

## [Human Rights Without Frontiers Int'l](#)

### **Newsletter "Intolerance and Discrimination Based on Religion or Belief"**

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#### **JAPAN**

#### **Change of religion, kidnapping and confinement for over 12 years: A Japanese wins an important lawsuit**

*See pictures of Mr. Goto after his release at*

<http://rachi.up.seesaa.net/image/s1000-Image051.jpg>

HRWF (03.02.2014) - A Japanese man who had been kidnapped by family members, confined for 12 years and subjected to violent attempts to renounce his new religious affiliation has won a court ruling against his captors and the deprogrammer.

On 28 January, the Tokyo District Court (Judge Tetsu Aizawa) ordered the three defendant members of the family to pay a total amount of 4.83 million yen (about \$47,000) while the deprogrammer, Takashi Miyamura, was ordered to pay 960,000 yen (about \$9,400) jointly, as part of the total damages.

In the civil suit filed against his family members and the deprogrammers involved in the case, Mr. Goto (now 50) alleged that he was kidnapped and confined in an apartment in Niigata and Tokyo from September 1995 to February 2008, a period of 12 years and 5 months, being forcibly persuaded to leave the Unification Church.

#### ***Abduction and confinement***

In 1986, Mr. Goto, then 23, became a member of the Unification Church. In 1987, there was a first attempt of kidnapping and confinement by his father and other relatives but he managed

to escape about a month later. In order to avoid another similar experience, he cut off all the links with his family.

Eight years later, in September 1995, the parents of the plaintiff, his elder brother and wife, and younger sister, kidnapped him from their home in Hoya City, Tokyo (currently West Tokyo City) according to instructions from deprogrammer Takashi Miyamura and Yasutomo Matsunaga, a Christian minister. He was then confined in an apartment in Niigata City for approximately one year and nine months. Matsunaga came to this apartment to urge him to leave the Church.

In June of 1997, the plaintiff was taken to a first apartment in Ogikubo (Tokyo) where he was confined for five months. Then, he was transferred to another apartment (Flower Home) in Ogikubo where he was detained for about ten years, Miyamura regularly visited this last confinement site together with former members of the Unification Church (UC) in order to convince him to leave the Church.

During his confinement, Mr. Goto attempted to escape several times but he was every time caught and held by his family members. Even when he had influenza and developed a high fever, he was not allowed to visit a clinic.

Fearing that he would not be released from his long-term confinement in his lifetime, Mr. Goto held three hunger strikes of 21 days, 21 days, and 30 days.

Around November 2007, it looked like the family members had started arguing about whether to go on with the confinement or not due to the financial burdens it imposed.

On 10 February 2008, at around 4:00 PM, his brother, his sister-in-law, his mother and his sister suddenly ordered him to leave the apartment. He was then emaciated and suffering from a serious state of starvation. Dressed in his lounge wear, he was thrown down on the concrete corridor in front of the entrance door without any belongings or ID document.

On his way to the Unification Church headquarters, he came across a member of his church who gave him some money so that he could take a taxi to reach a safe haven.

That evening, he was diagnosed with malnutrition and admitted to a hospital. For a while, he could barely stand on his feet.

"I can never pardon their actions. They deprived me of my fundamental human dignity as well as the most precious period of my life. Yet, my family members and Miyamura have not yet shown any remorse or offered an apology. Miyamura even tried to divert the blame from himself by saying that he never knew that the entrance door of the Ogikubo Flower Home was padlocked," he said to *Human Rights Without Frontiers* in 2011.

### ***The legal fight***

In April 2008, Mr. Goto submitted a criminal complaint to the Ogikubo Police Station. However, the police did not conduct any serious criminal investigation and turned the case over to the Tokyo District Public Prosecutors Office in February 2009.

On 9 December 2009, the prosecution decided to waive the indictment of the criminal complaint on the grounds of insufficient evidence.

On 23 June 2010, Mr. Goto appealed to the Tokyo Committee for the Inquest of Prosecution with the hope of reopening the criminal case.

On 6 October 2010, Mr. Goto's appeal was rejected by the Tokyo Committee for the Inquest of Prosecution on the ground that there were too many doubts to consider the case as an attempt of compulsion, capture, confinement and injury.

On 31 January 2011, he filed a civil lawsuit against his family members and the deprogrammers.

At a press conference held in the evening of 28 January 2014, Mr Goto, who has established the Japanese Victims' Association Against Religious Kidnapping, Confinement & Forced Conversion, said:

We can commend to an extent the fact that the ruling recognized the liability of my brother and sister and the defendant Miyamura. However, I regret very much that the responsibility of the defendant Matsunaga was not recognized.

In particular, we highly appreciate the fact that the liability of the deprogrammer defendant Miyamura was recognized. When we think about the numerous Unification Church members who were kidnapped, confined and suffered under the instructions of defendant Miyamura, I believe that they would also be happy. Kidnapping and confinement, forcible conversion continues. My heartfelt wish is that the victory this time will be of help in eradicating kidnapping, confinement and forcible conversion.

And his lawyer, Mr. Nobuya Fukumoto, commented

The fact that the court recognized the liability of Mr. Miyamura is a huge step forward. Nevertheless, it is very regrettable that the liability of Mr. Yasutomo Matsunaga was not recognized and this is unjustified. We are now considering to appeal the ruling.

## **International reports about abduction, confinement and de-conversion**

In 2013, the U.S. Commission on International Religious Freedom cited Japan's judicial system for turning a blind eye to the kidnapping and forced deprogramming of people in the Unification Church and other "new religious movements" over the past several decades. See [http://www.uscirf.gov/images/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirf.gov/images/2013%20USCIRF%20Annual%20Report%20(2).pdf) (page 302).

The U.S. State Department also cited Japan for inaction in religious oppression cases such as Mr. Goto's in its 2010 International Religious Freedom Report: "In 2008, an adult member of the Unification Church was released after reportedly being held against his will by family members and a professional deprogrammer for over 12 years. Prosecutors did not pursue the

case citing insufficient evidence. The case was on appeal at the end of the reporting period."

*Human Rights Without Frontiers* interviewed victims of deprogramming attempts of two new religious movements in Tokyo in 2011 and published a general report about the global issue entitled "Abduction and Deprivation of Freedom for the Purpose of Religious De-conversion" and available on Amazon.