



## *Interview with Dr Heisoo Shin*

### **Vice-Chairperson of the CEDAW**

IMADR-JC multiple discrimination project team had the opportunity to interview Dr Heisoo Shin, Vice-Chair of the Committee on the Elimination of Discrimination Against Women (hereafter, the Committee).

The following is an excerpt of the interview conducted in New York on 4 July 2003.

*Q: The Japanese government looks like it is ignoring the fact that migrant women should be protected, and that the human rights issues facing Buraku, Ainu, Korean, trafficked and other minority women must be addressed under the Convention on the Elimination of All Forms of Discrimination Against Women (hereafter, the Convention). Would you care to comment on this?*

**Shin:** The main purpose of the Convention is to protect and promote women's human rights. And when we say "to protect and promote women's rights", it applies to all women who would be affected by the Japanese government's policy. It doesn't mean that Japanese old women should be treated the same as Japanese old men. If there is a right as a human being guaranteed for a Japanese woman, whether she is old, young, migrant, employed or not employed, she should be treated equally, with the same rights as any Japanese male.

Also in respect of minority women, whether they are Ainu, Buraku people or Korean descendants living in Japan, the Japanese government should have statistics on these groups. The Committee often asks the State Party to provide data disaggregated not only by sex, but also race, ethnic minority and descent. The Convention is meant for all women, whether they are working class women, disabled women, old women, etc. In fact, women who belong to ethnic minority or disadvantaged group often face multiple discrimination, so the government should pay special attention to protect the rights of these women.

So there are also always questions asked by the CEDAW experts regarding the situation of migrant women. For instance, if migrant women from the Philippines are working in Japan and are suffering from sexual abuse by their Japanese employers, we, as CEDAW experts, have in the Convention an instrument sufficient to ask the Japanese government about the situation of these Filipino women.

Because, for example, when Filipino women enter illegally or are smuggled into Japan, there must be someone in Japan who is trafficking or acting as an intermediary for these movements and the Japanese government has every responsibility to investigate and to prevent whatever human right abuses these Filipino migrant women face in Japan.

When a person goes from one country to another, both the sending and the receiving country's governments have responsibility to prevent any human right abuses and to protect that person from the abuses. Issues about migrant women, regardless of their legal status, are legitimate questions to be asked by the Committee members. This is one big issue Japan faces. This is my third year as a CEDAW expert and when we review the advanced countries' reports, one of the important issues is immigrants, migrants and refugee women, who are not given enough human rights protection [by state parties].

*Q: In Japan, we don't have any legislation on anti-trafficking. We don't prohibit the act of trafficking itself. The only means of punishing such acts is under civil rather than criminal provisions, with a maximum 3 year sentence. What do you think about this?*

**Shin:** If that is true, it is a serious problem. The nature of the law regarding trafficking is a fundamental problem in Japan. If trafficking is not prohibited under the criminal code in Japan, of course, it is not possible to punish a trafficker with a heavy sentence. The case of the trafficker, Sonny, is an example. One year [and a 10 month sentence] is ridiculous! Selling 400 women, he should be put in prison for a long period of time! The government measure is not enough because anybody under that kind of system prefers to sell women and just pay the fine because it's a very light penalty. There is no effect to that legal provision. You just make lots of money doing all kinds of illegal things and then if you are caught, you pay the fine. In this [Sonny] case, 400 women arrived in Japan, suffered the human rights abuses, their passports were taken, they were in bonded labour, and they were exploited. The government has every responsibility to protect these women, even if they were staying illegally.

*Q: Do you have any messages for Japanese NGOs?*

**Shin:** I think that Japan needs a stronger women's movement. The status of women is very low compared to other developed countries. I don't know why because Japanese women have the resources to organize movements when compared to many other countries. I really don't understand why Japanese women spend much money traveling or buying so-called brand name goods, but do not want to change their own lives. That is sort of puzzling to me. I believe that Japan can do better than what it is now doing in terms of being the model of other countries. I don't think Japan is currently a model for other countries, not even in Asia. So I hope Japan builds a good women's movement and good civil movements.

Also, if the media doesn't cooperate, create your own media! Nowadays, you can create your own media on the internet without much money. This was done in Korea with the progressive cyberspace newspaper "Oh My News". You need to create the alternative news media that can let people know about these issues.

One weakness of Japanese NGO's is that while you are very good at the grass-roots level forming small groups and have many small groups and centres at the community level, you are not good at coming together to cooperate and forming a coalition, because you don't agree on small things. In Korea, we know that in order to negotiate with the government, we should not fight over the small things, but rather we should come up with a common coalition. Whenever we come up against the big issues, we have to coordinate.

If you have very big differences of position [in activism], you cannot form a coalition. But if the difference is very small, then you have to cooperate and work together when a big issue comes up. For example, if you are working on the minority people's rights, then there would be small groups across Japan from Okinawa to Hokkaido. You can form coalition headquarters, which would coordinate all these [small groups], and then come up with the one big agenda.

Of course, there is each movement started from own individual problem thinking and individual consciousness, but it is more powerful if you work together. You have to sacrifice yourselves [your own small goals] in order to achieve one big issue.

It was good to see many NGO groups working together in the JNNC coalition at this 29th CEDAW session. But there were too many Japanese women's activists coming to the session this time. And for us [CEDAW experts], from my point of view, it is not good to have to go through all these different materials in reports by each NGO within JNNC. It is better to coordinate reports by issue, not by organization. So you have to sacrifice and be satisfied with putting your organization's name [in a coalition], but not to produce your own organization material. That means coordination.

*(Interview: Keiko Ida, Setsuko Arai, Yuriko Hara)*