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## **Abduction and confinement of a couple for forceful change of religion: Criminal charges brought against a pastor of Kobe City, et al.**

By Willy Fautré, Human Rights Without Frontiers

HRWF (17.11.2014) - On 7<sup>th</sup> November, a couple living in Hiroshima City, who are members of the Unification Church, submitted a criminal charge to the West Hiroshima Police Station against a pastor from Kobe City and others for being abducted, confined and subjected to attempted forcible conversion for six days, from July 26 - 31, 2014. According to the charges, on July 26<sup>th</sup>, the husband (age 43) was forced to ride in a van by his family members, who said they were going to visit a relative at a hospital. The van was driven by a man unknown to him, and he was taken to a room in an apartment located in Osaka City, Yodogawa Ward and confined there.

Next, his wife (age 40), was invited to her parents' home in Hiroshima City with their 8-year old daughter and 3-year old son. Her family members suddenly pounced on her, bound her arms and feet and put her in a sleeping bag. They tied up the sleeping bag, confined her in a van and then locked up in a room in the apartment where her husband was also confined whilst being separated from their two children. The front door to the apartment unit was locked multiple times with two kinds of padlocks and some chains. The crescent locks on the windows leading to the veranda of the rooms were fixed with wires so that they could not be opened or closed. Inside the apartment, their family

members kept guard over the couple. Furthermore, a woman unknown to them who was not a family member, kept the keys to the padlocks of the front door and wore them around her neck. The couple was placed under strict confinement, in which no one could freely leave the rooms without permission from this woman.

From then on, Pastor Mamoru Takazawa of the Christian Kobe Truth Church and others visited them. Every day, they criticized and slandered the Unification Church, demanding that the couple leave the Church. The couple who were forcibly abducted and confined, went through a painful experience while being separated from their two young children.

Around 1:00 am on July 31<sup>st</sup>, the wife was able to use the mobile phone of one of those confining them, to call the police. The couple were finally freed by police officers who hurried to the scene. They were able to safely see their two children who were at their relatives', later that afternoon.

The abduction confinement and forcible conversion was led by Pastor Takazawa and others. The couple proposed that if their families would settle out of court, they would not press charges against them, but only against against Pastor Takazawa and his group. The three main requests of the couple were, that the perpetrators would admit the facts related to this case, provide facts and evidence without suppressing them, and to never repeat such acts in the future. However, as the family did not concede to the requests, the couple brought charges against to all perpetrators including the family members.

Pastor Mamoru Takazawa has been involved with several hundreds of cases of vicious forcible conversion in the past. In one case, a Unification Church male member who was confined in an upper floor of an apartment fell from the veranda in an attempt to escape, and was seriously injured. Pastor Takazawa has lost two civil cases, and two other criminal charges have been made against him. However, both criminal cases were dropped, due to suspension of the prosecution. The couple claims that he went ahead with this case, presuming that he could get away with his actions again.

A famous case is the one of Toru Goto, who was abducted, confined for more than 12 years and submitted all this time **to recantation sessions by 'deprogrammers'**.

On 13<sup>th</sup> November 2014, the Tokyo High Court issued a ruling ordering five people (three close relatives of Toru Goto, an Evangelical pastor and another person) to pay damages to a victim of abduction and attempts of forceful religious de-conversion in confinement conditions from September 1995 to February 2008.

The first three trial defendants - his brother, sister-in-law and younger sister - were ordered to pay a total amount of 22 million yen.

The first trial **defendant, a professional 'deprogrammer', Mr. Takashi Miyamura, was ordered to pay 11 million yen.**

Pastor Yasutomo Matsunaga of the Niitsu Evangelical Christian Church (Niigata City) was ordered to pay 4.4 million yen. It was indeed determined that he not only gave 'tacit consent' and 'encouragement' to Mr. Goto's family's unlawful actions, but he 'aided and abetted in restricting his freedom and persuading him to change his religion.'

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## **A landmark court decision: Kidnappers and deprogrammers to pay dozens of million yen for attempted forceful change of religion**

- **Toru Goto confined by relatives for 12 years and 5 months for 'deprogramming' by an Evangelical pastor and another person**
- **Brother, sister-in-law and sister to pay 22 million yen (1 EUR=145 yen)**
- **Deprogrammer Takashi Miyamura to pay 11 million yen**
- **Evangelical pastor Yasutomo Matsunaga to pay 4.4 million yen**
- **Japanese media totally silent as usual about such cases**
- **HRWF Int'l report "Japan: Abduction & deprivation of freedom for the purpose of religious de-conversion" available on Amazon**  
(<http://www.amazon.fr/Abduction-Deprivation-Freedom-Religious-De-conversion/dp/147763911X>)

By Willy Fautré

HRWF (17.11.2014) - On 13 November, the Tokyo High Court issued a ruling ordering five people (three close relatives of the victim, an Evangelical pastor and another person) to pay damages to a victim of abduction and attempts of forceful religious de-conversion in confinement conditions from September 1995 to February 2008.

In the civil suit filed by Toru Goto (51) against three members of his family and professional 'deprogrammers' involved in the case, Judge Noriaki Sudo of Tokyo High Court acknowledged the reality of the facts. Until now, courts massively dismissed the illegal nature of abduction and attempted forceful religious de-conversion in confinement conditions and ruled that such cases were "mere talks between parents and children."

The first three trial defendants: his brother, sister-in-law and younger sister, were ordered to pay a total amount of 22 million yen.

The first trial defendant, a professional deprogrammer, Mr. Takashi Miyamura, was ordered to pay 11 million yen.

Pastor Yasutomo Matsunaga of the Niitsu Evangelical Christian Church (Niigata City) was ordered to pay 4.4 million yen. It was indeed determined that he not only gave 'tacit consent' and 'encouragement' to Mr. Goto's family's unlawful actions, but he 'aided and abetted in restricting his freedom and persuading him to change his religion.'

The charges made against the Japan Alliance Christ Church to which Pastor Matsunaga belongs were dismissed.

In the first trial ruling of January last, the Tokyo District Court had ordered the three defendant members of the family to pay 4.83 million yen in damages, and Mr. Miyamura was to jointly pay 960,000 yen. The charges against Mr. Matsunaga and the Japan Alliance Christ Church to which he belongs had then been dismissed. Both the plaintiffs and the defendants had appealed this ruling.

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### **Background Information**

#### **Abduction and confinement**

In 1986, Mr. Goto, then 23, became a member of the Unification Church. In 1987, there was a first attempt of kidnapping and confinement by his father and other relatives but he managed to escape about a month later. In order to avoid another similar experience, he cut off all the links with his family.

Eight years later, in September 1995, the parents of the plaintiff, his elder brother and wife, and younger sister, kidnapped him from their home in Hoya City, Tokyo (currently West Tokyo City) according to instructions from deprogrammer Takashi Miyamura and Yasutomo Matsunaga, a Christian minister. He was then confined in an apartment in Niigata City for approximately one year and nine months. Matsunaga came to this apartment to urge him to leave the Church.

In June of 1997, the plaintiff was taken to a first apartment in Ogikubo (Tokyo) where he was confined for five months. Then, he was transferred to another apartment (Flower Home) in Ogikubo where he was detained for about ten years, Miyamura regularly visited this last confinement site together with former members of the Unification Church (UC) in order to convince him to leave the Church.

During his confinement, Mr. Goto attempted to escape several times but he was every time caught and held by his family members. Even when he had influenza and developed a high fever, he was not allowed to visit a clinic.

Fearing that he would not be released from his long-term confinement in his lifetime, Mr. Goto held three hunger strikes of 21 days, 21 days, and 30 days.

Around November 2007, it looked like the family members had started arguing about whether to go on with the confinement or not due to the financial burdens it imposed.

On 10 February 2008, at around 4:00 PM, his brother, his sister-in-law, his mother and his sister suddenly ordered him to leave the apartment. He was then emaciated and suffering from a serious state of starvation. Dressed in his lounge wear, he was thrown down on the concrete corridor in front of the entrance door without any belongings or ID document.

On his way to the Unification Church headquarters, he came across a member of his church who gave him some money so that he could take a taxi to reach a safe haven.

That evening, he was diagnosed with malnutrition and admitted to a hospital. For a while, he could barely stand on his feet.

"I can never pardon their actions. They deprived me of my fundamental human dignity as well as the most precious period of my life. Yet, my family members and Miyamura have not yet shown any remorse or offered an apology. Miyamura even tried to divert the blame from himself by saying that he never knew that the entrance door of the Ogikubo Flower Home was padlocked," he said to *Human Rights Without Frontiers* in 2011.

### **The legal fight**

In April 2008, Mr. Goto submitted a criminal complaint to the Ogikubo Police Station. However, the police did not conduct any serious criminal investigation and turned the case over to the Tokyo District Public Prosecutors Office in February 2009.

On 9 December 2009, the prosecution decided to waive the indictment of the criminal complaint on the grounds of insufficient evidence.

On 23 June 2010, Mr. Goto appealed to the Tokyo Committee for the Inquest of Prosecution with the hope of reopening the criminal case.

On 6 October 2010, Mr. Goto's appeal was rejected by the Tokyo Committee for the Inquest of Prosecution on the ground that there were too many doubts to consider the case as an attempt of compulsion, capture, confinement and injury.

On 31 January 2011, he filed a civil lawsuit against his family members and the deprogrammers.

At a press conference held in the evening of 28 January 2014, Mr Goto, who has established the Japanese Victims' Association Against Religious Kidnapping, Confinement & Forced Conversion, said:

We can commend to an extent the fact that the ruling recognized the liability of my brother and sister and the defendant Miyamura. However, I regret very much that the responsibility of the defendant Matsunaga was not recognized.

In particular, we highly appreciate the fact that the liability of the deprogrammer defendant Miyamura was recognized. When we think about the numerous Unification Church members who were kidnapped, confined and suffered under the instructions of defendant Miyamura, I believe that they would also be happy. Kidnapping and confinement, forcible conversion continues. My heartfelt wish is that the victory this time will be of help in eradicating kidnapping, confinement and forcible conversion.

And his lawyer, Mr. Nobuya Fukumoto, commented

The fact that the court recognized the liability of Mr. Miyamura is a huge step forward. Nevertheless, it is very regrettable that the liability of Mr. Yasutomo Matsunaga was not recognized and this is unjustified. We are now considering to appeal the ruling.

### ***International reports about abduction, confinement and de-conversion***

In 2013, the U.S. Commission on International Religious Freedom cited Japan's judicial system for turning a blind eye to the kidnapping and forced deprogramming of people in the Unification Church and other "new religious movements" over the past several decades. See [http://www.uscirf.gov/images/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirf.gov/images/2013%20USCIRF%20Annual%20Report%20(2).pdf) (page 302).

The U.S. State Department also cited Japan for inaction in religious oppression cases such as Mr. Goto's in its 2010 International Religious Freedom Report: "In 2008, an adult member of the Unification Church was released after reportedly being held against his will by family members and a professional deprogrammer for over 12 years. Prosecutors did not pursue the case citing insufficient evidence. The case was on appeal at the end of the reporting period."

***Human Rights Without Frontiers*** interviewed victims of deprogramming attempts of two new religious movements in Tokyo in 2011 and published a general report about the global issue entitled "Abduction and Deprivation of Freedom for the Purpose of Religious De-conversion" and available on Amazon.

### ***Human Rights Without Frontiers campaign for Toru Goto***

In July 2013, Human Rights Without Frontiers' (HRWF) submitted a report, entitled ***Japan: Abductions and confinement for the purpose of religious de-conversion (Violations of Articles 7, 9, 12, 18, 23 and 26 of the ICCPR)*** to the Human Rights Committee in order to bring to the attention of Committee members its concerns about the total impunity of non-state actors who abducted and confined converts to new

religious movements until they recanted their new religious faith. See text of the submission at

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fNGO%2fJPN%2f15101&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fNGO%2fJPN%2f15101&Lang=en)

On 14 November 2013, the problem was raised by the Human Rights Committee in its list of issues addressed to Japan (See <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/486/27/PDF/G1348627.pdf?OpenElement>).

Issue 16 stated: "Please comment on reports of cases of abduction, forced conversion and forced de-conversion, which were not investigated and prosecuted by the State party."

In its reply, the Japanese government flatly denied the existence of such an issue, merely stating "We do not know of any cases as those described" although on 28 January 2014, a Japanese man, Toru Goto, who had been kidnapped by family members, confined for 12 years (from September 1995 to February 2008) and subjected to violent attempts to force him to renounce his new religious affiliation, won a court ruling against his captors and the deprogrammer in a civil lawsuit.

### ***UN Human Rights Committee denounces Tokyo's policy of turning a deaf ear***

On 15-16 July 2014, Japan's human rights record was reviewed in the framework of the 111th session of the United Nations Human Rights Committee. During Japan's sixth periodic review, the right to freedom of religion or belief and the right not to be coerced to change religion was raised in detailed reports provided to the Committee by *Human Rights Without Frontiers* (Brussels) and by the *Japanese Association of Victims of Abduction and Forced Religious De-Conversion*.

During the review, the German expert of the Committee, Ms. Seibert-Fohr, raised the issue of abductions and so-called "deprogramming" as she said. She explained that the Committee came to know about cases of abductions and forced religious de-conversions of members of the Unification Church and Jehovah's Witnesses, that adults were abducted and confined by their families for up to six months or more, and that there was a lack of investigation and police search, under the justification that they were "with their families". She explained that civil cases were brought but no injunction had been pronounced to her knowledge. She asked the Japanese government which steps it was going to take to remedy this situation.

The Japanese Government merely denied the existence of a problem by answering: "The examples cited, we are not aware of. When reports are received, we deal with this appropriately. The Ministry of Justice dealing with human rights, based on regulations, indicates that investigations should be made on cases and that is exactly what we do."

Still, the Committee, in its Concluding Observations of July 24 said that it was "concerned at reports of abductions and forced confinement of converts to new religious movements by members of their families in an effort to de-convert them (arts. 2, 9, 18, 26)" and it urged Tokyo to "take effective measures to guarantee the right of every person not to be subject to coercion which would impair his or her freedom to have or to adopt a religion or belief."

For decades, Japanese authorities have turned a deaf ear to the complaints of numerous victims of abduction, confinement and attempts of change of religion under physical and psychological coercion. For decades, Japanese police have protected the perpetrators from prosecution letting such crimes continue and thus violating the victims' human rights.

On 30 June 2013, the Japanese Association of Victims of Abduction and Forced Religious De-Conversion submitted a detailed report on the abuses.

On 14 November 2013, the problem was raised by the Human Rights Committee in its list of issues addressed to Japan.

Issue 16 stated: "Please comment on reports of cases of abduction, forced conversion and forced de-conversion, which were not investigated and prosecuted by the State party."

### ***Additional updated reports to the UN Human Rights Committee***

In June 2014, Human Rights Without Frontiers provided the members of the Human Rights Committee with updated information on important recent developments concerning the issue of abductions and confinement for the purpose of forceful religious de-conversion in Japan. This report was also a reaction to Japan's response to Question No. 16 (section on "Freedom of religion, opinion and expression (arts. 18 and 19)") of the Human Rights Committee's List of issues, which in HRWF's view demonstrated the authorities' failure to acknowledge that the human rights of abducted members of new religious movement are poorly protected in Japan.

The Japanese Association of Victims of Abduction and Forced Religious De-Conversion also reacted to Tokyo's denial of any problem by sending an updated and detailed answer to the Japanese government's reply to the UN Human Rights Committee.

HRWF believes that the Concluding Observations by the UN Human Rights Committee can play an important role in conveying to the authorities a strong message: abductions, confinement and attempted forced change of religion constitute human rights violations and the lack of appropriate action by police and impunity of the perpetrators cannot be tolerated. Effective measures have to be taken by the Japanese government to ensure the right of believers are fully respected.



## **Husband and wife abducted and confined for the purpose of forced religious de-conversion**

### ***A recidivist Protestant pastor involved in the case***

HRWF (11.09.2014) - On July 26th, 2014, two members of the Unification Church in Japan, Mr. and Mrs. S., both in their 40's, were kidnapped by their respective relatives under the direction of an Evangelical Minister, Mamoru Takawaza, leaving their two children behind.

This is an additional case of abduction of religious minorities' followers for the purpose of forced de-conversion in Japan. Families influenced by prejudice have resorted to Evangelical ministers over the last thirty years for advice on abducting and confining their over-age children to have them "persuaded" under constraint to recant their minority faith.

The United Nations Human Rights Committee during its sixth periodic review of Japan expressed concern, in its Concluding Observations released on 23<sup>rd</sup> July 2014, "at reports of abductions and forced confinement of converts to new religious movements by members of their families in an effort to de-convert them." The Committee recommended that Japan "should take effective measures to guarantee the right of every person not to be subject to coercion which would impair his or her freedom to have or to adopt a religion or belief" pursuant to Article 18.2 of the International Covenant on Civil and Political Rights.

In spite of the clear recommendation made by the Committee, the Japanese police did not put an end immediately to Mr. and Mrs. S.'s confinement when they were asked to take action to rescue them.

### ***The facts: A double simultaneous abduction***

Mr. S.'s parents visited his house and picked him up saying "Let's go to the hospital to see our relative." After he sat in the car, they banded his both hands with a band of cloth. They brought him to an apartment in Osaka City and confined him.

Mrs. S.'s parents invited her to their home in Hiroshima City. She visited them with her two children: a daughter (8 years old) and a son (3 years old). While her mother took her grand-daughter out for shopping, she stayed with her son asleep at home. Suddenly, male relatives including her father attacked her. They tied her hands and ankles with bands made of a cloth and so on, wrapped her into a sleeping bag and banded the sleeping bag with bands. In spite of her frantic struggle, they conveyed her into a wagon type car and took her to Osaka City to the same apartment where husband had already been brought, and which was especially equipped for their confinement.

While taken into the flat, she screamed and the neighbors called the police. When the police came to the apartment, her father and Minister Takazawa persuaded them that this was just a "talk" between family members about her religious affiliation with the Unification Church and the police did not do anything to rescue her at this point.

### ***Confinement and lucky rescue***

Mr. and Mrs. S. had been deprived of their mobile phones by their relatives, so they could not contact outside people. However, two days later on 28<sup>th</sup> July, Mrs. S. managed to send a distress email to members of the Unification Church (UC) in Hiroshima asking them for rescue. Those members went to the police and showed them her e-mail. The police promised to investigate but after Minister Takazawa and Mr. and Mrs. S.'s fathers gave their explanation of the situation, the police concluded that this was "not a case".

On July 31st at midnight, Mrs. S. managed to make an emergency call to the police using her mother's mobile phone while she was asleep and asked for rescue saying she was confined with her husband by five or six persons. The police then had to act and finally five or six policemen went to the apartment. They found that the couple was actually confined and that the situation was actually a criminal case. The victims were released from the apartment and were able to go home and their children returned safely.

The couple's rescue was only due to the luck of Mrs. S. in getting access to a mobile phone and being able to make a distress call to the police direct. All the previous cases of abduction and confinement did not have this opportunity and the Japanese police have turned a blind eye on these abuses.

### ***The long-standing inaction policy of the police and the Prosecutors' offices***

The legal provisions governing the search for missing persons in Japan are the "Rules on activities to find a missing person", which are based on the Police Act of Japan and which binds the police forces.

Chapter 2 Article 6 of the Rules states that when a person goes missing, the chief of police who has jurisdiction over the domicile or residence of the person shall receive a notification on the missing person ("missing-person report") from relatives but also from "persons who have close relationship with the missing person in social life".

In spite of these clear legal provisions, the police has consistently over the years refused to take action or even to accept a missing person report as far as Unification Church members were concerned, considering legitimate the endeavors from relatives to have their over-age children snatched from their religious affiliation. The police have justified their discriminatory policy with statements like "criminal law does not intervene in family matters" or "If the case is between parents and a child, even involving some violence, the police cannot intervene".

In some cases, the police inaction turned into active support.

A striking example of the police behavior and precedent was given in Kozue Terada's case, a married woman who was confined for two months in 2001 at the age of thirty. Kozue was abducted under the direction of the same Evangelical Minister Takazawa (as the recently kidnapped couple), who visited her regularly during her confinement to coercively have her renounce her faith.

At the beginning of her confinement, Minister Takazawa, bragged to her about his connections with the police stating "Even if a policeman comes, as soon as he finds it is about the Divine Principle (main belief of the Unification Church), he will collaborate with me, saying 'Keep on your good work!'. This actually showed to be true. Once Kozue Terada succeeded to get a message out calling for help and a policeman knocked on the front door. Minister Takazawa showed up and followed the policeman to the police station. He returned by himself an hour later and said "The police know me. They understood our situation and told me to be careful not to disturb the neighbors".

Minister Takazawa had already been sentenced in 2000 to damages in a similar case where another woman believer, Ms. Hiroko T., was confined for 1 year and three months

and coerced by Minister Takazawa to leave the Church. But in 2001, the Prosecutor's Office dismissed her criminal complaint.

Encouraged by this lack of prosecution to continue his activities, Minister Takazawa bragged in a taped conversation with Kozue Terada to have organized hundreds of confinements and that he would continue because he wanted "everybody to believe in the true Jesus".

Kozue Terada filed a civil suit against him and wan symbolic damages in January 2004.

However, a few months later, the Prosecutor dismissed her criminal accusation and decided a "suspension of prosecution" which, per the internal rule of the Ministry of Justice, *Kunrei*, means that the Prosecutor found that the criminal acts were established but he deemed prosecution "unnecessary" owing to the "circumstances" of the offense.

### ***Carte blanche from the Japanese authorities***

This policy of the Japanese authorities amounts to giving carte blanche to these Ministers to continue their criminal activities.

Kozue Terada has finally filed in 2013 an allegation letter with the UN Special Rapporteur on Freedom of Religion or Belief, together with a dozen of other victims of these practices.

On the other hand the UN Human Rights Committee experts asked very sharp questions on this issue to the Japanese Ministry of Justice during their review on 16 July 2014.

However, the Japanese police when requested to rescue new victims refused to take action on 28 July. The only reason why these victims were finally released was that they managed to call the police directly. Another missing young man, Masato I., follower of the Unification Church, has not had this chance and has been missing since 2 January 2014 on the occasion of a family visit. In spite of the power-of-attorney he wrote to his lawyer to search him in case he disappeared, and the distress signal he sent, the police has to this day refused to rescue him.

Japan thereby does not honor its international human rights commitments and violates the provisions of Article 18 of the International Covenant of Civil and Political Rights.

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## **Aum splinter group raided over unregistered travel agency**

The Japan Times (06.08.2014) - Police on Wednesday searched eight offices and facilities related to the Aum Shinrikyo cult's splinter group for allegedly running a travel agency without proper registration.

Investigative sources said the group, called Hikari no Wa (The Circle of Rainbow Light), is suspected of planning and running a tour package in May that it described as a "pilgrimage," although the group had not been registered as a travel agency.

Operating such a business without proper registration would be a violation of the travel agency law.

Wednesday's raid included facilities in Tokyo and Osaka Prefecture, according to the sources.

In a statement issued the same day, the group's public relations team defended their pilgrimage as one that "has been carried out legally and has not been subject to the government's administrative guidance for a long time."

"It is not exactly clear (to us) what is unlawful, so we will look into the matter and respond appropriately," the group said.

Information posted on the website of Hikari no Wa, which is headed by a former senior Aum member, said one of the group's traits is making pilgrimages, and that members have been visiting shrines and temples since 2002.

Tours are offered roughly every two months and are also open to the general public.

Among the places they have visited are the Nikko Toshogu Shrine in Tochigi Prefecture and the Kumano mountainous area in Wakayama Prefecture.

The group was set up in 2007 by former Aum spokesman Fumihiro Joyu, who left the cult. The splinter group had about 200 followers at the end of July, according to the Public Security Intelligence Agency.

Aum founder Shoko Asahara, whose real name is Chizuo Matsumoto, and 12 other Aum members have been sentenced to death for a series of crimes, including the deadly sarin nerve gas attack on the Tokyo subway system in 1995. Aum renamed itself Aleph in 2000.

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## **Intelligence agency inspects 22 AUM cult-related facilities**

Global Post (01.08.2014) - Officials from the Justice Ministry's Public Security Intelligence Agency inspected 22 facilities related to the AUM Shinrikyo cult across Japan on Friday, the first such nationwide inspections since November 2012.

Based on the outcome of the inspections and other factors, the agency will decide whether to extend its surveillance of Aleph, renamed from AUM Shinrikyo in 2000, and AUM's splinter group Hikari no Wa founded in 2007 for a fifth time by the Jan. 31 deadline.

The inspections, based on a law regulating groups that have committed random mass killings, involved about 270 officials at 17 Aleph and five Hikari no Wa facilities.

AUM founder Shoko Asahara and a dozen senior members are on death row for the 1995 sarin gas attack on the Tokyo subway system and other crimes.

The number of Aleph followers stood at around 1,450 as of the end of July, while that of Hikari no Wa, launched by former AUM spokesman Fumihiro Joyu, was about 200, according to the agency which suspects the two groups are still under the influence of Asahara, whose real name is Chizuo Matsumoto.

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## **Forced change of religion in Japan: UN Human Rights Committee denounces Tokyo's policy of turning a deaf ear**

HRWF (25.07.2014) - On 15-16 July, Japan's human rights record was reviewed in the framework of the 111th session of the United Nations Human Rights Committee. During Japan's sixth periodic review, the right to freedom of religion or belief and the right not to be coerced to change religion has been raised in detailed reports provided to the Committee by *Human Rights Without Frontiers* (Brussels) and by the *Japanese Association of Victims of Abduction and Forced Religious De-Conversion*.

During the review, the German expert of the Committee, Ms. Seibert-Fohr, raised the issue of abductions and so-called "deprogramming" as she said. She explained that the Committee came to know about cases of abductions and forced religious de-conversions of members of the Unification Church and Jehovah's Witnesses, that adults were abducted and confined by their families for up to six months or more, and that there was a lack of investigation and police search, under the justification that they were "with their families". She explained that civil cases were brought but no injunction had been pronounced to her knowledge. She asked the Japanese government which steps it was going to take to remedy this situation.

The Japanese Government merely denied the existence of a problem by answering: "The examples cited, we are not aware of. When reports are received, we deal with this appropriately. The Ministry of Justice dealing with human rights, based on regulations, indicates that investigations should be made on cases and that is exactly what we do."

Still, the Committee, in its Concluding Observations of July 24 said that it was "concerned at reports of abductions and forced confinement of converts to new religious movements by members of their families in an effort to de-convert them (arts. 2, 9, 18, 26)" and it urged Tokyo to "take effective measures to guarantee the right of every person not to be subject to coercion which would impair his or her freedom to have or to adopt a religion or belief."

For decades, Japanese authorities have turned a deaf ear to the complaints of numerous victims of abduction, confinement and attempts of change of religion under physical and psychological coercion. For decades, Japanese police have protected the perpetrators from prosecution letting such crimes continue and thus violating the victims' human rights.

In July 2013, Human Rights Without Frontiers' (HRWF) submitted a report, entitled *Japan: Abductions and confinement for the purpose of religious de-conversion (Violations of Articles 7, 9, 12, 18, 23 and 26 of the ICCPR)* to the Human Rights Committee in order to bring to the attention of Committee members its concerns about the total impunity of non-state actors who abducted and confined converts to new religious movements until they recanted their new religious faith.

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On 14 November 2013, the problem was raised by the Human Rights Committee in its list of issues addressed to Japan.

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In its reply, the Japanese government flatly denied the existence of such an issue, merely stating "We do not know of any cases as those described" although on 28 January 2014, a Japanese man, Toru Goto, who had been kidnapped by family members, confined for 12 years (from September 1995 to February 2008) and subjected to violent attempts to force him to renounce his new religious affiliation, won a court ruling against his captors and the deprogrammer in a civil lawsuit. The Tokyo District Court ordered the defendant members of the family to pay a total amount of 4.83 million yen (about \$47,000) while the deprogrammer, Takashi Miyamura, was ordered to pay 960,000 yen (about \$9,400) jointly, as part of the total damages. Some Japanese media briefly reported about this case.

### ***Recent abduction cases confirm failure of police to take appropriate action***

Since submitting its initial briefing to the Human Rights Committee in July 2013, Human Rights Without Frontiers has been informed of three further abductions of Unification Church (UC) members, two females and one male. One of them was believed still to be confined at the time of writing.

Before 27-year old Masato Ishibashi was allegedly abducted by his parents when visiting them for New Year's, he had been worried about a possible abduction for a long time and taken steps to prepare for such an event. He gave his lawyer a signed and stamped "Rescue Request" and carried a GPS device on him when visiting his parents at the end of December 2013. On 2 January 2014 an emergency signal was sent from his GPS device to a private security company.

In order to comply with Masato Ishibashi's explicit wish to be rescued should he be subjected to forced confinement, HRWF repeatedly urged the police to ascertain Masato Ishibashi's whereabouts and talk to him directly and confidentially in order to establish whether he was held against his will and wished to be rescued. On 18 February 2014, a HRWF delegation consisting of the organization's director, Willy Fautré, and international human rights activist Aaron Rhodes, visited Chiba Prefecture Police Headquarters, along with Shunsuke Uotani, Vice-Secretary General of the Japanese branch of the Universal Peace Federation, a UC affiliate, to raise Masato Ishibashi's case with the Public Relations Division. To follow-up from the meeting, Shunsuke Uotani, spoke by telephone to an officer at the Public Relations Division of Chiba Prefecture Police Headquarters and senior officers at Katori Police Station, on five different occasions.

The UC documented all conversations with the police and made available transcripts to HRWF. The police officers' statements are revealing and provide information about reasons and justifications of police inaction that go beyond what HRWF was able to document in its July 2013 briefing to the UN Human Rights Committee.

It is thus clear that abductions, confinement and forced de-conversion of UC members are continuing in Japan. The victims' fellow-believers continue to encounter indifference and a failure to take appropriate action on the part of the police. The abductees have only slim chances that the police will come to their rescue. Police officers themselves apparently often have discriminatory attitudes toward the UC and show considerable understanding not only of the parents' wish that their son or daughter leave the Church, but also of practices such as abduction, confinement and forced de-conversion.

### ***Additional updated reports to the UN Human Rights Committee***

In June 2014, Human Rights Without Frontiers provided the members of the Human Rights Committee with updated information on important recent developments concerning the issue of abductions and confinement for the purpose of forceful religious de-conversion in Japan. This report was also a reaction to Japan's response to Question

No. 16 (section on "Freedom of religion, opinion and expression (arts. 18 and 19)") of the Human Rights Committee's List of issues, which in HRWF's view demonstrated the authorities' failure to acknowledge that the human rights of abducted members of new religious movement are poorly protected in Japan.

The Japanese Association of Victims of Abduction and Forced Religious De-Conversion also reacted to Tokyo's denial of any problem by sending an updated and detailed answer to the Japanese government's reply to the UN Human Rights Committee.

HRWF believes that the Concluding Observations by the UN Human Rights Committee can play an important role in conveying to the authorities a strong message: abductions, confinement and attempted forced change of religion constitute human rights violations and the lack of appropriate action by police and impunity of the perpetrators cannot be tolerated. Effective measures have to be taken by the Japanese government to ensure the right of believers are fully respected.

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## **Failure to protect its citizens from forced change of religion: Japan in the dock at the U.N. in Geneva**

HRWF (14.07.2014) - From 14 to 16 July, Japan's human rights record will be reviewed in the framework of the 111th session of the United Nations Human Rights Committee. During Japan's sixth periodic review, the right to change religion will be raised by Human Rights Without Frontiers (Brussels) and by the Japanese Association of Victims of Kidnapping. During this session, both organizations will be heard by the independent experts of the UN Human Rights Committee.

In July 2013, Human Rights Without Frontiers' (HRWF) submitted a report, entitled *Japan: Abductions and confinement for the purpose of religious de-conversion (Violations of Articles 7, 9, 12, 18, 23 and 26 of the ICCPR)* to the Human Rights Committee in order to bring to the attention of Committee members its concerns about the total impunity of non-state actors who abducted and confined converts to new religious movements until they recanted their new religious faith. See text of the submission at

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fNGO%2fJPN%2f15101&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fNGO%2fJPN%2f15101&Lang=en)

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(See <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/486/27/PDF/G1348627.pdf?OpenElement>). Issue 16 stated: "Please comment on reports of cases of abduction, forced conversion and forced de-conversion, which were not investigated and prosecuted by the State party."

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It is thus clear that abductions, confinement and forced de-conversion of UC members are continuing in Japan. The victims' fellow-believers continue to encounter indifference and a failure to take appropriate action on the part of the police. The abductees have only slim chances that the police will come to their rescue. Police officers themselves apparently often have discriminatory attitudes toward the UC and show considerable understanding not only of the parents' wish that their son or daughter leave the Church, but also of practices such as abduction, confinement and forced de-conversion.

### ***Additional updated report of Human Rights Without Frontiers to the UN Human Rights Committee***

In June 2014, Human Rights Without Frontiers provided the members of the Human Rights Committee with updated information on important recent developments concerning the issue of abductions and confinement for the purpose of forceful religious de-conversion in Japan. This report was also a reaction to Japan's response to Question No. 16 (section on "Freedom of religion, opinion and expression (arts. 18 and 19)") of the Human Rights Committee's List of issues, which in HRWF's view demonstrated the authorities' failure to acknowledge that the human rights of abducted members of new religious movement are poorly protected in Japan.

See Info from Civil Society Organizations (for the session)

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=626&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=626&Lang=en)

**HRWF believes that the consideration of this topic at the upcoming session of the Human Rights Committee can play an important role in conveying to the authorities that abductions, confinement and attempted forced change of religion constitute human rights violations and that the lack of appropriate action by police and impunity of the perpetrators perpetuate human rights violations.**

For more info about religious freedom in Japan, see HRWF database:

[http://www.hrwf.net/images/forbnews/2014/Japan\\_2014.pdf](http://www.hrwf.net/images/forbnews/2014/Japan_2014.pdf)

[http://www.hrwf.net/images/forbnews/2013/Japan\\_2013.pdf](http://www.hrwf.net/images/forbnews/2013/Japan_2013.pdf)

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## **Aum Shinrikyo's victims fear cult's resurgence**

***Nearly 19 years after members of the Aum Shinrikyo cult used nerve gas to kill 13 people in Tokyo, the final trials are drawing to a close. But survivors warn the doomsday cult still poses a threat to Japanese society.***

Deutsche Welle (13.03.2014) - After being found guilty of involvement in the abduction and confinement of a public notary in February 1995 and the firebombing of a Tokyo apartment the following month, Makoto Hirata was sentenced to nine years in prison by the Tokyo District Court on March 7.

Hirata's conviction comes so long after the crimes because he was on the run until December 31, 2011, when he turned himself in at a Tokyo police station. A former senior member of the Aum Shinrikyo cult, Hirata's crimes were relatively minor in comparison with the attacks for which the religious faction has become infamous.

Thirteen people died when cult members released sarin gas in Tokyo subway carriages on March 20, 1995, with as many as 6,000 commuters requiring hospital treatment. For years, the organization had been convincing the young and the gullible for more than two decades that its leader, the half-blind former yoga instructor Shoko Asahara, was a reincarnated god.

### ***Hopes for closure***

There are hopes that these final court hearings will bring closure to those affected by Aum's crimes, but victims and relatives of the dead warn that Japan has not heard the last of the cult. "We need to keep talking about this as the 19th anniversary of the subway attack approaches because young people are still joining Aleph now," said Shizue Takahashi, referring to the splinter group that carries on the work of Asahara.

"We have a culture in Japan of forgetting the past very quickly when the memories are harsh; perhaps that's because we have suffered many disasters and trials throughout history," said Takahashi, whose husband, Kazumasa, died at Kasumigaseki Station as he tried to remove a leaking bag of sarin from a train.

Takahashi, who heads the Tokyo Subway Sarin Incident Victims' Association, plans to go to her husband's grave on the March 20 anniversary of his death before spending the rest of the day giving media interviews and attending meetings of survivors. "We have to make sure that this is not forgotten, that Aum can never rise again," she said.

## ***Intensive care***

Mitsuru Kono was on the rush-hour train on Tokyo's Hibiya Line the day of the attacks. "I never saw the attackers or the newspapers that they wrapped around the bags of liquid sarin before piercing them on the train, but the prosecutors showed me photos afterwards and I was only about 3 meters away," said Kono, who is 72 years old.

"There was a strong smell and the driver of the train announced that there had been some sort of bomb attack at Tsukiji Station, so I got out onto the platform," he said. After that, he doesn't remember much, he said. He awoke in a hospital, but his family was told it was unlikely that he would survive.

"I agree that we forget the bad parts of our culture," he told DW. "But we have to keep reminding people about the sarin case. If not, it could happen again."

According to the police, there were no fewer than 11,400 registered religious cults across Japan in 1995, ranging from modern-day soothsayers who claimed they could read people's fortunes from the shape of their feet to groups that dressed all in white and warned that a previously undiscovered 10th planet in the solar system was about to trigger massive earthquakes and tsunamis.

The number of cults dropped dramatically after the sarin attacks, but police say that numbers have started to rise again. Today, there are an estimated 1,650 cults in Japan.

## ***Aum members***

"There are about 1,500 people still in Aum today, but we do not know the exact figure," said Yuuji Nakamura, a lawyer who has represented families in lawsuits against the cult.

"And this is not just a Japanese problem," he told DW. "They had followers around the world, so that makes it a global concern.

"There are many people who are mentally weak and need the support of others they trust and admire," he said. "The cult perfected the technique of appealing to these lonely - but often very clever - people and bringing them into the organization by making them feel important."

Those tactics still work today on people who are sufficiently disillusioned with modern life in Japan to be susceptible to the approaches of the followers of the splinter group. Members of the group are thought to pass themselves off as a group of yoga enthusiasts and only reveal their true affiliations - and their ongoing devotion to Asahara - much later.

As his church began to fall apart, police finally pieced together a picture of Asahara at the centre of an organization that had political ambitions, abducted and murdered its opponents, required members to undergo "religious training" so severe that it had killed several of them and forced others to use hallucinogenic drugs.

## ***Litany of crimes***

The cult has conducted a series of attacks. In June 1994, eight people died in an attack on a court hearing a case against the cult in the city of Matsumoto. Just a few months later, when the cult realized that a raid on its headquarters was imminent, it went on the offensive. The subway sarin attack was reportedly designed to destabilize the government and cause sufficient chaos to enable Asahara to seize power.

To date, 190 members have been indicted for crimes ranging from murder to abduction, the production of weapons and creating nerve gas. Thirteen have been sentenced to death, including Asahara.

The wanted posters featuring mug shots of the cult members who went on the run after police raided its compound, on the slopes of Mount Fuji, have been taken down and Japan has moved on. There are many young Japanese who have no memory of what it was like to live in a city that was the target of a domestic terror attack.

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## **Hirata gets nine years for role in Aum kidnapping of notary**

The Japan Times (07.03.2014) - Former Aum Shinrikyo fugitive Makoto Hirata was found guilty and sentenced Friday to nine years in prison for his role in the 1995 kidnapping and confinement of Tokyo notary Kiyoshi Kariya and two other crimes.

**Despite his denials, Hirata "dutifully performed his roles in organized crimes he was instructed to engage in, fully aware of" their nature, presiding Judge Hiroaki Saito of the Tokyo District Court said of the ex-cultist's claims that his involvement in Kariya's abduction was not premeditated.**

Hirata was also convicted of having a role in two bombings in 1995, first of the condominium belonging to university professor Hiromi Shimada and then to an Aum facility in Tokyo. Both bombings were designed as subterfuge to deflect suspicion of Aum for its major crimes.

**After 17 years on the lam, Hirata turned himself in on New Year's Eve 2011.**

**Judge Saito said Hirata's decision to participate in three illegal activities in a short interval suggests he had no hesitation to commit the crimes.**

**Friday's verdict** brought to an end a nearly two-month trial that abounded with abnormalities. The presence of Hirata and the appearance of high-profile convicted Aum cultists to testify put authorities on extremely high alert. Among the security measures, bulletproof glass barriers were placed in the courtroom.

The trial marked the first time an Aum cultist was tried under the lay judge system introduced in 2009. In another first for the lay judge system, convicted criminals on death row were summoned to testify.

The trial focused on whether Hirata had advance knowledge of the crimes he eventually committed. He insisted that he became embroiled in two of the crimes against his will.

In February 1995, high-ranking Aum members, under the orders of guru Shoko Asahara, whose real name is Chizuo Matsumoto, abducted Kariya and injected him with a lethal amount of anesthetic to interrogate him over the whereabouts of his wealthy sister, who had fled the cult.

**Kariya eventually died while in Aum's clutches, but due to a lack of evidence, none of the cultists involved in his death was convicted of murder, only of causing injury resulting in death.**

Hirata testified that he knew nothing about the abduction beforehand, saying his superiors' orders were barely comprehensible. He also argued that his role in the caper was peripheral, as he only drove the getaway car.

On the bombing of the professor's residence, Hirata again claimed a lack of advance knowledge. The bombing was carried out just a day before the infamous sarin gas attack on the Tokyo subway system on March 20, 1995, that left 13 people dead and thousands sickened. With Shimada generally considered sympathetic to Aum Shinrikyo, the cultists hoped the bombing would make it look like Aum was under some kind of religious attack and derail the police investigation into the forthcoming sarin attack.

Hirata did admit to standing guard as his fellow cultists threw explosives into their facility in Tokyo and ran away in 1995, another organized attempt by the cult to look like a victim.

Prosecutors attacked Hirata's claims of total lack of foreknowledge, citing the testimony of two of his superiors in the cult, Yoshihiro Inoue and Noboru Nakamura. Both said it was their "clear" recollection that they explained to Hirata beforehand what his responsibility would be in the crimes. The prosecutors had sought a 12-year sentence.

The court found their testimony largely trustworthy. Although it did acknowledge that the veracity of Inoue's testimony was somewhat questionable, given his tendency to exaggerate, it pointed out that both convicts' sentences have been finalized, meaning they would have "no good reason to deliberately testify against" Hirata.

"Although the defendant did turn himself in eventually, by staying on the run for so long he caused non-negligible consequences to society and Japan's legal system," Judge Saito said in giving no extenuating credit to Hirata for finally surrendering to the authorities.

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## **Where is Masato Ishibashi? Missing for 60 days and still no police investigation**

***Another case of abduction and confinement for the purpose of forced de-conversion in Japan without any police followup***

**HRWF (03.03.2014) - Human Rights Without Frontiers is extremely concerned about the situation of 27-year old Masato Ishibashi, who has been detained by his family against his will since the New Year in an effort to force him to renounce his affiliation to a new religious movement. He was last seen by his friends on the 29<sup>th</sup> of December 2013.**

### ***Who is Masato Ishibashi?***

Masato Ishibashi was born on 5<sup>th</sup> January 1987. His family is middle class and his father was a public servant in the local government.

Ishibashi started to learn the doctrine of the Unification Church (UC) in 2005 when he was studying at the Aoyama Gakuin University. One year later, he officially joined the Church and started communal life with other members. His parents heard about his conversion two years later. They forced him to drop out from the university and to live back at home with them in Chiba Prefecture. Ishibashi started working in Tokyo but went on attending the religious services of the Church behind his parents' back.

### ***Hide and Seek Relations between Ishabishi and his Parents***

In 2009, Ishibashi left his parents' house to go and live in the dormitory of the factory where he was working. After six months, he entered an industrial training school and then got a job as electrician in Hachioji. Away from his parents' control he started communal life at the Church again.

In 2010, he rented an apartment in town and faithfully continued to participate in the life of his religious congregation until his parents found out about it. Fearing to be deprived of his freedom by his parents at this next visit, he wrote and signed a statement saying that if he went missing one day, it would be because he would have been abducted by his family. He further said that the police should try to find him and release him from his confinement.

At New Year 2011, his parents tried to "hold him back" for a discussion about his faith but he managed to run away. However, his parents did not give up their fight. They moved to a relatives' house from where they could keep their son under surveillance.

In May 2011, Ishibashi moved to Yamagata Prefecture for job training and his parents went back to Chiba's Prefecture.

One year later, Ishibashi came across a childhood friend who had also joined the Church with his parents. They told him that his father and his mother were in contact with an evangelical pastor named Yoshida who "advises" parents on how "to rescue" young UC members from the Church.

In October 2012, Ishibashi's parents visited the Church in order to observe the religious church service. After that, they stopped criticizing the UC when he met with them.

### ***Renewed Fears of Abduction***

On the occasion of his planned visit to his parents at the last New Year, Ishibashi was again afraid of being abducted. Before his departure he told a close friend that he had purchased a GPS device in case he would be deprived of his freedom and would need to call for help. He was to return home on 2nd January but on that day, he activated an emergency signal. The police were immediately informed of the disappearance; however, they refused to open an investigation into his situation.

A delegation of *Human Rights Without Frontiers* (\*) met with officers of the Chiba police station on 18th February. The delegation urged the police to visit Ishibashi's parents at the location where he was believed to be confined or to at least summon them for questioning. On 20th February, *Human Rights Without Frontiers* was informed that members of Ishibashi's family had prevented him from contacting anyone. Even still, the police refused to take action to assist him in any way while the delegation was still in Tokyo.

During their fact-finding mission in Tokyo, the delegation of *Human Rights Without Frontiers* raised the issue with three members of the Diet - the Japanese Parliament - representatives of the Justice Ministry and the victim's lawyer. The delegation invoked the implementation of clearly-defined police procedures in the case of suspected abduction. Still no effective action has been taken for 60 days.

### ***The Ambiguous Role of Some Pastors***

The recantation enforcers are usually pastors and lay people of Evangelical and Pentecostal churches who use the concerns of converts' families as an opportunity to fight against a competing Church, and who exploit the anxieties of the parents to try to evangelize them. Except in a few cases, they do not carry out abductions but they are

fully involved in the preparatory phase: awareness-raising of parents through sessions and meetings with other parents who successfully carried out abductions. In some cases, abducting parents consulted them by telephone during the operation according to interviews of victims.

### ***Ishibashi's Case is not Unique***

Ishibashi's case is by no means unique. The best documented case is the one of Toru Goto. He was abducted and confined twice by his family: in 1987 and in 1995. He recovered his freedom from the second kidnapping in 2008 after 12 years and 5 months in detention.

On 28th January 2014, Toru Goto won an important lawsuit against the members of his family for abduction and involuntary detention. The family members had detained him in an effort to force him to renounce his faith, which he never did.

In 2011 *Human Rights Without Frontiers* interviewed numerous victims of abductions for the purpose of forced religious de-conversion. These incidents were denounced in a report (See it at <http://www.hrwf.net>) which attracted the attention of several international human rights institutions. In 2013, the US Commission on International Religious Freedom highlighted this egregious violation of freedom of conscience in its annual report. The US State Department has likewise acknowledged this phenomenon in Japan.

This summer, the UN Human Rights Committee which was alerted by *Human Rights Without Frontiers* will raise this concern during Japan's Sixth Periodic Report.

**(\*) The delegation consisted of Dr Aaron Rhodes (+49 170 323 8314) and Willy Fautré (+32 478 202069).** Human Rights Without Frontiers (HRWF) is an international non-governmental human rights organization based in Brussels, Belgium. It promotes the principles of human rights by advocating for the implementation of international human rights standards and obligations by all countries around the world. It is a non-partisan organization that neither supports nor rejects the creed of any religious group, but it seeks to defend the freedom of religion of all.

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## **Where is Masato Ishibashi ? Missing for over 50 days**

***One more case of abduction and confinement for the purpose of forced de-conversion takes place in Japan despite growing international criticism***

**HRWF (21.02.2014) - Human Rights Without Frontiers is deeply concerned about the situation of 27-year old Masato Ishibashi, who has apparently been detained by his family against his will since the New Year in an effort to force him to recant his affiliation to a new religious movement.**

Masato Ishibashi became a member of the Unification Church seven years ago. He was no longer living with his parents and was last seen by his friends on 29th December 2013.

Masato had been afraid of being abducted by his parents on the occasion of his visit at the New Year. He was to return home on 2nd January but failed to appear. He has not been seen for more than 50 days.

Before his departure he told a close friend that he had purchased a GPS device in case he would be deprived of his freedom and need to call for help. In the very first days of January he activated an emergency signal. The police were immediately informed of the disappearance; however, they refused to open an investigation into his situation, saying that it is a "family matter."

A delegation of Human Rights Without Frontiers (\*) is currently in Tokyo and met with officers of the Chiba police station on 18th February. The delegation urged them to visit his parents at the location where Masato is believed to be confined or to at least summon them for questioning. On 20th February, Human Rights Without Frontiers was informed that members of Masato Ishibashi's members have prevented him from contacting anyone. Even still, the police refuse to take action to assist him in any way.

Human Rights Without Frontiers raised the issue this week with three members of the Diet - the Japanese Parliament - representatives of the Justice Ministry and the victim's lawyer. The delegation invoked the implementation of clearly-defined police procedures in the case of suspected abduction. Still no action has been taken.

This incident is by no means unique. On 28th January 2014, Toru Goto, who had been deprived of his freedom for over 12 years, won an important lawsuit against the members of his family for abduction and involuntary detention. The family members had detained him in an effort to force him to recant his faith, which he never did.

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## **Change of religion, kidnapping and confinement for over 12 years: A Japanese wins an important lawsuit**

***See pictures of Mr. Goto after his release at <http://rachi.up.seesaa.net/image/s1000-Image051.jpg>***

HRWF (03.02.2014) - A Japanese man who had been kidnapped by family members, confined for 12 years and subjected to violent attempts to renounce his new religious affiliation has won a court ruling against his captors and the deprogrammer.

On 28 January, the Tokyo District Court (Judge Tetsu Aizawa) ordered the three defendant members of the family to pay a total amount of 4.83 million yen (about \$47,000) while the deprogrammer, Takashi Miyamura, was ordered to pay 960,000 yen (about \$9,400) jointly, as part of the total damages.

In the civil suit filed against his family members and the deprogrammers involved in the case, Mr. Goto (now 50) alleged that he was kidnapped and confined in an apartment in

Niigata and Tokyo from September 1995 to February 2008, a period of 12 years and 5 months, being forcibly persuaded to leave the Unification Church.

### **Abduction and confinement**

In 1986, Mr. Goto, then 23, became a member of the Unification Church. In 1987, there was a first attempt of kidnapping and confinement by his father and other relatives but he managed to escape about a month later. In order to avoid another similar experience, he cut off all the links with his family.

Eight years later, in September 1995, the parents of the plaintiff, his elder brother and wife, and younger sister, kidnapped him from their home in Hoya City, Tokyo (currently West Tokyo City) according to instructions from deprogrammer Takashi Miyamura and Yasutomo Matsunaga, a Christian minister. He was then confined in an apartment in Niigata City for approximately one year and nine months. Matsunaga came to this apartment to urge him to leave the Church.

In June of 1997, the plaintiff was taken to a first apartment in Ogikubo (Tokyo) where he was confined for five months. Then, he was transferred to another apartment (Flower Home) in Ogikubo where he was detained for about ten years, Miyamura regularly visited this last confinement site together with former members of the Unification Church (UC) in order to convince him to leave the Church.

During his confinement, Mr. Goto attempted to escape several times but he was every time caught and held by his family members. Even when he had influenza and developed a high fever, he was not allowed to visit a clinic.

Fearing that he would not be released from his long-term confinement in his lifetime, Mr. Goto held three hunger strikes of 21 days, 21 days, and 30 days.

Around November 2007, it looked like the family members had started arguing about whether to go on with the confinement or not due to the financial burdens it imposed.

On 10 February 2008, at around 4:00 PM, his brother, his sister-in-law, his mother and his sister suddenly ordered him to leave the apartment. He was then emaciated and suffering from a serious state of starvation. Dressed in his lounge wear, he was thrown down on the concrete corridor in front of the entrance door without any belongings or ID document.

On his way to the Unification Church headquarters, he came across a member of his church who gave him some money so that he could take a taxi to reach a safe haven.

That evening, he was diagnosed with malnutrition and admitted to a hospital. For a while, he could barely stand on his feet.

"I can never pardon their actions. They deprived me of my fundamental human dignity as well as the most precious period of my life. Yet, my family members and Miyamura have not yet shown any remorse or offered an apology. Miyamura even tried to divert the blame from himself by saying that he never knew that the entrance door of the Ogikubo Flower Home was padlocked," he said to *Human Rights Without Frontiers* in 2011.

### **The legal fight**

In April 2008, Mr. Goto submitted a criminal complaint to the Ogikubo Police Station. However, the police did not conduct any serious criminal investigation and turned the case over to the Tokyo District Public Prosecutors Office in February 2009.

On 9 December 2009, the prosecution decided to waive the indictment of the criminal complaint on the grounds of insufficient evidence.

On 23 June 2010, Mr. Goto appealed to the Tokyo Committee for the Inquest of Prosecution with the hope of reopening the criminal case.

On 6 October 2010, Mr. Goto's appeal was rejected by the Tokyo Committee for the Inquest of Prosecution on the ground that there were too many doubts to consider the case as an attempt of compulsion, capture, confinement and injury.

On 31 January 2011, he filed a civil lawsuit against his family members and the deprogrammers.

At a press conference held in the evening of 28 January 2014, Mr Goto, who has established the Japanese Victims' Association Against Religious Kidnapping, Confinement & Forced Conversion, said:

We can commend to an extent the fact that the ruling recognized the liability of my brother and sister and the defendant Miyamura. However, I regret very much that the responsibility of the defendant Matsunaga was not recognized.

In particular, we highly appreciate the fact that the liability of the deprogrammer defendant Miyamura was recognized. When we think about the numerous Unification Church members who were kidnapped, confined and suffered under the instructions of defendant Miyamura, I believe that they would also be happy. Kidnapping and confinement, forcible conversion continues. My heartfelt wish is that the victory this time will be of help in eradicating kidnapping, confinement and forcible conversion.

And his lawyer, Mr. Nobuya Fukumoto, commented

The fact that the court recognized the liability of Mr. Miyamura is a huge step forward. Nevertheless, it is very regrettable that the liability of Mr. Yasutomo Matsunaga was not recognized and this is unjustified. We are now considering to appeal the ruling.

### ***International reports about abduction, confinement and de-conversion***

In 2013, the U.S. Commission on International Religious Freedom cited Japan's judicial system for turning a blind eye to the kidnapping and forced deprogramming of people in the Unification Church and other "new religious movements" over the past several decades.

See [http://www.uscirf.gov/images/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirf.gov/images/2013%20USCIRF%20Annual%20Report%20(2).pdf) (page 302).

The U.S. State Department also cited Japan for inaction in religious oppression cases such as Mr. Goto's in its 2010 International Religious Freedom Report: "In 2008, an adult member of the Unification Church was released after reportedly being held against his will by family members and a professional deprogrammer for over 12 years. Prosecutors did not pursue the case citing insufficient evidence. The case was on appeal at the end of the reporting period."

***Human Rights Without Frontiers*** interviewed victims of deprogramming attempts of two new religious movements in Tokyo in 2011 and published a general report about the global issue entitled "Abduction and Deprivation of Freedom for the Purpose of Religious De-conversion" and available on Amazon.

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## **Justice looms for Domsday cult that brought death to Tokyo subway**

***Victims of the 1995 sarin attack on the capital's subway hope for closure after a long wait as the last member of Aum Shinrikyo cult goes on trial***

Telegraph (16.01.2014) - Mitsuru Kono hopes that once the executions begin, the nightmares he has suffered for the last 19 years might start to fade.

The legal hearings Thursday in Tokyo against one of the few remaining members of the Aum Shinrikyo cult could also serve to bring closure to a nation that was traumatised by an attack that was as bizarre as it was terrifying: an apocalyptic religious faction that preached armageddon and sought to overthrow the Japanese government but released nerve gas on the subway when its plans were thwarted.

Thirteen people died in the sarin gas attacks and as many as 6,000 commuters required hospital treatment. But the March 1995 attacks were only the final throes of an organisation that had for more than 20 years been convincing the young and the gullible that its leader, Shoko Asahara, was a reincarnated god.

As his church began to disintegrate, police finally pieced together a picture of Asahara at the centre of an organisation that abducted and murdered its opponenets, required members to undergo "religious training" so severe that it had killed several of them, manufactured weapons, truth serums and nerve gas and forced followers to use halluconogenic drugs. It even had ambitions to build a nuclear weapon.

Mr Kono knows that he will once again be afflicted by what his doctors have termed "memorial syndrome" in the run up to March 20 this year, the anniversary of the sarin attacks, and the state of his health may be even more precarious this year as the Tokyo District Court holds the first hearing of the case against Makoto Hirata.

After nearly 17 years on the run, Hirata turned himself into police in Tokyo in January 2012. His mug shot posted in police stations, post offices and train stations across the country, Hirata had been wanted for his alleged involvement in the abduction in February 1995 of a Tokyo notary public looking into the cult's activities.

Kiyoshi Kariya, 68, was taken to the cult's fortress-like compound in the foothills of Mount Fuji, where he was given a home-made truth serum. After apparently dying of an overdose, Kariya's body was incinerated.

Hirata has also been questioned over his role in the sarin gas attack on the subway system two months later and the attempt to assassinate Takaji Kunimatsu, the then-head of the National Police Agency, as the authorities launched their investigation into the cult.

"My health deteriorates every March," Mr Kono told The Telegraph. "My doctors tell me that I need to try to remain calm, to take things very easy and I hope it will not be so bad this year."

But he is not sure that will be possible, given all the media coverage that Hirata's trial will inevitably attract.

Mr Kono, now 72, was travelling to work in the morning rush hour of March 20 when he was caught up in Japan's worst incident of domestic terrorism. In the third carriage of a train on the Hibiya Line as it came to a halt in Kodenma-cho Station, the first hint that

something was amiss was a powerful smell that he describes as being reminiscent of putrefying onions.

"I never saw the attackers or the newspapers that they wrapped around the bags of liquid sarin before piercing them on the train, but the prosecutors showed me photos afterwards and I was only about 15 feet away," he said.

"There was a strong smell and the driver of the train announced that there had been some sort of bomb attack at Tsukiji Station, so I got out onto the platform," he said. After that, much is a blank.

Mr Kono has hazy memories of getting outside the station, where he passed out. He was in and out of consciousness as he was driven to hospital in a car; the more than 6,000 people affected by coordinated attacks on five trains beneath the city by cult members had overwhelmed the emergency services.

"I was attached to drips and tubes when I came around and I couldn't think," he said. "I could not even remember my own phone number to call my family."

Mr Kono's family eventually tracked him down that evening, but they were unable to see him as he was in an isolation ward.

"They told my wife about my condition. She did not think I was going to survive," he said.

Released after 13 days, Mr Kono is still receiving treatment for internal complications from ingesting the sarin, a nerve agent developed in Germany during the Second World War but classified as a weapon of mass destruction and outlawed by the United Nations.

"Every morning, my feet and my legs and feet are cold and rigid," said Mr Kono, who also has problems with his vision.

But experts say he and the other commuters aboard the trains were fortunate. The sarin had been concocted at short notice in Aum Shinrikyo's laboratories because Asahara, the half-blind founder of the cult, rightly feared the police were planning an investigation of its activities.

If they had been given time to refine the liquid to its most potent, colourless and odourless form, it could have been 70 percent more powerful and effective in a confined space.

The sarin did claim the life of Kazumasa Takahashi, who was a senior member of the staff at Kasumigaseki Station and ingested a lethal amount of the gas as he tried to remove a leaking bag from a train.

His wife, Shizue, has attended 430 hearings involving members of the cult and will be in court for Hirata's appearance today.

"The bag of sarin that killed my husband was left there by Ikuo Hayashi and in court he said that he did not deserve to live," said Mrs. Takahashi, who heads the Tokyo Subway Sarin Incident Victims' Association. "But I never felt like he made a real apology to us." Hayashi, a doctor who had graduated from the elite Keio University, avoided the death penalty and is serving a life prison sentence.

"On the anniversary, I will go to my husband's grave and there is a meeting of our group later in the day," she said. "And I will be meeting the media as it is important that this case is never forgotten."

Asahara founded the cult in 1984, melding teachings from Christianity, Buddhism and Hinduism with interpretations from yoga and Nostradamus. Declaring himself a reincarnation of Christ, he promised to wash away the sins of his followers and railed against conspiracies against Aum by Jews and the British Royal Family. He also predicted the imminent outbreak of a third World War.

The cult recruited heavily from Japan's top universities, reaching out to young men who were socially inept and seeking to make friends, but who were also experts in engineering and the sciences.

Asahara stood in the general election of 1990 but, after failing dismally at the polls, the cult's activities took a more sinister turn.

Followers of Asahara had already abducted and murdered a lawyer assisting families to free their relatives from the cult, along with his wife and their infant son, before Aum purchased AK47 assault rifles and a Russian helicopter. It was reportedly attempting to obtain the components for a nuclear weapon and its chemists started manufacturing sarin and VX gas in 1993.

Eight people died in a June 1994 attack on a court hearing a case against the cult in Matsumoto and, when the cult realised in the early months of 1995 that a raid on its compound on Mount Fuji was imminent, it went on the offensive.

To date, 189 members have been indicted for crimes ranging from murder to abduction, the production of weapons and creating nerve gas.

Thirteen have been sentenced to death, including Asahara. None of those sentences have been carried out, however, as prosecutors wanted to be able to call convicted cult members as witnesses in the remaining cases.

Hirata and two others will be the last members of the cult to be tried, with prosecutors seeking the death penalty in Hirata's case. Three death row inmates will be testifying during the hearings, which are scheduled to be completed in early March.

And once the final sentences are passed, Mr Kono hopes that the executions are carried out swiftly.

"I lost the life that I used to have because of these people," he said. "Friends ask me why the executions have not been carried out already and it is difficult for me to explain. Almost 20 years have passed already. The executions cannot come soon enough."

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