

# **JAPAN 2017 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. The Ministry of Justice (MOJ) reported that in 2016 (latest statistics available), its human rights division received 274 inquiries related to potential religious freedom violations, compared to 300 in 2015. The government continued to grant protective status to some religious adherents claiming persecution in their native countries, including members of the Muslim Rohingya community from Burma.

The press reported on the arrests of vandals in shrines and temples. An interreligious group said it did not consider these acts of vandalism to be religious freedom abuses pending more information on the perpetrators' motives.

A visiting Department of State Bureau of Democracy, Human Rights, and Labor officer and U.S. embassy representatives spoke with the government, faith-based groups, religious minority leaders and their supporters, and legal experts to promote religious freedom, tolerance, and acceptance of diversity.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 126.5 million (July 2017 estimate). A report by the government Agency for Cultural Affairs (ACA) indicates that membership in religious groups totaled 188 million as of December 31, 2015. 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, and religious affiliation includes 89 million Shinto followers, 88 million Buddhists, and 1.9 million Christians, while 8.7 million follow 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 immigrants and foreign workers practice religions other than Buddhism or Shinto, according to a nongovernmental organization (NGO) in close contact with foreign workers. A scholar estimated

there are 100,000 non-Japanese Muslims and 10,000 Japanese Muslims. Approximately 300 Rohingya Muslims are mostly concentrated on Gunma Prefecture, north of Tokyo, according to Rohingya representatives. According to the Jewish Community of Japan (JCJ), 100-110 Jewish families belong to the JCJ, but the total Jewish population is unknown.

## **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 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 do not have to pay income tax on donations and religious offerings used as part of the groups' operational and maintenance expenses. The government requires religious groups applying for corporate status to prove they have a physical space for worship, and that their primary purpose is disseminating religious teachings, conducting religious ceremonies, and educating and nurturing believers. An applicant is required to 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 about 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 that seek corporate status in their prefecture, and registration must be made 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) minister. After the MEXT minister or a prefectural governor confirms an applicant meets the legal definition of a religious organization, the law requires the applicant 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 provides the government with some authority to supervise certified religious corporations. The law requires certified religious corporations to disclose their assets, income, and expenditures to the government. The law also empowers

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 these regulations. The law stipulates that worship performed by an inmate alone in penal institutions shall not be prohibited.

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. Both public and private schools must develop curricula in line with MEXT standards. These standards are based on the law, which says that schools should give careful consideration when teaching religion in general to junior 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**

The MOJ Human Rights Bureau made its existing hotline for human rights inquiries available in six different languages – English, Chinese, Korean, Tagalog, Portuguese, and Vietnamese – starting in April. In May the MOJ reported that in 2016, its human rights division received 274 inquiries related to potential religious freedom violations (compared with 300 in 2015). It confirmed 32 cases (compared with 51 in 2015) as highly likely to be religious freedom violations, out of 20,705 suspected human rights violations, and assisted potential victims in 11 cases (compared with 27 in 2015), 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, approximately 182,000 religious groups had been certified as religious groups with corporate status by the central and prefectural governments as of February. The large number reflected local units of religious groups registering separately. The government certified corporate status for religious groups when they met the requirements, according to the Japanese

Association of Religious Organizations (JAORO), an interfaith NGO of Kyoha Shinto, Buddhism, Christianity, Shrine Shinto, and new religions groups.

A civil organization reported on information it obtained that suggested the government placed Muslims under surveillance.

In May the Japan Federation of Bar Associations (JFBA) published a case stating that, in 2014, Tochigi Prison officials confiscated a prayer scarf from a Bangladeshi female Muslim inmate, offered inadequate alternative clothing, and failed to properly serve her food during Ramadan. According to the JFBA, the prison officials responded that they legally seized her scarf to prevent it from being used for suicide or escape; presented alternative clothing with consideration for her religious faith; and would have served a meal of equivalent nutritional value to three meals in one sitting had the inmate not informed the prison on the first day of Ramadan that she would not be observing it.

The independent inspection committees for penal facilities said a chief warden at one prison did not allow mainly death row convicts to access chaplain services. The warden responded that decisions about inmates' access to religious services were made based on limited available resources.

According to the MOJ, penal institutions continued to give inmates access to 8,707 religious groups, and there were 5,822 individual religious observances and/or counseling sessions by civil volunteer chaplains in 2015. There were an estimated 1,864 volunteer chaplains from Shinto, Buddhist, Christian, and other religious groups available to prisoners as of January 2017, according to the National League of Chaplains, a public interest incorporated foundation that trains chaplains.

The MOJ stated it consistently instructed detention facilities to consider detainees' religions in providing food and access to clergy and places to worship in a timely manner.

An NGO and press reported the Osaka Regional Immigration Bureau served meals containing pork twice respectively to Sudanese and Egyptian Muslims.

According to a MOJ press release, the ministry granted refugee status, based on the United Nations Convention relating to the Status of Refugees and its protocol, to at least one applicant who had a well-founded fear of being persecuted for religious reasons. Twenty-eight applicants were granted refugee status in 2016.

The government continued to grant special status to Chinese nationals self-identifying as Falun Gong practitioners, allowing them to remain in the country, while also allowing overseas artists, many of who were Falun Gong devotees, to enter the country in conjunction with performances. Municipalities permitted the artists to give performances in their halls.

The government continued to grant special permits to stay on humanitarian grounds or temporary stay visas for many of the approximately 300 Rohingya Muslims who came to the country on the basis of ethnic and religious persecution in Burma. Most of these individuals had resided in the country for more than five years, and some for more than 15 years. In prior years, the government granted refugee status to 18 Rohingya Muslims. Others still remained undocumented and were not associated with any formal resettlement program. Their temporary visas required frequent renewal by regional immigration offices. 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 who feared religious persecution in Burma. The MOJ said it equally applied its criteria for granting refugee status to Rohingya Muslims as it did to any other applicant.

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

The JCJ reported a small group protested in front of the JCJ building against U.S. citizens because the protesters apparently equated Jews with U.S. citizens. The JCJ reported it did not receive reports of anti-Semitic activity during the year.

East Japan Railway Company launched an open all-year-round prayer room in Tokyo Station for practitioners of any religious faith, reportedly mainly in response to increasing numbers of inbound Muslim tourists.

The press reported on the arrests of vandals in shrines and temples. JAORO said it did not consider these acts of vandalism to be religious freedom abuses pending more information on the motives of the perpetrators.

Access to halal food continued to expand in many communities. On August 9, the Muslim World League and the Tokyo Organizing Committee of the Olympic and Paralympic Games reportedly discussed the provision of halal food to Muslim athletes in the 2020 games. Rohingya Muslims representatives reported on amicable coexistence with local communities and interactions with other religious groups.

#### **Section IV. U.S. Government Policy and Engagement**

A visiting officer from the Department of State Bureau of Democracy, Human Rights, and Labor, together with a U.S. embassy representative, discussed with the Ministry of Foreign Affairs and MOJ religious freedom and tolerance in the country. In interactions with the ACA, the embassy emphasized interfaith respect and coexistence.

Embassy personnel engaged minority religious groups, including the Muslim, Jewish, and Falun Gong communities, and foreign workers, in particular. Embassy officers met with representatives of a Buddhist group, Soka Gakkai, to underscore U.S. promotion of respect for religious freedom. They also met with Rohingya Muslims who sought refugee status in the country to discuss the needs of the Rohingya.