

Recently, we realized that the Public Prosecutor's Office is threatening democracy in Japan. In fact, previously, several human rights organisations claimed the anomalies of the Japanese judiciary system, pointing that the rate of guilty verdicts was more than 99%, which suggested that the judiciary power was practically under the control of the Prosecutor's Office.

Japanese people are not surprised by this fact, but still believe in the infallibility of the Prosecutor's Office, which is, of course, no more than a myth, and accept this abnormal situation in the judicial system. Especially, the Special Investigative Squad of the Prosecutor's Office (Toku-Soh), which is the section that is specialized for investigating political corruption, was often regarded as a star.

However, things have been changed just before the long-lasting ruling party of Japan, the Liberal Democrat Party (LDP), lost the key general election in 2009 and a new government by the Democrat Party Japan (DPJ) was established. Five months before this historic election, the Prosecutor's Office dared to accuse Ichiro Ozawa, who was the leader of DPJ at that moment and therefore to become the Prime Minister if the DPJ won in the election. The investigation on Ozawa by the Prosecutor's Office had so many exceptions, and later, the suspicions on Ozawa were proved to be false. Because this was a very suspicious case, since then some people became clearly aware that the Prosecutor's Office arbitrarily used its power to oppress some politicians.

Besides, it has become known that prosecutors often force suspects and witnesses to sign legal "testimonies" that are actually written by the prosecutors to support their stories. Also, it became clear that prosecutors even used a kind of torture: for example, they even

prohibit suspects/witnesses to access to medical attention that is necessary for them during “interrogations”, in order to force them to sign testimonies. Importantly, such “interrogations” led to suicides of suspects and/or witnesses in several serious cases.

Needless to say, suspects have the right to be assisted by lawyers in Japan. However, in many cases, lawyers play significant roles in this “prosecutors’ theater”, and even strongly recommend the accused to admit crimes in front of prosecutors in order to be released from detention. (Importantly, in Japan, suspects are usually kept under detention by prosecutors until they admit crimes.)

To make matters worse, over all these years, Japanese mass media has not made any efforts to be impartial to both prosecutors and suspicions, but just conveyed the prosecutors’ announcements.

Also, in Japan, people can claim to form a citizen committee that examines whether the Prosecutor’s Office works properly, namely, an alleged Committee for Inquest of Prosecution (Kensatsu-Shinsa-Kai).

However, the committee is working in an inappropriate way: it seems that the committee started to claim for itself the right of accusation and arrest, without having sufficient evidence. In this year, after the Prosecutor’s Office failed to prosecute Ozawa in the above case, a Kensatsu-Shisa-Kai was formed to investigate the case, and finally, it decided that Ozawa should be prosecuted although it did not find any evidence. We are concerned that this was an abuse of its power. In other words, if this way is accepted, the committee can accuse anybody, no matter if he or she is a journalist, politician, or citizen, without any evidence. Given that the Prosecutor's Office has a dominant power in Japan and that Kensatsu-Shinsa-Kai can make

arbitrary decisions to support the Office, these together can constitute an absolute authority.

We think that such an absolute authority, which can arbitrarily accuse people, must not exist in democratic society. In fact, recently, a serious scandal occurred in Toku-Soh, the Special Investigative Squad of the Prosecutor's Office: prosecutors fabricated evidence in the case of Mrs. Atsuko Muraki, in order to prosecute her, although prosecutors in fact knew that she was innocent.

Even mass media in Japan, which had been functioning as an advertisement section of the Prosecutor's Office, could not ignore this scandal. Finally, the Minister of Justice had to mention "the problem of the Prosecutor's Office" and convene a panel to consider reform of the prosecutors' system.

Notably, despite of serious criticism by Japanese people, the Prosecutor's Office did not make any reforms but tried to minimize the scandal by blaming the officer in charge of Muraki's case, and finally it announced that the scandal occurred because of his personal problem.

Accordingly, several lawyers, journalists, artists, intellectuals and a large number of citizens have gathered via internet, especially via Twitter, and started a movement for making complaints and requesting information regarding the scandal of the Prosecutor's Office, in order to promote reform of the judicial system.

As a first step, we made a complaint to the officer in charge of the Muraki's case for suspicions of abuse of authority. This is not only for accusing of his guilty, but for promoting reform of the entire judicial

system, including both the regional offices and the Supreme Prosecutor, Toku-Soh. Thus, ironically, prosecutors have to carry out a complaint in order to prosecute themselves.

Also, it is worth noting that for the first time in the history of Japan, citizens made a criminal complaint against a bureaucratic agency.

Now, thousands of people are becoming aware of the corruption of Japanese mass media, which manipulates judicial and political information in favour of the Prosecutor's Office. It is fascinating that these people are now connected via Twitter to claim and protest against them. Moreover, these people have started to rally on the street to protest against this abnormal judicial and political situation, something that has been extremely unusual in Japan.

Collectively, it is urgent to normalise the judicial system in order to protect human rights in Japan.

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