encounter intimidation tactics by the PRC embassy in Tokyo. During a performance in Fuchu City, Tokyo, in January, police prevented PRC embassy interference with the performance. The government continued to grant status to Chinese nationals self-identifying as Falun Gong practitioners, allowing them to remain in the country, while also allowing overseas artists, many of whom were Falun Gong devotees, to enter the country in conjunction with performances held in January and February prior to the COVID-19 outbreak.

According to the JUA honorary chairman, the government generally showed willingness to protect Uyghur Muslims in the country. However, he expressed concern regarding potential bias against Uyghur Muslims applying for refugee status at government immigration centers. He said there were cases in which Uyghur Muslims' applications for refugee status were initially rejected by administrative staff, potentially due to the applicants' ethnicity. In such cases, the applications were later accepted after further review by officials.

According to footage broadcast by a national television station, a man claiming to be a PRC national security official contacted a JUA executive member in May through his brother in China. The alleged PRC official demanded that the JUA member disclose the identities of other JUA members and the association's activities. In exchange for the JUA member's cooperation, the PRC would guarantee the safety of his family in China and issue him documents necessary to apply for Japanese citizenship, the alleged PRC official told him. The JUA honorary chairman also said the PRC embassy's opaque criteria for issuing passport renewals sparked mutual distrust among Uyghur Muslims in Japan. The PRC embassy's failure to provide an explanation for its rejection of some passport

renewals led Uyghurs to suspect covert ties with the PRC government of any successful Uyghur applicant, he said.

On November 27, in civil proceedings, the Hiroshima High Court found five individuals guilty of the kidnapping and confinement of a married couple for the purpose of forcibly converting them away from their religion. In 2014, Koji and Yuko Seo were kidnapped and held for several days by family members attempting to force them to leave the Family Federation for World Peace and Unification (Unification Church). The court ordered those found guilty to pay 610,000 yen (\$5,900) in damages to the husband and 1.11 million yen (\$10,800) to the wife.

In August, a district court ruled that the remains of six Ainu that were exhumed by academics in 1888 and 1965 for research purposes, as well as other burial accessories that also were unearthed, must be returned to the Rapallo Ainu Nation. The association representing the Ainu filed a lawsuit seeking the return of their ancestors' remains, as well as 500,000 yen (\$4,900) in damages, stating this had prevented them from holding a memorial service and violated their constitutional right to freedom of religion.

JAORO said the government excluded religious groups with corporate status from eligibility for a government stipend designed to assist groups that were economically affected as a result of the COVID-19 outbreak, despite the stipend's being designed for all groups certified by law, which included religious groups with corporate status. JAORO called the government's decision unequal. The government said that its decision was based on the constitutional separation of religion and state.

According to JAORO, a decline in donations to religious groups stemming from COVID-19 adversely affected the survival of some religious groups and the sustainability of their religious activities. In response, JAORO approached the government and ruling political parties for a tax reduction, exemption, or filing extension while providing JAORO member religious groups with relevant information. In April, the government implemented tax break measures for religious groups with corporate status.

The MOJ's Human Rights Bureau continued to operate its hotline for human rights inquiries available in six different foreign languages – English, Chinese, Korean, Tagalog, Portuguese, and Vietnamese. In May, the MOJ reported that in 2019 (latest statistics available), its human rights division received 224 inquiries related to potential religious freedom violations, compared with 164 in 2018. It confirmed

seven cases (compared with eight in 2018) as highly likely to be religious freedom violations, out of 16,481 suspected human rights violations in a variety of different types. The MOJ assisted the potential victims in all seven cases by mediating between the parties, calling on human rights violators to rectify their behavior, or referring the complainants to competent authorities for legal advice. These MOJ measures, however, were not legally binding.

According to the ACA, central and prefectural governments had certified 180,433 groups as religious groups with corporate status as of the end of 2019. The large number reflected local units of religious groups registering separately. The government generally certified corporate status for religious groups when they met the requirements.

According to the MOJ, penal institutions gave inmates access to 9,311 collective and 6,290 individual religious ritual activities, including worship and counseling sessions by civil volunteer chaplains in 2019, the most recent year for which figures were available. An estimated 1,625 volunteer chaplains were available to prisoners in 2019, according to the MOJ.

NGOs and UNHCR continued to express concern regarding the government's low rate of approval of refugee applications (44 out of 10,375 in 2019). According to the MOJ, the ministry granted refugee status, based on the UN Convention relating to the Status of Refugees and its protocol, to four applicants who had a well-founded fear of being persecuted for religious reasons in 2019 (latest statistics available), compared with two in 2018. Civil society and legal groups expressed concern regarding restrictive screening procedures that led applicants to voluntarily withdraw their applications and accept deportation, specifically stating that the government's interpretation of "fear of persecution" used when adjudicating refugee claims was overly restrictive. In the one case that the MOJ published, the MOJ determined that the applicant had a well-founded fear of being persecuted in her home country by an antigovernment, faith-based extremist group because she promoted women's rights and education for girls. The extremist group threatened to kill her, claiming that her women's empowerment activities were against its religious beliefs. The MOJ also concluded that her home-country government would be unable to protect her if she were repatriated.

The government continued to grant special permits to stay on humanitarian grounds, or temporary stay visas, to most of the approximately 350 Rohingya Muslims who had entered the country on the basis of ethnic and religious persecution in Burma. The majority of those individuals had resided in the country

for more than 10 years – some for more than 20 years. Of the approximately 350 Rohingya Muslims in the country, the government granted refugee status to 18, but none since 2015, according to BRAJ President Zaw Min Htut. The BRAJ president also said another 18 additional undocumented Rohingya Muslims were not associated with any formal resettlement program, were prohibited from obtaining employment, and faced hardships, including lack of health care. Their children born in Japan remained stateless. The remaining Rohingya Muslims in the country were legally permitted to reside on humanitarian grounds, which allowed them to be employed and required regular renewal of their status by regional immigration offices. No Rohingya Muslims from Burma were deported during the year.

According to the JUA, the government has granted residential status or citizenship through naturalization to approximately 800 Uyghur Muslims from China out of a total population of 2,000-3,000, most of whom came to Japan initially to study. The government did not deport any Uyghur Muslims during the year. Although the government did not grant refugee status to any of the 10 who applied in 2017 on the basis of ethnic or religious persecution in China as of the end of the year, the government continued to grant other types of residential status to Uyghur Muslims, according to the JUA honorary chairman. NGOs and UNHCR reported a low rate of approval of refugee status. Civil society groups also reported that it takes an average of three years for an applicant to be recognized as a refugee, and some cases involving multiple appeals have lasted 10 years.

Section III. Status of Societal Respect for Religious Freedom

Muslim communities continued to report on the societal religious tolerance of their faith. The number of mosques grew to 105, according to a scholar. Several media outlets, however, reported that local communities were reluctant to have Islamic cemeteries in their neighborhoods, since local residents were concerned that the Muslim tradition of burying a body could contaminate soil and water. Due to this concern, the Beppu Muslim Association faced opposition from some residents to its plan submitted to local authorities in 2019 for a permit to build an Islamic cemetery on land that it owns in Hiji Town, Oita Prefecture. On December 4, the Hiji Town Assembly adopted a petition with approximately 100 residents' signatures objecting to the association's plan to construct a cemetery, the press reported. Hiji's mayor had the final authority in determining whether the town would grant permission to establish a cemetery by municipal decree, according to the press. The mayor had not made a decision as of the end of the year.

Section IV. U.S. Government Policy and Engagement

In meetings with the Ministry of Foreign Affairs and while participating in a symposium attended by lawmakers, embassy officials encouraged the government to continue to work with the United States to protect Muslims originating from China and from other countries that restrict religious freedom.

The embassy continued to use its social media platforms to highlight the importance of religious freedom. A story published in December 2019, “Japanese Manga Comic Tells Story of Uyghur Oppression,” received more than 21,500 page views in January, approximately 17 times higher than the next most popular article that month. It remained highly popular throughout the year, often far outpacing other articles.

In conversations and meetings with JAORO, as well as with leaders of religious groups and other minority organizations, including those of Rohingya and Uyghur Muslims, the Jewish and Falun Gong communities, and foreign workers, embassy officials underscored the priority the United States placed on respect for religious freedom, discussed issues faced by these communities, and advised them on their efforts to reach out to the government.