

# **JAPAN 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution provides for freedom of religion for all and prohibits religious organizations from exercising any political authority or receiving privileges from the state. The government granted protective status to some religious adherents claiming persecution in their native countries, including members of the Muslim Rohingya community from Burma and Falun Gong practitioners from China.

The Supreme Court upheld a lower court decision awarding damages to a Family Federation for World Peace and Unification (FFWPU, formerly the Unification Church) member from family members who had restrained him for more than 12 years in an effort to persuade him to change his religion. Muslim organizations and mosques reportedly received harassing phone calls after the killing of Japanese citizens by Da'esh (Islamic State in Iraq and the Levant) in January.

U.S. embassy and consulate representatives, including the Ambassador, engaged with faith-based groups and religious leaders in an effort to monitor the status of religious freedom and to promote tolerance and acceptance. Embassy representatives spoke with a variety of religious minorities reporting concerns, including the FFWPU and Falun Gong practitioners.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 126.9 million (July 2015 estimate). A 2013 report by the government's Agency for Cultural Affairs (ACA) indicates that membership in religious groups totaled 197 million. 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. Also, the definition of follower and the method of counting followers varies with each religious organization, according to the ACA report. Religious affiliation includes 91 million Shinto followers (48 percent), 86.9 million Buddhists (45 percent), and 2.9 million Christians (2.3 percent), while nine million followed other religions. The category of "other" and nonregistered religious groups includes Islam, the Bahai Faith, Hinduism, and Judaism.

The indigenous Ainu people mainly practice an animist faith and are concentrated in northern Honshu and Hokkaido with smaller numbers in Tokyo. Most

## **JAPAN**

immigrants and foreign workers practice religions other than traditional Buddhism or Shinto, according to a nongovernmental organization (NGO) in close contact with foreign workers.

### **Section II. Status of Government Respect for Religious Freedom**

#### **Legal Framework**

The constitution guarantees freedom of religion to all, and requires the state to refrain from religious education or any other religious activity. It states that the people shall not abuse these rights and shall be responsible to use these 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 receive tax benefits. The law enables the minister of education, culture, sports, science, and technology or any prefectural governor to examine whether applicants for corporate status fulfill certain requirements in order to conduct ceremonies, educate and nurture believers, and keep an establishment for worship.

The law provides the government with some authority to supervise certified religious groups. The law requires certified religious groups to disclose their assets to the government and empowers the government to investigate possible violations of regulations governing for-profit activities. Authorities have the right to suspend a religious group's for-profit activities if the group violates these regulations.

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. 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.

The law stipulates that worship performed by an inmate alone in penal institutions shall not be prohibited in principle. Labor law states that a person may not be disqualified from union membership on the basis of religion.

#### **Government Practices**

According to the ACA, approximately 181,500 religious groups have been certified as religious groups with corporate status by the central government and

## JAPAN

prefectural governments. The large number reflected local units of religious groups registering separately.

The government granted temporary humanitarian protective status to Chinese nationals who were Falun Gong practitioners, according to the Falun Gong Society of Japan. The temporary humanitarian status allowed Falun Gong adherents to remain in the country and to travel overseas using travel documents issued by the government.

The government issued temporary stay visas to Muslims who came to the country saying they faced ethnic and religious persecution in Burma. Most of these individuals have resided in Japan more than five years, and some for more than 15 years. Some reportedly entered the country illegally and were not associated with any formal resettlement program. The temporary visas required frequent renewal. While temporary status carries some legal risk of deportation, no Rohingya Muslims from Burma were deported during the year. Representatives of the Rohingya population said the government was reluctant to grant refugee status to Rohingya fearing religious persecution in Burma. One family of three Rohingya refugees from Malaysia resettled in Japan during the year and about 20 Rohingya refugee seekers were still undocumented or unrecognized as refugees.

On October 8, the Tokyo District Court ruled that a salary reduction in 2010 imposed on a Christian former primary school teacher for refusing an official order to play the national anthem on the piano at a school ceremony was unwarranted because her refusal was rooted in her Christian faith. The court did not rule the school's action to be unconstitutional, however. The former teacher filed suit in 2013, stating the school's action was a violation of constitutional religious freedom and requesting that the salary reduction imposed on her by the Tokyo Prefectural Government for her refusal to follow the order be rescinded. According to the attorney group for the plaintiff, she stated the national anthem represented Shinto, which was contrary to her faith. The defendant stated playing the national anthem at a ceremony did not have religious connotations and that the teacher's failure to fulfill the order violated the legal code of conduct of a local civil servant. The Tokyo Prefectural Government appealed the district court's ruling to a higher court.

In May the Ministry of Justice (MOJ) reported that in 2014, its human rights group received 340 inquiries related to religious freedom violations, confirmed 42 cases

## JAPAN

as highly likely religious freedom violations, and assisted potential victims in 20 cases, including by referring them to competent authorities for legal advice.

Penal institutions gave inmates access to 8,814 group and 7,614 individual religious observances and/or counseling sessions by civil volunteer chaplains in 2013, the MOJ reported. There were 1,862 volunteer chaplains from Shinto, Buddhist, Christian, and other religious groups available to prisoners as of January, according to the National League of Chaplains, a public interest incorporated foundation that trains chaplains.

### **Section III. Status of Societal Respect for Religious Freedom**

A FFWPU member filed a civil damages suit against his family members for restraining him for more than 12 years in an effort to persuade him to change his religion. The FFWPU stated the Supreme Court dismissed the defendants' appeal on September 29, sustaining the Tokyo High Court's November 2014 verdict. The decision required the defendants to pay a total of 22 million yen (\$183,000) in compensation.

The press reported Muslim organizations and mosques received harassing phone calls in the aftermath of the killing of Japanese citizens by Da'esh in January. The National Police Agency directed local police offices nationwide to boost security for Muslim facilities and safeguard Muslims from harassment or illegal conduct directed at them.

According to the FFWPU, the Fukuoka High Court ordered a national university to pay a member of FFWPU and the member's parents' compensation for violating their religious freedom because a faculty member made derogatory comments about their faith. The plaintiffs appealed the verdict to the Supreme Court in April, stating the Fukuoka High Court did not recognize a violation of the separation between government and religion. As of the end of the year, the Supreme Court had not yet ruled.

On April 9-10, the Japanese Committee of the World Conference on Religion and Peace and the Muslim World League based in Mecca, Saudi Arabia, jointly hosted dialogues in Tokyo at which approximately 300 Muslims and Japanese religious practitioners discussed the importance of interfaith coexistence, cooperation, and shared visions for peace, according to the organizers.

## JAPAN

On February 15, an interfaith organization held a marathon relay race that included Buddhist, Shinto, and Muslim adherents in Kyoto Prefecture, with approximately 40 participants appealing for religious tolerance and world peace, according to the host and *Bukkyo (Buddhist) Times*.

In August, Tendai Buddhists on Mount Hiei in Shiga Prefecture hosted the 27th annual Religious Summit Meeting, an interfaith prayer event to promote world peace. Approximately 1,100 Buddhist, Christian, and Shinto practitioners from around the world gathered to support world peace through interfaith cooperation, according to the organizers and participants.

Members of the Islamic Center continued to speak at churches and participated in interfaith peace prayers with Christian, Jewish, and Buddhist groups.

### Section IV. U.S. Government Policy

The U.S. embassy and consulates informed the government, including law enforcement officials, of the U.S. government's positions on the promotion of respect for religious freedom. Embassy officers closely monitored the status of religious freedom, and conducted outreach to minority religious groups, including the FFWPU and Falun Gong practitioners, as well as outreach to NGOs.

The Ambassador met with a representative of the Simon Wiesenthal Center to learn about the center's efforts to counter worldwide anti-Semitism and protect human rights in country, including its cooperation with Soka Gakkai, a religious movement rooted in Buddhism.

On March 5, officers from the U.S. Consulate in Fukuoka visited the Fukuoka Masjid, the only standalone mosque west of Hiroshima. The mosque's imam told consulate staff the mosque enjoyed good ties with Fukuoka City, including collaboration on developing a "Muslim-friendly map" for tourists and regular coordination with local police. He said the mosque engaged with Buddhist temples and a local Catholic school.

Embassy officers met with representatives of the Rohingya population in Japan to discuss the needs of Rohingya who have sought refugee status in Japan and U.S. promotion of respect for religious freedom. Embassy officers also met with Jewish community leaders to learn more about the community's outreach efforts to promote tolerance in Japan. Officers from the Consulate General in Sapporo

**JAPAN**

separately met with the Soka Gakkai community and Shinto priests from the Hokkaido Jingu shrine to discuss U.S. positions on respect for religious freedom.