

Japan



Population: 126,804,433 (July 2010 est.)
Population Growth Rate: -0.242% (2010 est.)
Birth Rate: 7.41 births/1,000 population (2010 est.)
Life Expectancy: total population: 82.17 years; male: 78.87 years; female: 85.66 years (2010 est.)
Literacy Rate: total population: 99%; male: 99%; female: 99% (2002)
Net Migration Rate: NA (2009 est.)
Unemployment Rate: 5.6% (2009 est.)
Gross Domestic Product per Capita: \$32,600 (2009 est.)
Religions: Shintoism 83.9%, Buddhism 71.4%, Christianity 2%, other 7.8%
Language: Japanese
Ethnic Groups: Japanese 98.5%, Koreans 0.5%, Chinese 0.4%, other 0.6%
Capital: Tokyo¹

Trafficking Routes

Japan is a destination country for victims trafficked from Cambodia and Laos.² Japan is also a destination for women trafficked for sexual exploitation from Thailand, the Philippines, Colombia, China, South Korea, and Indonesia.³ There have been reports of Russian women trafficked to Japan for forced prostitution.⁴

Factors That Contribute to the Trafficking Infrastructure

Among the reasons for ineffective prevention of trafficking have been Japan's nonratification of international treaties, an unclear method of victim identification, a lack of shelters, and a lack of sufficient law enforcement training.⁵ The economic crisis is expected to

¹ CIA, THE WORLD FACTBOOK (2009), <https://www.cia.gov/library/publications/the-world-factbook/geos/ja.html> (last visited July 28, 2009).

² Press Release, Ministry of Foreign Affairs in Japan, Dispatch of Government Delegation on Anti-Human-Trafficking Measures (Jan. 12, 2007), available at: <http://www.mofa.go.jp/announce/announce/2007/1/0112.html>.

³ Steve Silver, *The trafficking scourge: Japan has tackled sex trafficking, but challenges remain*, THE JAPAN TIMES, Aug. 15, 2006, available at: <http://search.japantimes.co.jp/cgi-bin/fl20060815zg.html>.

⁴ SPARC, *Introduction Trafficking*, available at: http://www.sparcpk.org/infogateway_trafficking.php (last visited July 29, 2009).

⁵ Press Release, United Nations Office at Geneva, Japan: "Human Trafficking Affects Every Country," Warns UN Expert (July 17, 2009), available at: [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/16F1227A2C734CC9C12575F6004DA060?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/16F1227A2C734CC9C12575F6004DA060?OpenDocument).

contribute to an increase in the number of cases of human trafficking, as more people seek employment opportunities; many of these individuals might fall into the hands of traffickers.⁶

A lack of protection from prostitution and pornography for those under age 18 could also contribute to some cases of exploitation.⁷

Forms of Trafficking

Currently, prostitution and other forms of sexual exploitation are the most common forms of trafficking in Japan, although trafficking for labor exploitation is also a problem.⁸

Government Responses

In 1999, the Japanese government enacted the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children.⁹ Article 4 criminalizes child prostitution with up to five years' imprisonment or a fine of 3 million yen. Under Article 7, the production, distribution, and possession of child pornography are prohibited. Article 8 sentences anyone who participates in the trafficking of a child for forced prostitution to up to 10 years' imprisonment.¹⁰

Japan's criminal code prohibits trafficking in human beings through various articles. Article 225 sentences anyone who kidnaps an individual for "profit, indecency, marriage or threat to the life or body" to imprisonment for up to 10 years. Article 226 criminalizes the kidnapping of an individual for the purpose of transporting him/her to another country with a penalty of at least two years in prison. Article 226-2(3) prohibits buying another person for "profit, indecency, marriage, or threat to the life or body," and prescribes imprisonment for up to 10 years; article 226-2(5) sentences anyone who sells or buys an individual "for the purpose of transporting him/her from one country to another country" to at least two years in prison. Article 226-3 punishes those who transport kidnapped or "bought and sold" persons with at least two years in prison.¹¹

In 2008, a new Labor Contract Law was enacted to protect the rights of employees. The law stipulates that health and safety standards must be present in all contracts, and employee handbooks must not be altered "unilaterally" so as to put employees at a disadvantage.¹²

Nongovernmental and International Organizations Responses

⁶ Natsuko Fukue, *Human trafficking not addressed: U.N. envoy*, THE JAPAN TIMES, July 18, 2009, available at: <http://search.japantimes.co.jp/cgi-bin/nn20090718a6.html>.

⁷ *Id.* at 6.

⁸ United Nations Office at Geneva *supra* at 5.

⁹ Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children, Act No. 52 of May 26, 1999 (Japan), available at: <http://www.hsph.harvard.edu/population/trafficking/japan.traf.04.pdf>.

¹⁰ *Id.* at 9.

¹¹ Penal Code Act No. 45 of 1907, revised May 2006 (Japan), available at: <http://www.cas.go.jp/jp/seisaku/hourei/data/PC.pdf>.

¹² *Japan Introduces New Labor Contract Law*, ASIAN HR ENEWSLETTER, (Pacific Bridge, Inc.), May 5, 2008, available at: <http://www.pacificbridge.com/asianews.asp?id=359>.

The House of Emergency in Love and Peace Housing in Emergency of Love and Peace (HELP) Asian Women's Shelter provides shelter, food, and medical and legal aid to women in need. HELP has provided assistance to women from Japan, Thailand, the Philippines, Taiwan, Colombia, Iran, the United Kingdom, the United States, and Canada;¹³ many of these women are victims of trafficking. HELP also operates a hotline and advocates for increased government involvement.¹⁴

Polaris Project is a prominent anti-trafficking nongovernmental organization that operates in the United States and Japan, and operates the Japan Trafficking Intervention Program. Polaris Project has initiated numerous anti-trafficking measures, including conducting trafficking research, sponsoring crisis hotlines in different languages, providing emergency assistance and referrals to trafficking victims, advocating for policy change, and coordinating international law enforcement training workshops. Polaris Project is a member of the Japan Network Against Trafficking in Persons.¹⁵

ECPAT/STOP Japan is an NGO that focuses on the protection of children against sexual exploitation. ECPAT/STOP advocates for new legislation and more efficient law enforcement practices, and seeks special protection for children on the Internet. ECPAT/STOP also encourages adherence to the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism.¹⁶ The goal of the code, authored and supported by ECPAT International (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes), UNICEF, and the U.N. World Tourism Organization, is to prevent the trafficking of children for sexual purposes by raising public awareness, training personnel in the travel industry, and promoting a common goal of eradicating child exploitation.¹⁷

Multilateral Initiatives

In 2007, Japan funded a \$1 million, two-year project through the U.N. Trust Fund of Human Security to combat trafficking in Tajikistan. The program will be implemented by the International Labour Organization (ILO) and the U.N. Development Programme and will address the exploitation of Tajik workers who travel abroad for employment.¹⁸ From 2006 to 2009, Japan also funded the Economic and Social Reintegration of Returned Victims of Trafficking in Thailand and the Philippines project through the ILO.¹⁹

¹³ Humantrafficking.org, *HELP Asian Women's Shelter*, <http://www.humantrafficking.org/organizations/145> (last visited July 28, 2009).

¹⁴ Charles Spreckly, *Plus-Community: HELP Asian Women's Shelter*, METROPOLIS, available at: <http://archive.metropolis.co.jp/tokyoculturearchive299/252/tokyocultureinc.htm> (last visited July 2009).

¹⁵ Polaris Project- *Tokyo, Japan*, <http://www.polarisproject.org/content/view/58/78/> (last visited July 28, 2009).

¹⁶ ECPAT International, *ECPAT Directory: East Asia and the Pacific*, http://ecpat.net/Ei/Ecpat_directory.asp?id=79&groupID=3 (last visited July 29, 2009).

¹⁷ Thecode.org, http://www.thecode.org/index.php?page=1_1 (last visited July 29, 2009).

¹⁸ *Japan appropriates \$1mn to combat human trafficking in Tajikistan*, REGNUM NEWS AGENCY, July 6, 2007, available at: <http://www.regnum.ru/english/853542.html>.

¹⁹ Press Release, Embassy of Japan in the Philippines, *Japan Assists Fight against Human Trafficking through UN Human Security Fund* (May 20, 2009), available at: <http://www.ph.emb-japan.go.jp/pressandspeech/press/pressreleases/2009/40.htm>.

In 2007, the Government of Japan dispatched a Government Delegation on Anti-Human-Trafficking Measures to Cambodia and Laos. The delegation consulted with the governments of these countries concerning the status of trafficking and successful antitrafficking methods. In the past, Japan has also sent delegations to Thailand, the Philippines, Colombia, Eastern Europe, and other countries.²⁰

Japan participated in the 2009 World Day Against Child Labour, sponsored by the Child Labour Network, the ILO office in Japan, and the NGO-Trade Unions International Collaboration Forum. A film emphasizing the prevalence of child trafficking and organ harvesting, *Children of the Dark*, was shown. In addition, a symposium addressed child trafficking in Thailand, Cambodia, and Japan and highlighted such issues as educational opportunities and fair trade products.²¹

²⁰ Ministry of Foreign Affairs in Japan *supra* at 2.

²¹ Press Release, Global March Against Child Labour, Summary of World Day against Child Labour Campaign 2009 in Japan, *available at*: <http://www.globalmarch.org/events/wdacl09-2.php> (last visited July 28, 2009).