

JAPAN 2019 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 country remained strict in its refugee screening process, a policy the United Nations High Commissioner for Refugees (UNHCR) and nongovernmental organizations (NGOs) criticized. The government granted refugee status, based on the UN Convention relating to the status of refugees and its protocol, to at least two applicants who had a well-founded fear of being persecuted for religious reasons in 2018 (latest statistics available), the same published number of persons granted such status in 2017. Christian and Buddhist representatives continued to question governmental funding for aspects of the October imperial accession ceremony because the ceremony contained religious elements. The government said such funding did not violate the constitutional separation of religion and state. The Ministry of Justice (MOJ) reported that in 2018 (latest statistics available) its human rights division received 164 inquiries related to potential religious freedom violations, compared with 214 in 2017, and confirmed eight cases, compared with 14 in 2017, as highly likely to be religious freedom violations.

Representatives of the Uighur community stated that Chinese embassy officials harassed and intimidated government officials, businesses, private citizens, and Uighur Muslims in an attempt to discourage public commentary on the situation in Xinjiang. Press reported both public and private institutions continued to expand access to halal food and prayer rooms for Muslims.

The U.S. embassy engaged with the government, as well as with faith-based groups, religious minority leaders, and their supporters, to promote religious freedom and acceptance of diversity.

Section I. Religious Demography

The U.S. government estimates the total population at 125.9 million (midyear 2019 estimate). A report by the Agency for Cultural Affairs (ACA) indicates that membership in religious groups totaled 181 million as of December 31, 2018. This number, substantially more than the country's population, reflects many citizens' affiliation with multiple religions. For example, it is common for followers of Buddhism to participate in religious ceremonies and events of other religions, such as Shinto, and vice versa. According to the ACA, the definition of follower and

the method of counting followers vary with each religious organization. Religious affiliation includes 87 million Shinto followers (48.1 percent), 84 million Buddhists (46.5 percent), 1.9 million Christians (1.1 percent), and 7.8 million adherents of other religious groups (4.3 percent). The category of “other” and nonregistered religious groups includes Islam, the Baha’i Faith, Hinduism, and Judaism. The indigenous Ainu people mainly practice an animist faith and mostly reside in the northern part of Honshu, in Hokkaido, and in smaller numbers in Tokyo.

Most immigrants and foreign workers practice religions other than Buddhism or Shinto, according to an NGO in close contact with foreign workers. A scholar estimates there are 100,000 non-Japanese Muslims and 10,000 Japanese Muslims in the country. Most of the approximately 300 Rohingya Muslims live in Gunma Prefecture, north of Tokyo, according to Rohingya representatives. The Japan Uyghur Association (JUA) said most of the approximately 3,000 Uighur Muslims in the country reside in Tokyo or its surrounding prefectures of Chiba, Saitama, and Kanagawa. 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 prohibits religious organizations from exercising any political authority or receiving privileges from the state. It states that the people shall not abuse their rights and shall be responsible to use their rights for the public welfare.

The government does not require religious groups to register or apply for certification, but certified religious groups with corporate status do not have to pay income tax on donations and religious offerings used as part of their operational and maintenance expenses. The government requires religious groups applying for corporate status to prove they have a physical space for worship and their primary purpose is disseminating religious teachings, conducting religious ceremonies, and educating and nurturing believers. An applicant must present in writing a three-year record of activities as a religious organization, a list of members and religious teachers, the rules of the organization, information on the method of making decisions on managing assets, statements of income and expenses for the past three years, and a list of assets. The law stipulates that prefectural governors have

jurisdiction over groups seeking corporate status in their respective prefecture, and groups must apply for registration with prefectural governments. Exceptions are granted for groups with offices in multiple prefectures, which may register with the Ministry of Education, Culture, Sports, Science, and Technology (MEXT) minister. After the MEXT minister or a prefectural governor confirms an applicant meets the legal definition of a certified religious group with corporate status, the law requires the applicant to formulate administrative rules pertaining to its purpose, core personnel, and financial affairs. Applicants become religious corporations after the MEXT minister or governor approves their application and they register.

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

The law stipulates that worship and religious rituals performed by inmates in penal institutions, alone or in a group, shall not be prohibited.

The law states that schools established by the national and local governments must refrain from religious education or other activities in support of a specific religion. Private schools are permitted to teach specific religions. The law also states that an attitude of religious tolerance and general knowledge regarding religion and its position in social life should be valued in education. Both public and private schools must develop curricula in line with MEXT standards. These standards are based on the law, which states that schools should give careful consideration when teaching religion in general to junior and high school students.

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

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

Government Practices

According to the president of the Japanese Falun Dafa Association, Shen Yun Performing Arts (Falun Dafa's performance company) faced obstacles to renting performance spaces. He reported discrimination from venues, attributing it to intimidation of their owners and operators by the Chinese embassy in Tokyo and

stating that an increasing number of venues were reluctant to rent their spaces to Shen Yun Performing Arts. The president stated he was told the Chinese embassy contacted elected officials for the purpose of intimidation related to the Falun Dafa. The government, however, continued to grant status to Chinese nationals self-identifying as Falun Gong practitioners, allowing them to remain in the country, while also allowing overseas artists, many of whom were Falun Gong devotees, to enter the country in conjunction with performances.

According to the JUA, the government showed some willingness to protect Uighurs in the country and engaged in limited direct diplomacy with Chinese government officials on the issue.

The government funded three rituals related to the imperial succession during the year. Critics, including Christian and Buddhist representatives, voiced concern that the imperial succession rituals were related to Shinto, noting that the constitution establishes separation of religion and state and stipulates that “no religious organization shall receive any privileges from the State, nor exercise any political authority.” The government acknowledged that the rituals included a religious aspect but stated that the constitution allowed for the staging of imperial successions and that the use of state funds was consistent with the previous enthronement in 1990. The Tokyo High Court in February dismissed a lawsuit challenging the use of state funding, but a similar suit remained pending at year’s end.

The MOJ’s Human Rights Bureau continued to operate its hotline for human rights inquiries available in six different foreign languages – English, Chinese, Korean, Tagalog, Portuguese, and Vietnamese. In May the MOJ reported that in 2018 (latest statistics available) its human rights division received 164 inquiries related to potential religious freedom violations, compared with 214 in 2017. It confirmed eight cases (compared with 14 in 2017) as highly likely to be religious freedom violations, out of 20,012 suspected human rights violations. The MOJ assisted the potential victims in all eight cases by mediating between the parties, calling on human rights violators to rectify their behavior, or referring the complainants to competent authorities for legal advice. These MOJ measures, however, were not legally binding. The MOJ declined to provide further details on these cases, citing privacy concerns.

According to the ACA, central and prefectural governments had certified 180,665 groups as religious groups with corporate status as of the end of 2018. 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 representing numerous religions and groups.

According to the MOJ, penal institutions gave inmates access to 9,058 collective and 6,310 individual religious ritual activities, including worship and counseling sessions by civil volunteer chaplains in 2018, the most recent year for which figures were available. An estimated 1,840 volunteer chaplains from Shinto, Buddhist, Christian, and other religious groups were available to prisoners as of January, according to the National League of Chaplains, a public interest incorporated foundation that trains chaplains.

The country remained strict in its refugee screening process, which has been criticized by UNHCR and NGOs. According to an MOJ press release, the ministry granted refugee status, based on the UN Convention relating to the Status of Refugees and its protocol, to at least two applicants who had a well-founded fear of being persecuted for religious reasons in 2018 (latest statistics available). In one case, there were credible concerns that an armed faith-based group could persecute the victim if he or she repatriated. In the second case, the applicant had a well-founded fear of being persecuted by her government for having converted from her original religion to another while in Japan, according to the MOJ. The MOJ concluded that arrest, detention, and torture of other converts in her country; her open criticism of her original religion; and, the originating government's belief that her conversion also led her child to abandon the religion was highly likely to result in persecution if she returned. There were also at least two individuals granted refugee status for religious reasons in 2017.

The government continued to grant special permits to stay on humanitarian grounds or temporary stay visas to most of the approximately 300 Rohingya Muslims who entered the country on the basis of ethnic and religious persecution in Burma. The majority of these individuals resided in the country for more than five years, some for more than 15 years. Of the approximately 300 Rohingya Muslims in the country, the government granted refugee status to 18 individuals, most recently in 2015, according to a Rohingya representative. The representative also said approximately 18 additional undocumented Rohingya Muslims were not associated with any formal resettlement program and were prohibited from obtaining employment. Their children born in Japan remained stateless. The remaining Rohingya Muslims in the country were legally permitted to reside in the country on humanitarian grounds, which allowed them to be employed, and

required regular renewal of their status by regional immigration offices. No Rohingya Muslims from Burma were deported during the year.

The government continued to grant residential status or citizenship through naturalization to most Uighur Muslims from China, who originally came to Japan for the purpose of study in most cases, with the number totaling approximately 3,000 at year's end. The government did not deport any Uighur Muslims, nor did it grant refugee status to any of the 10 who applied in 2017 on the basis of ethnic or religious persecution in China, according to the JUA. The government had not yet decided if it would grant refugee status to the 10 applicants at year's end, JUA reported.

The government formulated an action plan for accommodating the religious needs of Muslim visitors to the county, releasing manuals to help the tourism industry better understand Islamic culture and customs and to share best practices and practical advice.

Section III. Status of Societal Respect for Religious Freedom

Representatives of the Uighur community reported that the Chinese embassy in Tokyo harassed and intimidated government officials, businesses, private citizens, and Uighur Muslims in an attempt to discourage public commentary on the situation in Xinjiang. According to the JUA, the general public demonstrated a largely sympathetic attitude toward Uighurs and others who were subjected to Chinese human rights abuses.

Press reported a continuing expansion of access to prayer rooms in public spaces and halal food throughout the country under both government and private initiatives, including at recreational facilities, airports, train stations, and at rest areas on highways. This expansion was mainly in response to the increasing numbers of inbound Muslim tourists and in preparation for anticipated Muslim visitors for the 2020 Tokyo Olympic and Paralympic Games.

Section IV. U.S. Government Policy and Engagement

The embassy reaffirmed the importance of continuing to promote religious freedom in meetings with the Ministry of Foreign Affairs.

In conversations and meetings with JAORO, as well as with leaders of religious groups and other minority organizations, including those of Rohingya and Uighur

Muslims, the Jewish and Falun Gong communities, and foreign workers, embassy officials underscored the priority the United States placed on respect for religious freedom and discussed issues faced by these communities. The embassy also used its social media platforms to highlight the importance of religious freedom, including an announcement of the twenty-first anniversary of the passage of the Religious Freedom Act.