

Paris, August 12, 2019

JAPAN: VICTIMS OF PARENTAL CHILD ABDUCTION DENOUNCE JAPAN IN A COMPLAINT TO UN'S HIGHEST HUMAN RIGHTS BODY

Human rights lawyer Jessica Finelle of Zimeray & Finelle law firm, filed a complaint before the United Nations Human Rights Council, accusing Japan of conducting a pattern of serious violations of the rights of the child.

150,000 Children Become Victims Each Year

An estimated **150,000 children** (according to the NGO Kizuna Child-Parent Reunion) **are unlawfully abducted by one of their parents each year** in the aftermath of a separation. Despite every effort by the other 'excluded' parent to gain access through the Japanese authorities, these children are deprived of access to their excluded parents for many years, sometimes until they reach the age of majority. Through the acts and omissions of its state organs, Japan has committed [serious violations of the rights of the child](#).

The consequences of these violations cannot be overstated. The children, whose '*best interests*' have been ignored, find themselves exposed to devastating trauma that may cause long-term behavioral problems such as school drop out, hypersexuality and self-harm, as underlined by Noriko Odagiri, a professor of clinical psychology at the Tokyo International University. She has also denounced the **rising number of children committing suicide in the last few years in Japan**.

The Role of the Japanese Authorities

Japanese authorities commit a catalog of breaches that fail to respect the most fundamental child right principle – the “best interests of the child”. The Japanese police refuse to record the criminal complaint for abduction by the excluded parent. And the police often threaten the excluded parent with prosecution if he/she even attempts to find his child. Family courts then grant to the abductor parent custody of the child for spurious reasons, such as “*not to disturb the child’s balance.*” And abductor parents often ignore any visitation rights obtained, however meager, with no consequences.

Criminal acts by the abductor parents are at best ignored, but more often facilitated or encouraged by the Japanese authorities. By favouring the abductor parent notwithstanding the child’s best interests, they violate several provisions of international law aimed at protecting children, including the right “*to maintain personal relations and direct contact with both parents on a regular basis*” (Article 9 of the Convention on the Rights of the Child, ratified by Japan).

Despite several cases of abductions of dual national children from France to Japan, the House of Culture of Japan in Paris has organized a conference in May 2018, whereby, according to US NGO BacHome, the audience “*was taught how to prevent having their children returned to France should they take them without consent to live in Japan. More simply put, organizers lay out how to abduct to Japan and get away with it*”, in violation of the The Hague Convention on the Civil Aspects of International Parental Child Abduction. **For Jessica Finelle, “if it is true that the Japanese diplomatic and cultural network**

was used to organize the circumvention of international law, it would be a serious matter. We shall be asking the Japanese Embassy for an explanation’.

EU Countries Have Expressed International Concern

On 26 June 2019, French President **Emmanuel Macron, meeting in Tokyo with several French fathers, stated their situation to be “unacceptable.”** The Italian Prime Minister, **Giuseppe Conte, expressed a similar view.** Both leaders raised the issue with Japanese Prime Minister Shinzo Abe. In March last year, 26 EU Ambassadors issued a joint letter to the Japanese Minister of Justice, calling for the legal system to remedy the situation.

The Human Rights Council Called To Step In To Protect The Children

Zimeray & Finelle law firm has urged the Human Rights Council to consider the entire victim pool, namely, the 150,000 children per year who become victims of parental child abduction.

Ten **representative examples were detailed in the filing:**

1. Masako AKEO, mother of Kazuya David SUZUKI, 24 years old: deprived of her son since Mars 2005
2. Yohei and Yuna BABA, 13 and 9 years old: deprived of their father since 17 November 2018
3. Brian and Alisa BALZER, 14 and 8 years old: very restricted acces to their father since 2014
4. Masato BECATTINI, 12 years old: deprived of his father since 8 March 2014
5. Claire DE FOURNAS, 7 years old: deprived of her father since 11 April 2015
6. Tsubasa and Kaede FICHOT, 3 et 1 years old: deprived of their father since 10 August 2018
7. Nathan LAMBERT, 6 years old: deprived of his father since 30 July 2016
8. Mana MIWA, 2 years old: deprived of her father since 27 November 2016
9. Hokuto Marcello and Ai Sofia ONUMA (PERINA), 6 and 4 years old: deprived of their father since August 2017
10. Kotone TANAKA, 6 years old: very restricted access to her father.

Jessica Finelle has asked the UN to protect the child victims who have no possible remedy in Japan. Requested actions include:

- The appointment of an independent and highly qualified expert to monitor the situation and report back to the Council (a Special Rapporteur), and
- The adoption of a resolution urging Japan to refrain from its continued violations.

Jessica Finelle

Jessica Finelle, lawyer at the Paris Bar and partner at Zimeray & Finelle, specializes in international criminal law and human rights law. She has recently obtained a decision from independant UN experts, asserting that the detention of Général Mokoko, Congolese main opposition leader to President Denis Sassou-Nguesso, was arbitrary, calling for his immediate release and reparation of his prejudice.

The Zimeray & Finelle Law firm

Zimeray & Finelle combines expertise in complex legal challenges with international diplomacy, offering clients unique, tailor-made legal services, and specializes in international human rights (including corporate compliance), transnational crime, and conflict resolution.

Press Contact : Laurence Martin for Zimeray & Finelle
Mobile : +33 (0) 6 47 69 85 99 / E-mail : lm@zimerayfinelle.com