

## **Emergency Statement**

**Child Pornography is Recorded Sexual Abuse on Children**

**Immediate legislative revisions must be made, including control of simple possession!**

The Japan Committee for UNICEF

The Japan Committee for UNICEF welcomes deliberations that commenced today in the Committee on Judicial Affairs, House of Representatives on revising the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and hereby releases this emergency statement calling for legal revisions to be made through these Diet deliberations that prioritize protecting the rights of children, including banning “simple possession” of child pornography.



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The signatures of 1.17 million Japanese citizens demanding the prohibition of simple possession of child pornography were submitted to the Diet on 4 August 2011.

Starting in 1997, the Japan Committee for UNICEF began to petition the Diet to enact the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, striving to realize the eradication of child prostitution and child pornography. In 1999, the Act was passed by House members, and since then the Japan Committee for UNICEF has carried out campaigns demanding that revisions be made to further promote the protection of children. The Act was amended in 2004 so that its regulations would apply to child pornography stored on computers (data) in addition to published and printed materials. However, the Act still lacks the strength needed to respond to the ever-growing presence of the Internet within society, which has been

rapidly expanding since 2004.

In efforts to spark change, in May 2010 the Japan Committee for UNICEF acquired the approval of UNICEF Executive Director Anthony Lake, who was on a visit to Japan at the time, in launching a national campaign with the aim of eradicating child pornography. Under this campaign, the Japan Committee for UNICEF cooperated with 90 major domestic organizations including the National Governors' Association (NGA) and the Japanese Trade Union Confederation (RENGO) to appeal the vital importance of prohibiting the purchase, procurement and simple possession of child pornography, and collected signatures of citizens seeking approval for the revision of the Act. This campaign received a tremendous response, acquiring more than 1.17 million signatures of approval—a number far larger than expected.

Building on the momentum created by the current deliberations on the revision of the Act, on 4 August 2011 the Japan Committee for UNICEF submitted these signatures to House of Councillors President Takeo Nishioka in order to ensure that the valuable opinions of Japanese citizens reach the Diet. Moreover, on the same day the Japan Committee for UNICEF paid a courtesy visit to Speaker of the House of Representatives Takahiro Yokomichi, requesting that the Act be revised as quickly as possible.

By unfortunate coincidence, on the same day that the signatures were submitted to the Diet, the National Police Agency announced that the number of recorded child pornography crimes where children were victimized during the first half of 2011 rose by 9.1% on the same period of the previous year to reach 649 cases, while the number of child victims increased by 14.4% to 310 children. Both figures are the largest in history.

Due to the advent of new tools such as file sharing software, massive amounts of child pornography in the form of image and video are being exchanged over the Internet on a global level, some for profit and some not. In order to respond to this problem, the international community has presented a policy to prohibit not only simple possession (over 70 countries already ban “simple possession”), but also the act of viewing pornographic images and video of children in addition to products that depict acts of sexual child abuse in animation, manga and other forms (The Third World Congress against the sexual exploitation of children and adolescents (2008)). Furthermore, the “Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse”, which was concluded by the Council of Europe in 2007, applies to items that depict sexual abuse on children which are not included in the definition of child pornography.

As these developments advance on an international level, Japan's Act on Punishment of Activities Relating to Child Prostitution and Child Pornography currently does absolutely nothing to control the simple possession of child pornography, which is a record of actual sexual abuse on children. This law does not protect children that have actually been victim to sexual abuse crimes or those that are exposed to the threat of such crimes.

The following are examples of messages that the Japan Committee for UNICEF has received from victims of child pornography.

“It is absolutely horrifying to think about how that picture is being used... I have tried cutting my wrists and committing suicide countless times.”

“I will never be able to forget the past as long as I live in a world where child pornography is so easy to get. I feel like my life is over. If there is somebody that has the power to change the world, I hope they will save me.”

The Act on Punishment of Activities Relating to Child Prostitution and Child Pornography was established with the key objective of protecting the rights of children. In order to protect the children of Japan and the world from sexual abuse—the most vicious invasion of rights on children—the Japan Committee for UNICEF hereby strongly demands that the Diet listen to the true voice of the public and revise this Act by putting priority on protecting the rights of children, including prohibiting “simple possession”.