

## **International House New York**

**Ayako Hatano**

### ***Living in Peace – Overcoming Hate Speech and Racial Discrimination in Japan*** **Japan**

#### **Background:**

“You Koreans are cockroaches! Spies of North Korea, get out of Japan!”, shouted big men flying a Japanese flag in front of the Korean Elementary School in Kyoto, Japan in 2009. Those men are members of hate groups, which have been staging intimidating demonstrations employing xenophobic and hateful street propaganda to target ethnic minorities. Hateful words were spread loudly by microphones and heard by every elementary student in the school building, which brought the children to tears with fear. In recent years in Japan, as part of a worrying global phenomenon, racism and ultra-nationalistic campaigns against ethnic minorities have seen a quick growth (the Japanese government research of 2016 shows 1,152 hate speech rallies reported in Japan since 2012). The growing number of hate speech rallies against permanent Korean residents and the level of anti-foreigner vitriol on the streets and the Internet has drawn both domestic and international public attention and criticism. In response to increasing activities by the ultra-right-wing groups, international pressure has been building against the Japanese government’s feeble response. There are several recommendations and reports from the UN Human Rights organs to call on the Japanese government to ban hate speech. The U.S. State Department’s Country Reports on Human Rights Practices for 2014 also showed concern on hate speech in Japan. In June 2016, Japan’s first ever anti-hate speech law was brought into force. However, the law is criticized as it does little more than label certain language unforgivable and does not legally ban hate speech nor impose penalties on those who engage in it. Moreover, its scope of people protected by the law is limited as the law is written specifically to protect legal residents of overseas origin and their descendants, which does not include other ethnic minorities in Japan. In the end, xenophobia seems still prevalent in Japan.

#### **Project goals:**

The project has two goals:(1) Research of the root causes of hate speech in Japan and effectiveness of domestic and international law against hate speech and (2) Empowerment of civil society organization and local community on human rights advocacy.

Reflecting the universal value, Japanese Constitution states “[w]e recognize that all peoples of the world have the right to live in peace, free from fear and want.” In fact, everybody has the inherent dignity and the equal and inalienable rights to live in peace build on mutual respect and empathy, free from fearing of hatred and discrimination. However, hate speech fosters hatred and discrimination against groups based on race, religion, gender, sexual preference, national origin, or other traits and destroy building blocks for peace. Hate speech does not only hurt the dignity of individual and also divides society to cause conflict. To overcome the problem, it is important to understand backgrounds and root causes behind in terms of Japanese history, culture and recent international relations and to figure out how domestic and international legal frameworks can be effective to solve them. Moreover, it is critical to use the international/ domestic tools effectively to advocate human rights to prevent hate speech. Therefore, one of the objectives of the project is to analyze the cause of hate speech and assess how the law is implemented and help prohibit or prevent the hate speech in Japan. Moreover, I focus on the empowerment of civil society, grassroots community and youth community to move against hate speech as I believe civil society organization, local community members and youth who live with ethnic minorities are the strongest actors to build long-lasting peace. The long-term goal of this project would develop the environment keep sending the message that hate speech is not acceptable in society we live, which I believe essential to building a peaceful society.

#### **Project Design:**

I plan to travel to Japan to conduct the research and the workshop below in late August for three weeks: 10 days in Tokyo for conducting research, presentations, and workshops; four days in Kawasaki, where

the hate speech rally was prohibited by the local community and the local government to conduct the interview; and around 7 days would be in Osaka and Kyoto, where I will conduct research and human rights advocacy workshops.

### **1. Research of the root cause of hate speech, impact of the domestic law and international human rights advocacy on racial discrimination**

The research is based on desk review of Japanese materials on hate speech available in the University of Tokyo, Human Rights organizations in Kyoto and Osaka and related national government organs and local governments, which I already have access to and the interviews on people such as government officials to get involved in developing and implementing the anti-hate speech law, lawyers who suited hate speech in the court, academic professionals in study of hate speech, Residential Koreans in Japan, NGO and anti-hate speech group members. The International Movement against All Forms of Discrimination and Racism(IMADR), international human rights NGO based in Japan kindly accepted to cooperate with my project and will introduce me those resource persons. I intend to write a research paper based on the qualitative analysis of the interviews and make a presentation to practitioner and academics to show the prospect and challenge in hate speech and xenophobia in Japan.

### **2. Empowerment of civil society and local communities on human rights advocacy**

I plan to conduct 4 workshops: two types of workshops both in Tokyo and Kyoto. IMADR kindly offered me a help with arranging the place and human resources. One is two-day workshop targeting at the human rights workers, people who work on the domestic and international advocacy. Cooperating with domestic and international advocacy professionals from IMADR, I intend to share participants human rights advocacy skills I have learned in New York Law School Global Justice Clinic and connect domestic and international advocates as the solidarity and cooperation are the keys in advocacy work in both of international and domestic dimension. The other is one-day workshop targeting junior high school students. Gathering Korean and Japanese student together, I plan to provide conflict management/resolution workshop and provide cultural exchange session as well. The aim of the workshop to develop the conflict management skills among participant and nurture the respect diversity and empathy to others. Furthermore, I intend to bring up future trainers of the workshop so that the participants conduct the same workshop at school and spread the culture of peace.

### **Project Impacts:**

My project will have a long-lasting impact on solving hate speech and xenophobia in Japan. It proposes the new broader solution for human rights advocacy in Japan through empirical analysis which particularly focuses on the role of non-governmental organization and local communities and the interaction between domestic actors and international human rights bodies. The empirical research help analyzes the effectiveness of current legal framework effective and design future ideal framework to protest hate speech in Japan. I hope this research would help connect lawmakers and grassroots advocates. The research would help not only academics and human rights workers use for evidence-based human rights advocacy.

Through workshops, human rights advocate will develop their skills so that they can deliver their message effectively to lawmakers and community members. Through the youth workshop, this peace initiative will deliver the message of non-violence and importance of mutual understanding through collaboration and discussion. The greatest success of our project would be the new proposals for government measure and sustainable grassroots that inspire human rights works and youth. We can design the peaceful environment both in national, community and individual level. With a combination of this top-down and bottom-up approach. I believe I could contribute to connecting the relevant actors to cooperate effectively to build a peaceful society where everyone can live without fear of hate speech and hate crime. Moreover, with long-term and broader perspective, this project should contribute to help the peaceful international relations among neighboring countries as mutual understanding of people mitigate the tension between nations. This is essential for not repeating our tragic past of the World War II.