

VIOLENCE at Japan's immigration detention centers

Despite its economic slowdown, the decline in the number of undocumented foreigners working in Japan, previously estimated at 300,000, has been marginal. Many of them continue to perform the so-called '3D jobs' (dirty, dangerous and difficult) that the Japanese reject—jobs in the sex industry, small factories and construction projects. The Japanese Ministry of Labor recognizes the value that these workers contribute to maintaining the country's business infrastructure and applies the Labor Standard Law and Labor Law also to those without 'residential status'. At the same time, however, the Japanese government considers these migrants 'illegal employees'.

In prosecuting and detaining so-called illegal workers, immigration officials must first obtain a detention warrants issued by the police. But in the 1993 mass arrests in the Ueno Park, Yoyogi and Harajuku Park areas, no such warrants were produced, and such illegal arrests continue. The migrants live and work in perpetual fear of prosecution.

Testimonies

Between 1993 and 1994, Japanese newspapers reported on 11 cases of violence against detained foreigners, three involving the police; two, police detention officials and six, immigration officials.

- Tao (31, from China)

On November 1 last year, immigration officials raided the club where Tao worked as a hostess. Tao was taken to the immigration agency. A picture taken at the time Tao was under investigation showed her badly swollen face, proof that the migrant was assaulted during investigation. The existence of such material evidence as the photo made Tao's the only case so far where immigration officials admitted to using violence. Just before the first public hearing on the charges leveled against her, however, Tao was repatriated Tao "at



the expense of the state." Critics decried the government's move as an attempt to 'hush evidence.'

I was punched an incredible number of times while my hands were handcuffed behind me. . . . They disregarded my answers, and they grabbed my hair, pushed down my face, then hit me over and over again in succession. I lost my strength and became nauseous. Suddenly, I vomited blood. When the man saw this, he started hitting me again. . . . Did I commit a crime to deserve this treatment? If I committed a crime, I should be punished by the law. I simply overstayed my visa.

from Tao's transcript

● Insider's exposé

Both the immigration bureau and the Ministry of Justice deny that violence is inflicted on detained migrants. "We investigated thoroughly and found no [occurrence of] violence. Our conduct is legitimate." The following month, however, a former immigration official admitted during a press conference that foreigners under detention are subjected to violence daily and systematically. "For the first time in my life, I heard the sound made when someone is hitting someone else," he said.

Detailed as security official at the Tokyo immigration office straight after high school graduation in 1993, the said ex-immigration officer resigned only four months after. He admitted he could no longer endure the conditions in the detention center and gave additional testimony on the abuse suffered by foreigners at the hands of immigration officials:

Security officers refer to the practice of Settoku (convincing) or Shimeru (silencing) when a detainee fails to comply with the conditions of solitary confinement. When the detainees are locked up, they are first commanded to sit on their legs. If the detainees obeys, more instructions are given. Otherwise, they are confronted by the officers, then hit in the chest. A detainee starts screaming "I did not do anything bad" at the start. But after being hit and kicked around, he or she starts screaming, "I'm sorry, I'm sorry, I did bad things." The beating usually stops at this point. Thus, the less apologetic the detainee, the more severe his or her injuries. In most cases, three or more officers attack one detainee as part of instilling disciplinary in one under solitary confinement.

In one incident, five to six detainees who began protesting were put in solitary confinement for a long time. Among them, some were bleeding in the forehead while some were bruised and had swollen noses. I saw one Iranian whose leg was hung from the steel grating by handcuffs. As far as I recall, the prisoner was left in this position for at least one hour.

Pre-war ghost of immigration policies

The violence done by the immigration security officers on detained foreigners did not arise just recently. The report "Twenty Years History of Ohmura Detention Center" (1970), edited by the detention center itself, talks of numerous protests against violence used security officers on Korean prisoners and riots waged by the detainees for better treatment, as well as several cases of suicide among detainees--events that occurred almost immediately after the creation of the immigration bureau in the '50s.

The bureau was initially a department under the administration of the Ministry of Foreign Affairs. At that time, its officials came from the infamous 'special political police', widely known for torturing detained 'political criminals' during Japan's colonial wars. The group was officially dissolved after the war, although in fact, it was merely transformed into the immigration bureau under the supervision of the Ministry of Justice. The office handled few cases of illegal (smuggled) foreigners in Japan, and because of the light work load, the justice ministry paid little attention to it. Some people familiar with internal affairs admit that "not many good personnel" were hired at the time.

The bureau now handles foreigners under solitary confinement no differently from then.

Sexual assault

Maria, from the Philippines, recounted her experience:

In the Osaka Immigration [office], my roommate told me she was ordered during her interrogation to take off her underwear and sit on the table. She followed what she was told to do. . . . The next day, a Taiwanese woman told me she received the same kind of treatment during her interrogation in a small, closed room. At the detention center in Shinagawa of Tokyo Immigration [bureau], an officer ordered

Violence Against Women

me to follow him so he could take my finger prints. While he did so, he whispered something, then held both of my hands as though he was hugging me from behind. I felt his penis harden, then he hugged me harder.

from the Japayuki-san Joho Center
Shuppan-Kyoku, 1985

There is more evidence of sexual harassment and rape by officials against foreign women detained in the Center of Immigration: "In 1982, a Columbian told me about a case of rape committed by an official of the detention center"; "Sometime in 1992, I heard a woman from Ecuador was raped in the detention center"; "A four- or five-year-old girl was harassed"; "My roommate was raped, and then she committed suicide." Such evidence, however, has not been proven at this point.

Support groups

Some lawyers, scholars, media practitioners and support groups have organized a coalition to investigate the immigration problem. The group conducted a closed-door investigation and found that the rights of detainees are violated at any time, from during arrest up to before repatriation. The evidence gathered by the group remains limited, however, because many of the victims have been deported to their countries immediately after their release and cannot appeal their cases.

The Association in Kotbuki for Solidarity with Foreign Migrant Workers, also known as Kalabaw-no-kai, gives assistance to migrants with problems of unpaid wages and illegal dismissal, and those related to intermarriages. It is also gathering evidence of human rights violations in immigration detention centers and seeks assistance from NGOs in other countries for this effort.

by Toru Takahashi, translated by Masumi Azu and Elson Boles
source: Solidarity with Foreign Workers

contact details:
Kalabaw-no-kai
3-11-2 Matsugage-cho Sanwa Bussan Bldg.
Room 701 Naka-ku, Yokohama-shi
Kanagawa, 231 Japan
Tel: (81-45) 662-5699; Fax: (81-45) 633-2262

Center for women in crisis in Pakistan

Rape, sexual assault and other crimes against women detained in police stations, torture cells and prisons are on the rise in Pakistan. Finding the need for a separate section to deal with the problems of women torture survivors and their families, the group Voice Against Torture established the ROSHNI-Centre for Women in Crisis.

ROSHNI's work includes identifying different crisis situations that women face and developing strategies for crisis intervention. The project extends social, psychological, clinical and legal support to women whose rights have been violated. It gives special attention to tortured, humiliated, cruelly punished, battered and sexually assaulted women. With the help of the health professionals from the Rehabilitation and Health Aid Centre for Torture Victims (RAHAT), ROSHNI is able to provide facilities for rehabilitation, psycho-social support and health aid to survivors of different forms of violence against women.

The group conducts psychotherapy, physiotherapy and other different stress-reduction techniques to help rehabilitate the victims. Counselors also tackle other issues related to women's mental and physical health including gender discrimination, child-parent relationships, marital harmony and family planning.

source: RAS Newsletter, Vol. 9, October 1994; House 340, Street 97, G-9/4, Islamabad, Pakistan