

# STATEMENT

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Distinguished delegates, I am Fujio Mizuoka, speaking on behalf of representative of the NGO—the Concerned Japanese Citizens for the Rights of the Child to Eradicate Child Guidance Centre Sufferings (JCREC).

Our mission is to eradicate grave infringements on the rights of children and families caused by Japan's child guidance centre (CGC) and its related 'social care' system.

The CGC in Japan does NOT protect children from abuse. Children were removed from their families arbitrarily according to **Article 33** of the Child Welfare Act without clear criteria or due legal procedures.

The removal now turns to a convenient means for schools to cover up wrongdoings, such as illegal corporal punishments by teachers. The United Nations Convention on the Rights of the Child (UNCRC) made urgent recommendations in 2019 (**29[a]**, CRC/C/JPN/CO/4-5) to stop catch-as-catch-can removal of children from families. The Human Rights Committee asked the Japanese government to implement the CRC recommendation 29(a) **within three years**.

The system of 'judicial review' or 'temporary custody warrant' that the Japanese government plans to introduce in removing the children does NOT comply with the UNCRC recommendations. The Japanese judiciary is notorious for acting as an appendage to the CGC. In 2021, for the initial placement of a detained child to the 'social care', the family court upheld 79% of the CGC's pleas under Child Welfare Act **Article 28**. For subsequent placements, it upheld **93%** of the CGC's removal decisions. The judiciary does not play the role of independent reviewer regarding the actions of the CGC from the viewpoint of the universal human rights.

**WHY, then, is the Japanese government so avaricious when it comes to removing children from their families and putting them under *state* control?**

The CGC is under 'strong financial incentive ... to receive more children' (para. 28[c]) of CRC/C/JPN/CO/4-5). In many cases, the removed children were transferred to alternative care facilities (ACFs) for detainment of 5.2 years on average, ignoring Para. 14 of the UN Guidelines for the Alternative Care of Children (A/RES/64/142). The ACFs are mostly run privately, with allowances of approximately JPY 400

thousand per child per month paid by the government coffer. As much as **82%** of the government fund of JPY 160.7 billion for 'child abuse prevention' (2022) goes to these facilities for running their business.

Children are thus placed under state control and face severe impediments in their intellectual development. Consequently, only **17.8%** of the children detained in ACFs attend university, compared with 54.9% of children in the general population (2020–21). ACF leavers are at an acute risk of degenerating into casual workers or homeless individuals. An ACF leaver confessed, '**I have no hope in my future**; thus, I am thinking of committing suicide before 40'. Through the state power, they are forced to live in miserable poverty.

To build-up its military power, the Japanese government began to view the youngsters in poverty as a reserve pool of **economic conscription** to cope with the deficiency of soldiers in the armed forces. Recruiters visit the ACF to entice detained children into the military service.

In the meantime, the CGC sends infants removed during puerperium from the mother who has been labelled as 'SPECIFIED EXPECTANT MOTHER' for 'special adoption', pursuant to Article 817-2 to 11 of the Civil Code. An NPO then 'sells' an infant for approximately JPY 2 million to infertile families sometimes overseas. It is **de facto child trafficking** that destroys the bonds of a biological family.

These are the hidden agendas behind the Japanese government setting up a new department called the 'Child and Family Agency', under which the ruling Liberal Democratic Party plans to increase the number of CGCs (with name changes) by **ten times**.

The Japanese government thus creates poverty fit for 'economic conscription' in this 'social care' system, as demonstrated by the fact sheets distributed to the distinguished delegates.

Distinguished delegates, we strongly recommend, first, that the Japanese government must honestly and thoroughly abide by all the UNCRC and CCPR recommendations in this regard. The existing child guidance and 'social care' systems of Japan, together with the 'Child and Family Agency', must be restructured from scratch to be replaced by a new child- and family-friendly system completely compliant with UN human rights covenants and recommendations. Articles 28 and 33 of the Child Welfare Act and Articles 817-2–11 of the Civil Code should be abrogated with immediate effects.

As distinguished delegates, you can make changes to this tragedy being inflicted upon children and families by the **authoritarian** state power of Japan. Thank you!