HUMAN RIGHTS WATCH

"I Was Hit So Many Times I Can't Count"

Abuse of Child Athletes in Japan

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Printed in the United States of America
ISBN: 978-1-62313-8387
Cover design by Rafael Jimenez

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JULY 2020

ISBN: 978-1-62313-8387

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Summary 1
Key Recommendations 4
Methodology 7
I. Physical Abuse of Child Athletes in Japan Prior to Recent Reforms 10
II. Child Athlete Abuse Today 15
No Comprehensive Tracking of Child Athlete Abuse 15
Abuse of Child Athletes 17
Punching, Slapping, Kicking, or Striking with objects 17
Excessive or Insufficient Food and Water 20
Forced to Train when Injured, Punished with Excessive Training 21
Cutting or Shaving Hair as Punishment 21
Abuse by Older Teammates 22
Sexual Abuse 23
Verbal Abuse 24
Lasting Impacts of Abuse 25
III. Impunity for Abusive Coaches 28
IV. Gaps in Reform 32
Poor Articulation of Legal Rights of Athletes, Legal Responsibilities of Sports Organizations 33
A Fragmented System for Addressing Child Athlete Abuse 35
Reformed National Standards Still Fall Short 37
Inaccessible Reporting Systems 39
Incomplete and Dispersed Investigation Systems 42
Inadequate Accountability Measures 44
Lack of Victim Support Infrastructure 46
Inadequately Trained Coaches 46
V. International Reform Efforts 49
The Safe Sport Movement 49
The International Olympic Committee 52
Other International Reforms 54

VI. Japan's Legal Obligations to Protect Child Athletes 56
Domestic Law 56
International Law 57
VII. Conclusion 60
Recommendations 61
To the National Diet 61
To the Japan Sports Agency (JSA) 62
To the Ministry of Education, Culture, Sports, Science and Technology (MEXT) 63
To all Japanese Sports Organizations, including, but not limited to, the Japan Sport Association (JSPO), the Japanese Olympic Committee (JOC), the Japanese Para-Sports Association (JPSA), the Japanese Paralympic Committee (JPC), National and Prefectural Sports Federations, and School Sports Federations 64
To the Japan Sport Council (JSC) 64
To the Japan Sport Association (JSPO), the Japanese Olympic Committee (JOC), and the Japanese Para-Sports Association (JPSA) 64
To Municipal Governments and School Boards 65
To the Japanese Criminal Legal System 65
Acknowledgments 66

Summary

> I was hit so many times, I can't count ... we were all called to the coach and I was hit in the face in front of everyone. I was bleeding, but he did not stop hitting me. I did say that my nose was bleeding, but he did not stop.
> — Daiki A., 23, Fukuoka, February 2020

Participation in sport should provide children with the joy of play, and with an opportunity for physical and mental development and growth. In Japan, however, violence and abuse are too often a part of the child athlete's experience. As a result, sport has been a cause of pain, fear, and distress for far too many Japanese children.

Physical violence as a coaching technique has a long tradition in Japanese sport, often seen as essential to achieving excellence in competition and in personal character. This dangerous tradition has made the eradication of physical abuse in sport especially difficult. Coaches, parents, and even some players hold onto the mistaken belief that physical abuse in sport has value—and children suffer as a result.

There are some sports, contact sports in particular, that inherently involve physical violence between participants—boxing or martial arts, for example. While there are potential concerns about athlete safety within these sports, this report is not focused on harm that occurs within the field of play, as a part of normal competition. When we refer to violence or abuse in sport in this report, we are referring to behaviors that do not have any connection to the course of regular training or competition. For example, a coach hitting a player in the face as punishment, as described in the quote that began this section.

Abusive coaching techniques documented in this report include, but are not limited to, hitting children with bats and bamboo kendo sticks, slapping children across the face, and holding children's heads underwater to simulate drowning. While abuse of a child includes harms such as physical and sexual violence, verbal abuse, and neglect, this report is primarily focused on physical violence, as that was the experience current and former child athletes reported to Human Rights Watch most frequently. Experiences of verbal and sexual abuse are also documented.

Clear and comprehensive reform is needed to eliminate these practices and protect children. While abuse of children is prohibited in Japan, there are no laws that explicitly extend this prohibition to the world of sport. Although the Japanese government and sports organizations have attempted, in recent years, to address physical abuse of children, child protection guidelines that apply to sports organizations, to date, have been non-binding suggestions, with no clear mechanisms for ensuring compliance.

Human Rights Watch's research—including over 50 interviews with current and former child athletes at all levels of competition, an online survey, data requests submitted to sports organizations, and testing of existing reporting mechanisms—found that children in Japan still experience abuse in sport, and identified institutional gaps that blunt the country's response to and prevention of such incidents.

In a well-known case in 2012, a 17-year-old high school basketball player in Osaka took his own life after suffering repeated physical abuse at the hands of his coach. Months later, the head coach of the Japanese Olympic women's judo team resigned amid accusations that he had physically abused athletes in the lead-up to the 2012 London Olympics.

In the wake of these cases and facing pressure as Tokyo bid and prepared for the 2020 Olympic and Paralympic Games, the Japanese government and various leading sports organizations undertook a series of reforms. The most notable were the 2013 Declaration on the Elimination of Violence in Sport (a written statement exhorting sports organizations to track athlete abuse and establish reporting systems for victims), and the 2019 governance codes for national sports federations and other sports organizations (meant to establish guidelines across sports bodies). Yet, neither of these reforms adequately or specifically address child athlete abuse, and neither are legally binding, resulting in questions about how effective they have been and will be.

Child abuse is illegal in Japan, and, just this year, Japan enacted a total ban on corporal punishment, representing decades of reform work by civil society groups. This ban applies to sport. To make this even more clear, the Japanese government should specify that legal prohibitions on child abuse and corporal punishment (also referred to in Japan as "*taibatsu*") extend to the world of organized sport. While there are several acts that could explicitly outlaw such violence and abuse (the Basic Act on Sport, the Child Abuse

Prevention Act, and the Fundamental Education Law), references to child abuse in sport remain notably absent from each.

Child abuse, including child abuse in sport, requires criminal legal accountability and remedy. But sports organizations also have a primary responsibility to address abuse and protect child athletes. Without clear and comprehensive child protection protocols from leading sports organizations like the Japan Sports Agency (JSA), the Japan Sport Association (JSPO), and the Japanese Olympic Committee (JOC), sports federations are left to their own devices in creating systems for the prevention, reporting, investigation, and punishment of child athlete abuse. This fragmented authority structure has resulted in inconsistent and inadequate mechanisms for child athlete protection.

Among the Japanese sports organizations assessed by Human Rights Watch, we found wide variation in the type of abuse reporting structures available, with some having no system at all and some only accepting reports by mail or fax. There is no publicly available data to indicate how many abuse reports are investigated, and Human Rights Watch information requests to sports organizations revealed that many do not track such information. When coaches are found to have abused child athletes, there are no uniform standards for sanctions across sports. Many coaches tied to abuse, and even suicide by athletes, are still coaching today.

These institutional failures leave child athletes vulnerable to abuse. In an online survey conducted by Human Rights Watch from March to June 2020, 425 current and former child athletes reported direct experiences of physical abuse while participating in sport; this included 175 respondents 24-years-old or younger with recent or ongoing experiences of abuse, allowing us to assess current practices and their consequences. The responses include accounts of abuse from current and former child athletes participating in at least 50 different sports, across 45 prefectures.

Through interviews, Human Rights Watch was able to document the nature and negative consequences of these experiences in detail. For example, Shota C. (pseudonym), 23, a former high school baseball player, described being abused by the coach of his high school team in Saitama prefecture: “He punched me on the chin and I was bloody in my mouth. He lifted me up by my shirt collar.” This was a common experience for members of

Shota C.'s team: "90 percent of my teammates experienced physical abuse.... We were all kind of joking, 'You haven't been beaten yet, when is it your turn?'"

Athletes interviewed by Human Rights Watch described a culture of impunity for abusive coaches. Of recent child athlete interviewees who experienced abuse, all but one reported that there were no known consequences for the coach.

Under international law, governments are obligated to ensure children's right to play and children's right to live free from violence or abuse. In order to end abuse of child athletes in Japan, the country will need a unified approach, guided by clear mandates and standards. As a start, the government should explicitly ban any form of abuse as a coaching technique in sport, and establish a Japan Center for Safe Sport, an independent body tasked solely with addressing child abuse in sport. This body should have the responsibility to create and maintain standards for child athlete protection, and should serve as the central administrative authority for investigating abuse claims and issuing proportionate sanctions against abusive coaches. Abuse cases involving criminal behavior should also be referred to police and prosecutors for concurrent criminal investigation.

With the Tokyo Olympic and Paralympic Games delayed until Summer 2021, Japan has one year to take decisive action before the games begin. Japan has a unique opportunity to show the world how it cares for its child athletes, and to lead in making sport safe for all. In doing so, Japan, as a pathfinding country of the UN Global Partnership to End Violence, would honor its commitment to ending violence against children. Taking decisive action to protect child athletes will send a message to Japan's children that their health and well-being matter, place abusive coaches on notice that their behavior will no longer be tolerated, and serve as a model for how other countries should end child abuse in sport.

Key Recommendations

To the National Diet:

- Amend the Basic Act on Sport or introduce a new law to explicitly:
    - Ban all forms of abuse by coaches against child athletes in organized sport;
    - Delineate the rights of athletes, including the right to participate in sport free of abuse;
    - Mandate training for all coaches of child athletes; and

    - Mandate that any adult who becomes aware of child athlete abuse must report it.
- Amend the Child Abuse Prevention Law to explicitly expand the existing definition of child abuse in article 2, so that it includes child abuse in organized sport.
- Establish a Japan Center for Safe Sport, an independent administrative body tasked with addressing child abuse in Japanese sport. Among sports organizations, this independent body would have centralized administrative authority to address any allegation of child athlete abuse within organized sport in Japan. Responsibilities should include:
    - Maintain standards to prevent and protect against child athlete abuse, and ensure full compliance with those standards by Japanese sports organizations;
    - Receive complaints or reports of child athlete abuse directly, as well as via a centralized reporting system, into which all existing reporting mechanisms would flow;
    - Conduct investigations into all cases of child athlete abuse in organized sport, issue proportionate sanctions against coaches—such as revoking their coaching license, suspending or banning them from coaching—and provide an appeal system for sanctioned coaches;
    - Refer abuse cases to law enforcement for criminal investigation, where appropriate;
    - Track and report data on the number of allegations, and the outcomes of investigations;
    - Create a public registry of coaches who are sanctioned;
    - Ensure free, ongoing, professional psychological support services for child athletes who have experienced abuse;
    - Establish training standards for all coaches of child athletes; and
    - Conduct education and awareness campaigns about the existence of this independent body, and the resources it provides.
- Provide the funding necessary to adequately staff and resource the Japan Center for Safe Sport, described above.

To the Japan Sports Agency (JSA):

- Introduce a new notice which explicitly does the following:

    - Ban all forms of abuse by coaches against child athletes in organized sport;
    - Delineate the rights of athletes, including the right to participate in sport free of abuse;
    - Require training for all coaches of child athletes;
    - Require that any adult who becomes aware of child athlete abuse to report it.
- Revise the 2019 sports governance codes so that all national sport federations and regular sport organizations are mandated to follow the code. The revised code should set out clear standards on reporting, investigation, and disciplinary measures for child athlete abuse in order to ensure abusive coaches are consistently held accountable nationwide, across sports and prefectures. The revised code should also mandate that any adult who becomes aware of child athlete abuse report it to the appropriate authorities, including law enforcement in cases of criminal behavior.

To the Ministry of Education, Culture, Sports, Science and Technology (MEXT):

- In the third Sport Basic Plan (from 2022 to 2026), strengthen and prioritize the protection of child athletes from abuse, and clearly state concrete measures to achieve this goal.
- Update MEXT's annual survey of abuse in schools so that it provides data on instances of abuse in school sport.
- Require child protection training and licensing for anyone coaching sport in schools.

To the Japan Sport Association (JSPO), the Japanese Olympic Committee (JOC), and the Japanese Para-Sports Association (JPSA):

- Require child protection training and licensing for anyone coaching sport for a member federation.

Methodology

Between January and June 2020, Human Rights Watch used a range of primary and secondary sources to investigate the abuse of child athletes in Japan, including: interviews with affected individuals, subject area experts, and government officials; an online survey of current and former child athletes; data requests to Japanese sports organizations; inquiries placed to the abuse reporting systems of Japanese sports organizations; and academic research documenting the prevalence and dynamics of the problem.

Researchers conducted 56 interviews with current and former athletes, representing at least 16 different sports and at least 16 different prefectures. These athletes included 44 men and 12 women, and ranged between 13 and 53 years old. Of these athletes, at least 26 were 24-years-old or younger and thus still children (defined in international law as any person under the age of 18) when the 2013 Declaration on the Elimination of Violence in Sport was issued; as such, some, or all of them, should have benefitted from changes in practices resulting from the declaration. At least 9 athletes interviewed also went on to become coaches, an experience that was also captured in the interviews.

Researchers met with the leaders and administrators of eight sports organizations: the Japan Sports Agency (JSA), the Japan Sport Association (JSPO), the Japan Sports Arbitration Agency (JSAA), the Japanese Paralympic Committee (JPC), and the federations of four individual sports. Finally, researchers interviewed 18 sports lawyers, team managers, academic experts, journalists, and parents of athletes.

To identify individuals who were willing to speak with Human Rights Watch about their experiences as child athletes, Human Rights Watch conducted outreach through Japanese NGOs and advocates for athlete rights in Japan. The World Players Association and their Japanese affiliates partnered with Human Rights Watch for this report and supplied contacts, expertise, and outreach central to this study, including introductions to sports federations and individual athletes who experienced abuse.

Some of our first interviewees connected us to friends or former teammates who were willing to speak with us about their experiences as child athletes.

Some of our interviewees were identified through a solicitation form at the end of an online survey. The survey was used to collect basic data about experiences of child athlete abuse, as well as to invite survey participants to a subsequent, in-depth interview with Human Rights Watch researchers. The survey was distributed on Facebook and Twitter, and also shared by many of Human Rights Watch's interviewees through their networks. The survey is not representative of all current or former child athletes. It provides data that only represents those who completed it. Still, this data is indicative of certain issues or trends in abuse.

The digital survey received 757 responses from current and former child athletes, representing at least 50 different sports and 45 different prefectures. These athletes ranged between 10 and 73 years old. Of these athletes, 381 (50 percent) were 24 years old or younger. The median age of survey respondents was 24. Of the respondents, 412 identified as male, 337 identified as female, 5 identified as transgender, 1 identified as other, and 2 preferred not to say.

No compensation was paid to either survey respondents or those who participated in interviews. Interviews were primarily conducted in Japanese, with Japanese-English interpretation. When possible, interviews were conducted face-to-face; however, several interviews were conducted online, over video-conference, especially between March and June due to restrictions imposed by the Covid-19 pandemic.

Human Rights Watch researchers obtained oral informed consent from all interview participants, and provided oral explanations about the objectives of the research and how interviewees' accounts would be used in the report. Interviewees were informed that they could stop the interview at any time or decline to answer any questions they did not feel comfortable answering. Trauma support resources were provided to all interview subjects. For privacy reasons, pseudonyms are used for all current and former child athlete interviewees, except for a small number of adults, who chose to be identified.

Human Rights Watch also gathered information via data requests to and meetings with sports organizations. Information was requested from 13 sports organizations, of whom 5 responded with some data; 4 organizations responded saying they could not provide any data; and 4 organizations did not respond at all. For each sports organization, the data request inquired about the number of child abuse reports received, the number of child

abuse investigations conducted, and the outcomes of these investigations. Human Rights Watch also asked for any guidelines each sports organization had for preventing or addressing child athlete abuse.

To assess the effectiveness of abuse reporting systems, Human Rights Watch researchers examined the reporting systems of 14 Japanese sports organizations.

Human Rights Watch also monitored news articles on child athlete abuse in Japan from January 12 to June 12, 2020. From this monitoring, we found reports of at least 39 individual abuse cases which occurred between 2008 and 2020. The forms of abuse reported were: physical abuse, verbal abuse, bullying among teammates, sexual harassment, and other forms of harassment. Human Rights Watch also reviewed academic research documenting the history, prevalence, dynamics, and impact of child athlete abuse in Japan and beyond.

I. Physical Abuse of Child Athletes in Japan Prior to Recent Reforms

> I am tired of being beaten. I am tired of crying.... That's why I don't want to be in this world anymore.
>
> — 17-year-old female javelin thrower, early 1980s

The above quote is taken from a suicide note, written by a 17-year-old female javelin thrower in the early 1980s. Just before her death, she had qualified for the national championships. But, before being able to compete in the event, she took her own life, saying that she could no longer cope with the physical abuse inflicted by her coach.[1]

The physical abuse of child athletes has long been a common element of sport in Japan and is often perceived as a normal part of one's athletic experience. Makoto Y. (pseudonym), a former professional rugby player who played high school rugby in the Kyushu area in the 1980s, described to Human Rights Watch his experience: "Back then, it wasn't recognized as what is now called taibatsu [corporal punishment], but I experienced it. I was not allowed to drink water [during practices].... We needed to practice for no reason. Athletes would be slapped and ... I was practicing out of fear ."[2]

Tetsuya O. (pseudonym), a former professional basketball player who played high school basketball in Chiba in the late 1990s, said: "In high school, my teammate was hit so hard (by the coach) he had a broken nose. At practice games I saw a coach punch a player, drag students around, throw hot coffee in players' faces. This kind of intimidating coaching style happened so often in any high school."[3]

Despite the severity of the abuse experienced, several interviewees perceived that their coaches were acting with their best interests in mind. The terms "hitting with love" or "whipping with love" came up frequently, as in one interview with Noboru E. (pseudonym), a former player in the Japan Amateur Baseball Association who described the behavior of

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[1] Aaron Miller, "Taibatsu: 'corporal punishment' in Japanese socio-cultural context," *Japan Forum*, vol. 21, no. 2 (April 2010), pp. 233-254.

[2] Human Rights Watch interview with Makoto Y., Fukuoka, February 18, 2020.

[3] Human Rights Watch interview with Tetsuya O., Chiba, February 20, 2020.

his coaches: “[They] would hit the players on the hip with the bat, or on the head with the grip of the bat. They were light hits ... it was whipping with love.”[4]

Even players who described severe abuse spoke of how the violence was intermingled with love. Naoko D. (pseudonym), for example, a former professional basketball player, described her experience as the captain of her high school team in Aichi in the mid-to-late 2000s:

> Everyday someone was hit, and even during the game … I was the captain at the time, so I can’t even count how many times I was hit ... The coach would pull my hair and kick me … I was getting hit so much [on my face] that I had bruises ... drawing blood.… But I still, even now, like the coach.... [Then] I felt he trusted me as a player and he also helped me.... No one hated him [but] we were so afraid of the coach ... [When it comes to abusive coaches] … it’s the feeling of a person who has experienced domestic violence, it’s a similar feeling–the love and the abuse.[5]

In some cases, abuse of child athletes has directly resulted in life-long injury or death. For example, in 2004, a 15-year-old boy from Yokohama had skipped judo practice; his coach found him and made him spar one-on-one. According to the boy's mother, the coach choked her son until he lost consciousness; and then hit him to wake him up and choked him again when he briefly regained consciousness. The injury caused internal bleeding in the boy's brain, resulting in life-long cognitive impairment.[6] Between 1983 and 2016, there were at least 121 individuals who died while participating in school judo in Japan.[7] It is unknown how many of these cases involved abuse by coaches, but the rate of judo deaths in Japan has "no parallel" in other developed nations.[8]

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[4] Human Rights Watch interview with Noboru E., Tokyo, February 12, 2020.

[5] Human Rights Watch interview with Naoko D., Tokyo, February 24, 2020.

[6] Mike Burke, “108 school judo class deaths but no charges, only silence,” *Japan Times*, August 26, 2010, https://www.japantimes.co.jp/news/2010/08/26/national/108-school-judo-class-deaths-but-no-charges-only-silence/ (accessed July 6, 2020).

[7] Ryo Uchida, “Facing the cervical accident of the middle-advanced person in the 12th fatal accident of school judo,” *Yahoo Japan*, May 16, 2016, https://news.yahoo.co.jp/byline/ryouchida/20160516-00057737/ (accessed July 6, 2020).

[8] Mike Burke, “108 school judo class deaths but no charges, only silence,” *Japan Times*, August 26, 2010, https://www.japantimes.co.jp/news/2010/08/26/national/108-school-judo-class-deaths-but-no-charges-only-silence/ (accessed July 6, 2020).

Experts agree that physical abuse in Japanese sport has a long history, and some have tied abuse in sport to the militarism that came into school education in the WWII era.[9] While its roots may be decades old, physical violence against child athletes in Japan has persisted into the 21st century. In a 2013 study, researchers conducted focus groups with Japanese university students aged 18-22.[10] For those who reported *taibatsu*, the experiences included: "receiving a slap on the back of the head in a 'playful manner,'" "being taken into a separate room and punched repeatedly in the stomach," and "having a badminton racquet broken over one's head."[11] The study asked students how they felt about these experiences, finding that students often perceived physical violence as a normal—even valuable—part of coaching and training. One athlete said, "I think it [*taibatsu*] is fine as long as it makes the athlete and/or team stronger." Another said, "Instead of the coach taking 30 minutes or so to lecture the student, giving them a single whack would do the job much better."[12] These attitudes suggest the extent to which physical violence has been normalized in the context of Japanese youth sports.

A study published in 2012 compared attitudes towards coaches' use of punishment in Japan and England, finding that Japanese players and coaches were far more likely to perceive physical punishment as acceptable. The researchers presented the participants (soccer players and coaches in Japan and England) with two hypothetical scenarios involving a player repeatedly showing up late for practice: one in which the coach "criticized loudly" the player (verbal punishment), and one in which the coach "smacked" the player (physical punishment). The participants were then asked to rate the "acceptability" of the hypothetical scenarios according to a scale. Japanese and English participants had a similar level of acceptance of the verbal punishment scenario. But, in the physical punishment scenario, English participants perceived the use of physical punishment as far less acceptable, while Japanese participants perceived the use of physical punishment as almost equally acceptable to the use of verbal punishment. This was true for both player and coach participants.[13]

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[9] Michael L. Butterworth, "Sport and Militarism: Contemporary Global Perspectives", *Routledge*, June 2017.

[10] Brent McDonald and Keiki Kawai, "Punishing coaching: bukatsudo and the normalization of coach violence", *Japan Forum*, vol. 21, no. 2 (August 2016): 196-217.

[11] *Ibid.*, p.204.

[12] *Ibid.*, p.208.

[13] Haruka Hagiwara and Sandy Wolfson, "Attitudes towards soccer coaches' use of punishment in Japan and England: A cross-cultural study," *International Journal of Sport and Exercise Psychology*, vol. 11, no.1 (September 2012), pp. 57-69.

Despite this long history of physical violence against child athletes and its perceived normalcy, prominent voices for change have emerged. For example, former MLB and Yomiuri Giants pitcher Masumi Kuwata told *NHK* in 2013: "I don't think corporal punishment as a form of instruction makes one stronger; I think those teaching sports need to change their methods to fit the times."[14] Kuwata's comment came as the topic of physical violence in sport was thrust into the national spotlight, following two notorious cases of athlete abuse in the early 2010s.

In December 2012, a 17-year-old high school basketball player in Osaka took his own life after suffering repeated physical abuse at the hands of his coach.[15] The boy, who attended Sakuranomiya High School, was a strong student and the captain of the basketball team. The boy left a suicide note which said that he could no longer stand being physically abused by his coach. The coach later admitted to slapping the boy in the face multiple times, which he justified as a "necessary measure to make the team stronger."[16] The coach was sentenced to a year in jail for assaulting the boy, but his sentence was suspended and he did not serve any time.[17]

In early 2013, the head coach of the Japanese Olympic women's judo team resigned amid accusations that he physically abused athletes in the lead-up to the 2012 London Olympics.[18] Fifteen athletes on the Olympic judo team alleged that their coach had slapped them, shoved them, beaten them with bamboo swords, and forced them to compete while injured. In a joint statement, the 15 women wrote:

> We were deeply hurt both mentally and physically because of violence and harassment taken upon us by [our] former coach, in the name of guidance.

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[14] Ed Odeven, "Veteran athletes, coaches adamant that corporal punishment has no place in sports," *Japan Times*, 20 January 2013, https://www.japantimes.co.jp/sports/2013/01/20/bj-league/veteran-athletes-coaches-adamant-that-corporal-punishment-has-no-place-in-sports/#.X0OjddNKjBI (accessed June 29, 2020).

[15] "Student commits suicide after being beaten by school basketball coach," *Japan Today*, January 9, 2013, https://japantoday.com/category/national/student-commits-suicide-after-being-beaten-by-school-basketball-coach (accessed June 29, 2020).

[16] "Osaka basketball coach tries to justify physical discipline after beaten boy's suicide," *Japan Today*, January 12, 2013, https://www.japantimes.co.jp/news/2013/01/12/national/social-issues/osaka-basketball-coach-tries-to-justify-physical-discipline-after-beaten-boys-suicide/#.XnkA-C2ZPq1 (accessed June 29, 2020).

[17] "Japan coach gets suspended jail over suicide of abused teen," *Straits Times*, September 26, 2013, https://www.straitstimes.com/asia/japan-coach-gets-suspended-jail-over-suicide-of-abused-teen (accessed June 29, 2020).

[18] Justin McCurry, "Japanese women's judo coach resigns over claims he abused athletes," *The Guardian*, February 1, 2013, https://www.theguardian.com/world/2013/feb/01/japanese-womens-judo-coach-resigns (accessed June 29, 2020).

> It went far beyond what it should have. Our dignity as humans was disgraced, which caused some of us to cry, and others to wear out. We participated in matches and training as we were constantly intimidated by the presence of the coach while we were forced to see our teammates suffer.[19]

These complaints, which the athletes made anonymously for fear of retaliation, were initially ignored by the national judo federation, so the athletes escalated it to the Japanese Olympic Committee (JOC), which then took action against the coach.[20]

These two cases served as the impetus for reform efforts in Japanese sport (for more about those reforms, see Section IV below), and were often cited by interviewees as a turning point in how physical abuse in sport is perceived in Japan.

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[19] "Judo abuse scandal hits Tokyo Olympic bid," *USA Today,* February 8, 2013, https://www.usatoday.com/story/sports/olympics/2013/02/08/judo-abuse-scandal-tokyo-olympics-bid/1901221/ (accessed June 29, 2020).

[20] Ibid; Nobuyoshi Tsujiguchi and Eisuke Okamura, "Worries and Suffers of Top Judo Female Athletes: Working with the 15 Gentle and Strong Players," *Can Japan's Sports Community Wipe Out Violence?*, 2013.

II. Child Athlete Abuse Today

While there is a perception that the abuse of child athletes by coaches is on the decline in Japan, Human Rights Watch documented numerous cases indicating it is ongoing and still common. As documented below, our interviewing and surveying of current and former child athletes uncovered an alarming level of ongoing physical abuse in sport. As we heard repeatedly from interviewees, it is "shoganai"—which translates, roughly, to "it can't be helped" or "it is what it is." In addition, as noted above, Human Rights Watch monitoring of media reports from January 12 to June 12, 2020 turned up published accounts of at least 39 cases of child athlete abuse in prefectures across the country. Given the underreporting of child abuse in Japan and beyond, we know there are many cases of abuse that have not come to our attention. The continued lack of accountability for abusive coaches, documented later in this report, also suggests the ongoing acceptance of physical abuse as a coaching tactic.

No Comprehensive Tracking of Child Athlete Abuse

The Japanese government does not keep or make available comprehensive data on the current or historical prevalence of child athlete abuse in Japan, and hence there is no way to quantify its prevalence. Human Rights Watch is aware of only two recent surveys on athlete abuse: a 2013 Japanese Olympic Committee survey and a 2013 Japanese Association of University Physical Education and Sport (DAITAIREN) survey. These surveys only include subsets of child athletes, and to Human Rights Watch's knowledge, have not been updated since 2013. They also employ different methodologies and inquire about different experiences.

JOC surveyed approximately 2,000 child and adult athletes affiliated with national sports federations, and found that 11.5 percent had experienced "power harassment and sexual harassment including physical abuse during playing sport."[21] DAITAIREN surveyed 4,000 university students and found that 20.5 percent had experienced corporal punishment

[21] Japanese Olympic Committee athlete survey, 2013; "JOC Survey, 10% of Athletes Experienced Harassment," *Nihon Keizai Shimbun*, March 19, 2013, https://www.nikkei.com/article/DGXNASDG1903V_Z10C13A3CR8000/ (accessed May 25, 2020).

while participating on school teams, mostly in junior high school and high school.[22] Both surveys are out-of-date, and neither survey sampled all child athletes.

There are more recent numbers on reported instances of child athlete abuse that come from sports organizations themselves. For example, the Japan Sport Association (JSPO) operates its own hotline for the reporting of athlete abuse, and this hotline received 619 reports from November 2014 to March 2020.[23] Of these 619 reports, 397 (64 percent) came from athletes in elementary school, junior high school, and high school.

It is important to note that there is strong consensus among both international and domestic experts that child abuse is an underreported crime across the globe and in Japan. This is due to a number of factors, including the stigma of abuse, fear of retribution from the abuser or the team, and societal norms.[24] As such, the existing counts likely significantly underestimate the actual prevalence of abuse. This is as true of child abuse in sport as in other settings. These shortcomings in the available data mean that there is no clear measure of how many child athletes experience abuse in Japan today.

Despite the lack of concrete evidence, some perceive that child athlete abuse in Japan is on the decline; this is attributed to changing social norms, namely, that the use of physical violence against child athletes is less acceptable than it once was. A veteran high school baseball coach described the change in his own behavior: "When I was a player, physical punishment from coaches was very common, but nowadays it's not acceptable so I don't do it. I don't do it because times have changed."[25] Interviewees felt that parental attitudes have changed as well. Kenta K. (pseudonym), 25, a former high school soccer player, told Human Rights Watch: "Right now, *taibatsu* or harassment is reported by parents. So, whenever players have these experiences, there's an environment where they can easily talk with their parents. Coaches know about this new environment. So, coaches should be careful about how they are treating their players."[26]

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[22] DAITAIREN survey, 2013, http://daitairen.or.jp/2013/wp-content/uploads/2015/01/f2cb4f9e1c5f5e1021e44042438f44ab.pdf (accessed June 29, 2020).

[23] Japan Sport Association response to Human Rights Watch data request.

[24] UNICEF, "Violence Against Children in East Asia and the Pacific: A Regional Review and Synthesis of Findings," 2014, https://www.unicef.org/eap/media/2901/file/violence.pdf (accessed June 29, 2020).

[25] Dan Gordon, "Japan: 'No Matter What Happens, Stand Up,'" in ed. George Gmelch and Daniel A. Nathan, *Baseball Beyond Our Borders*, (Lincoln, Nebraska: University of Nebraska Press, 2017), pp 153-183.

[26] Human Rights Watch interview with Kenta K., Tokyo, February 19, 2020.

Interviewees identified media coverage, in particular the rise of social media, as another primary reason for why physical violence in sport is less acceptable today. Hajime W. (pseudonym), a professional basketball player in his 30s, told Human Rights Watch:

> Maybe there are coaches who want to punch or kick their athletes, but now they cannot. Because they're afraid of it being revealed in the media and they'll lose their job.... When we were little, [it was] something being done daily, everywhere. It was not made public at that time. It wasn't on TV or in the media. Then it started to come out in the media, and those coaches started to be punished.[27]

Even as some perceive norms changing, child athlete abuse remains prevalent in Japan, as documented below.

Abuse of Child Athletes

The incidents of child athlete abuse documented below focus on physical violence in sport that has no connection to regular training or competition. While there are some contact sports that inherently involve physical violence between competitors, this report is focused on physical abuse that occurs outside the field of play. We also documented incidents of sexual abuse and verbal abuse. When it comes to verbal abuse, we included any insult or threat reported as abuse by interviewees or survey respondents.

Punching, Slapping, Kicking, or Striking with objects

Of the commonly experienced forms of physical abuse, the most overtly violent is when coaches strike players with their hands, feet, or other objects.

While Human Rights Watch's online survey did not allow us to definitively assess the prevalence of child athlete abuse in Japan, it provides insight into the common experiences of those respondents who reported abuse, and suggests the widespread nature of abuse in sport. Of 381 respondents 24 and younger, 19 percent indicated that they had been hit, punched, slapped, kicked, knocked to the ground, or beaten with an object while participating in sports. These experiences occurred in at least 22 different sports and at least 26 prefectures.

[27] Human Rights Watch interview with Hajime W., Kumamoto, February 18, 2020.

This experience was also well-documented in Human Rights Watch's interviews. Shota C., 23, a former high school baseball player, described being abused by the head coach of his high school team in Saitama prefecture: "He punched me on the chin and I was bloody in my mouth. He lifted me up by my shirt collar." This was a common experience for members of Shota C.'s team: "90 percent of my teammates experienced physical abuse... We were all kind of joking, 'You haven't been beaten yet, when is it your turn?'"[28]

Tsukuru U. (pseudonym), 20, another former junior high school and high school baseball player, described being abused by his junior high school coach in Kanagawa: "He would kick the players, and throw the ball at them from a close distance, and when the players were wearing helmets, the coach would hit the players on the helmet with the bat." These instances of physical violence would occur in practices or in games, as punishment for mistakes on the field.[29]

Yuma T. (pseudonym), a professional basketball player in his 20s, described regular and repeated abuse by his high school coach in western Japan:

> The coach would often slap us. It was normal for him to punch us in the stomach and kick us.... He often threw players like in judo.... This would happen in many practices, but not all. When a player would make a mistake in a play, the coach would slap or punch or kick or throw the player.... [This coach physically abused me] countless times ... [I would estimate] maybe 1000 or 2000 or 3000 times... Once he punched, he would hit several times, he didn't stop after only one time. [30]

These slaps, kicks, and punches resulted in bruising, drawn blood, and dental injury: "I chipped a tooth from being elbowed by the coach. This was in my second year of high school; I was 17 years old. Basically, that happened when I missed a play."[31]

Daiki A. (pseudonym), 23, a professional athlete, spoke of his experience playing baseball in junior high school in the Kyushu region:

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[28] Human Rights Watch interview with Shota C., video-conference, February 4, 2020.
[29] Human Rights Watch interview with Tsukuru U., video-conference, March 26, 2020.
[30] Human Rights Watch interview with Yuma T., Kumamoto, February 18, 2020.
[31] Ibid.

> I was hit so many times, I can't count. Everyone [on my current team] was hit as high school athletes, everyone experienced *taibatsu*. I was playing baseball as a pitcher.... The coach told me I was not serious enough with the running [during practice], so we were all called to the coach and I was hit in the face in front of everyone. I was bleeding, but he did not stop hitting me. I did say that my nose was bleeding, but he did not stop.[32]

Keisuke W. (pseudonym), 20, a former water polo player described being punched in the stomach, choked, and held underwater. He said:

> I was punched in the stomach [by my coach].... We use a cap for water polo. Athletes were dragged out from the pool by the cap strap, choking them. Another punishment is pushing kids underwater so they couldn't breathe.... It is like the military. The younger kids were not as good. They would be frightened and quit the sport.... At that time, I felt it was a regime of terror, not strategy. Ruling by fear.[33]

There have also been high profile cases of this type of abuse documented in the media. For example, in 2017, a 17-year-old high school volleyball player in Tochigi prefecture was severely beaten by his coach and his teammates for breaking the team's "no dating" rule. According to this rule, players on the team were not allowed to date other members of the volleyball team. When the coach discovered that one of the players was dating a female student manager, he made the player kneel on the ground, and repeatedly kicked the player in the chest. The player's teammates also assaulted him.[34]

In 2018, a video surfaced in the media showing a high school baseball coach repeatedly slapping, punching, and kicking the players on his team. The team was from Aichi prefecture. In the video, the coach is seen striking at least five different players, while the

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[32] Human Rights Watch interview with Daiki A., Fukuoka, February 17, 2020.

[33] Human Rights Watch interview with Keisuke W., Osaka, February 12, 2020.

[34] "A volleyball coach at Ashikaga University Senior High School may have beaten a second year student, who was kicked and injured", Mainichi Shimbun, November 30, 2017, https://mainichi.jp/articles/20171130/k00/00m/040/168000c?fbclid=IwAR0CA_OXDC8-JeBZnMA6FDRBdeLulrvlSgboKtvm6rG9WJXDpyMSF6UkBPY (accessed July 3, 2020).

rest of the team stands in a line and watches. The punches and kicks delivered by the coach are clearly forceful, frequently causing the players to stagger backwards.[35]

Excessive or Insufficient Food and Water

Current and former child athletes spoke to Human Rights Watch about being forced to eat excessive amounts of food, or having food and water withheld. Of 381 survey respondents 24 and younger, 25 percent reported being forced to eat excessive amounts of food, and 7 percent reported that they were not provided with enough food or water during competition. These experiences occurred in at least 22 different sports and at least 27 different prefectures.

Kaoru Z. (pseudonym), 13, is on his junior high school basketball team in Tokyo. He told Human Rights Watch about his coach, who often denies players water during games and practices when he is angry with the players. "Basketball takes a lot of energy … it is stressful for us when he does not give us water even when we ask."[36]

Shota C., the former high school baseball player, described being forced to eat in order to gain weight: "After playing baseball, the [head coach] ordered some food directly to the grounds, and we used to eat them after practice. We were forced to eat them, even if we didn't want to. If you didn't eat, you were not motivated. If you wanted to participate in the national competition you needed to finish your daily meal." Shota C. was scolded by the team's head coach for not finishing this daily meal, and some teammates were kicked out of practices and games for not finishing their food.[37]

Moe J. (pseudonym), 20, is a university soccer player whose high school team played in the national finals. She described to Human Rights Watch her junior high school coach withholding water from players as a punishment for poor play: "During the national tournament, it was August in a very hot time. The first half we were winning, but we were

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[35]ANN NEWS, "Male team manager taibatsu to athletes," video report, November, 13, 2018; "Violence to team members, student baseball examination meeting decides on one year suspension for former professional team manager Hiroki Sakai," *Sankei Shumbun*, December 18, 2018, https://www.sankei.com/sports/news/181218/sp01812180025-n1.html (accessed May 25, 2020).

[36] Human Rights Watch interview with Kaoru Z., video-conference, March 23, 2020.

[37] Human Rights Watch interview with Shota C., video-conference, February 4, 2020.

not playing well, so during halftime we were called by the coach to the bench and told we needed to line up and run during halftime and we could not drink water."[38]

Forced to Train when Injured, Punished with Excessive Training

No athlete should be forced to train when injured, or subject to training that puts their health at risk. Of 381 survey respondents 24 and younger, 22 percent reported being forced to train when injured, or being punished with excessive training. These experiences occurred in at least 15 different sports and at least 23 different prefectures.

Several interview subjects and survey respondents described "the running punishment": being forced to run for long periods of time, often to the point of exhaustion. One survey respondent, a 22-year-old volleyball player from Kagoshima prefecture, wrote: "If we lost in a game, we were punished by being made to run back home, or to train for a long time...." Another survey respondent, a 22-year-old rugby player from Kanagawa prefecture, wrote: "I got heat stroke and vomited because of being forced to run as a punishment on a hot day."[39]

Moe J., the university soccer player, described being forced to play through injury during high school: "We were scolded by the coach if we got injured. We had pain every day, so every day we were taking painkillers at practice … everyone was continuing practice even though the injury was not cured.... [S]o the injuries were [mainly] from too much practice."[40] Interviewees and survey respondents often perceived these experiences as a normal part of their athletic training. Several survey respondents said things like: "I considered it normal," or "I thought it was a normal thing at that time."[41]

Cutting or Shaving Hair as Punishment

Of 381 survey respondents 24 and younger, 6 percent reported having their hair cut or shaved as punishment. Often, this punishment was for a minor infraction, like being late to practice. For example, an 18-year-old high school basketball player from Kanagawa said: "The soccer team at my high school had ... a rule that if a junior member made trouble, he

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[38] Human Rights Watch interview with Moe J., Tokyo, February 15, 2020.
[39] Human Rights Watch online survey.
[40] Human Rights Watch interview with Moe J., Tokyo, February 15, 2020.
[41] Ibid.

would shave his head. One would be subject to this rule by being late, or forgetting to bring an item [to practice] ... [one] was forced to shave his head as an 'example'."[42]

A 20-year-old former middle school tennis player spoke of the prevalence of head shaving at her school in Tokyo: "In middle school, if students on sports teams made any mistakes, they were frequently forced by their seniors or coaches to shave their head with the shaver in the team's club room."[43]

Another former high school soccer player from Saitama (now 23 years old) spoke of the psychological impact of having his head shaved as a punishment: "Hair is a part of the body and is a form of self-expression. I suffered mental distress because I was forced to have a shaved head."[44]

Abuse by Older Teammates

While the incidents documented above focus on physical abuse by coaches, Human Rights Watch researchers also heard about abuse by teammates, especially older teammates. In Human Rights Watch's online survey, coaches were most frequently identified as the abuser, but the second most common abuser was an older teammate or *senpai*.[45]

On Japanese sports teams, there is often a hierarchical relationship between older players ("senpais") and younger players ("kohais"). While this relationship can involve mentorship, the power dynamic at play sometimes involves abuse of younger teammates. A 20-year-old Human Rights Watch survey respondent, a former high school soccer player, noted: "If the senior/*senpai* targeted you, that is the end of the world."[46] Another survey respondent, a 16-year-old basketball player, reported that senior teammates made him eat excessive amounts of food at a basketball training camp: "The seniors/*senpais* were more harsh than the coach. There were teammates who were forced to eat eight or nine bowls of rice in a day."[47] A 20-year-old former high school soccer player interviewee said: "High school was very difficult, the hardest time for me.... The hierarchy between senior and

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[42] Ibid.
[43] Ibid.
[44] Ibid.
[45] Ibid.
[46] Ibid.
[47] Ibid.

junior students was more than I imagined. The seniors would call me to come to a place where there were no adults, they [berated me].”[48]

Sexual Abuse

Of the 381 survey respondents 24 and younger, 5 reported experiencing sexual assault or harassment while participating in sport as children.[49] While the experience of child sexual abuse was not often reported to Human Rights Watch, we recognize that there are a number of factors that make it difficult for victims to come forward. Worldwide, and including in Japan, child sexual abuse is an underreported crime, making it difficult to provide an accurate picture of the extent of the problem.[50]

Human Rights Watch interviewed one athlete who spoke to us of her experience of sexual abuse. Chieko T. (pseudonym), an elite athlete in her 20s from eastern Japan, reported being sexually abused by an older male teammate and her male coach. The abuse began when Chieko was 12 years old. For three years, while on team trips, her older teammate would regularly touch her breast while she was sleeping. This teammate also began abusing Chieko’s younger sister, who was 11. When Chieko told her coach about this abuse, he encouraged her to let the abusive teammate stay on the team: “this coach was begging me to not let this teammate quit ... because of [the abuse] .” The teammate eventually quit the team because of “awkwardness,” but the coach continued to invite him to team events and competitions.[51]

When Chieko T. was 18, she dislocated her shoulder during a competition, an injury requiring surgery, according to her doctor. Her coach, however, told her, “If you get surgery, your career ... is over for sure,” and said he could fix Chieko’s shoulder injury without surgery. Almost every day after training, the coach had Chieko meet him in his classroom, where he asked her to take off all of her clothes and would touch her naked body, saying he was doing it for “treatment.” After this treatment, Chieko said to the coach she “was scared [by the treatment].” The coach told her it is “all for [her],” and that “she

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[48] Human Rights Watch interview with Moe J., Tokyo, February 15, 2020.

[49] Human Rights Watch online survey.

[50] World Health Organization, “Responding to Children and Adolescents Who Have Been Sexually Abused,” 2017, https://apps.who.int/iris/bitstream/handle/10665/259270/9789241550147-eng.pdf;jsessionid=34D104F399603D9A32AF851BAFCAA8C5?sequence=1 (accessed June 29, 2020).

[51] Human Rights Watch interview with Chieko T., email, May 12, 2020.

asked for it." Chieko described the experience: "[each time] I wanted to vomit, his smell, hands, eyes, face ... voice, I hated everything of him."[52]

Another interviewee, a manager of a professional women's soccer team, described to Human Rights Watch the sexual abuse perpetrated by one of the club's male coaches. According to the manager of the team, an internal investigation revealed that the coach, a former "top player," invited a teenaged player on the team to come to his home, where he had her sit on his lap, come into bed with him, and "play with him".[53]

Verbal Abuse

While the focus of this report is on physical violence, athletes also experienced verbal abuse from their coaches, sometimes with devastating consequences. Of the 381 survey respondents 24 and younger, 18 percent reported experiencing verbal abuse.

Kaoru Z., the junior high school basketball player, told Human Rights Watch that his coach repeatedly berates him and his teammates during practice, calling them "stupid," "fools," and "idiots."[54]

As documented in media reports, Tsubasa Araya, a 17-year-old high school volleyball player, took his own life in Iwate prefecture in July 2018. "Volleyball is the hardest," Tsubasa wrote in a message found at his desk after his death. His parents blame the "verbal violence" of a coach for their son's suicide. The Iwate prefecture board of education conducted an investigation into the suicide that included interviews with students on the volleyball team and the coach. The investigation report found the coach repeatedly had called Tsubasa "stupid" and a "fool," and said such things to him as, "You are the tallest but the worst at playing [volleyball]."[55]

In 2019, a 15-year-old junior high school table tennis player in Ibaraki prefecture died by suicide, citing her coach's abuse as a reason for her death. According to media reports, the girl wrote in her suicide note that her coach had threatened "to kill" or "punch" her. She

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[52] Ibid.

[53] Human Rights Watch interview with a manager of a professional women's soccer team, video conference, March 26, 2020.

[54] Human Rights Watch interview with Kaoru Z., video-conference, March 23, 2020.

[55] "Parents say coach's 'verbal violence' led to son's suicide," *The Asahi Shimbun,* January 27, 2019 http://www.asahi.com/ajw/articles/AJ201901270003.html (accessed June 29, 2020).

wrote that the coach also threatened her teammates, referred to the team as "idiots," pushed team members on the shoulder, and threw team equipment around. The girl stopped attending the table tennis club practices about 15 days before her suicide.[56]

Lasting Impacts of Abuse

The experience of abuse in sport can have a lasting impact on athletes, reducing their enjoyment of their sport, and in some cases causing lifelong mental health impacts.

This lasting emotional impact of abuse was reflected in Human Rights Watch interviews. Junko M. (pseudonym), a 22-year-old from the Kanto area who was training to become a professional ballerina, was slapped daily by her instructor from when she was 7 until she was 18. Though she did not feel the instructor was intending to harm her, she described how the experience of abuse has stayed with her even after moving on from this instructor: "Maybe this is called trauma – when someone's hand came near my head – even my mom reaching to grab something from the kitchen in front of me – I got really scared and unconsciously reacted, or flinched to [avoid it]. I had this trauma for a couple of years...."[57]

Another interviewee, Tomohiko C. (pseudonym) started swimming at age 8. Now age 45, he says:

> Swimmers were beaten with the fins. If we weren't meeting targets, when we would touch the wall [at the end of a heat] the coach would hang us by the neck on the timer rope to punish.... I remember sinking without a breath and then the coach beat me.... At the high school swimming team, for students goofing off, the coach would line the team up and punch every kid [causing us to] fall into the swimming pool. These memories are so vivid in my mind. What I learned then was not about the joy of sport but about enduring.[58]

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[56] "Teacher's verbal abuse, threats blamed for 15-year-old girl's suicide," *Japan Today*, May 7, 2019, https://japantoday.com/category/national/teacher%E2%80%99s-verbal-abuse-blamed-for-15-year-old-girl%E2%80%99s-suicide?comment-order=latest (accessed June 29, 2020).

[57] Human Rights Watch interview with Junko M., video-conference, April 16, 2020.

[58] Human Rights Watch interview with Tomohiko C., Tokyo, February 10, 2020.

Chieko T., who was sexually abused by her former teammate and coach, described the reverberating impact of the experience: "I am not living with hating someone 24/7 anymore, but this thing will never go away from my mind, never."[59]

Many studies have demonstrated the lasting negative impacts of corporal punishment on children. A 2016 review, conducted by the Global Initiative to End All Forms of Corporal Punishment of Children, of more than 250 studies worldwide found associations between corporal punishment and negative outcomes for children, with no evidence of any benefits.[60] Many of the negative impacts of corporal punishment in childhood can continue into adulthood. "Among the documented impacts of corporal punishment of children are physical harm and injuries, death, anxiety, depression, suicide, sleep and eating disorders, low self-esteem, increased aggression, and neurobiological harm to their brains," said Dorothy Rozga, the Head of Child Rights at the Centre for Sport and Human Rights, a global organization based in Geneva dedicated to developing a world of sport that fully respects human rights. "In addition to the devastating toll that corporal punishment can take on children in sport, it threatens the ethics, integrity, and respect for human rights that that should be the heart of sport."[61]

Coaches who were abused as athletes may continue training the next generation using physical violence. Professor Osamu Takamine of Meiji University says *taibatsu* is deeply rooted in Japan "because for many coaches in Japan, it was part of their own experience in sport."[62] But other athletes have used their own traumatic experiences of abuse in sport to inform their efforts to safeguard the next generation of child athletes. Naomi Masuko, a former volleyball player on Japan's national women's team, said of her experience playing volleyball as a child: "I don't remember ever being praised by my coach. Every day, I thought how not to be beaten by the coach. I never thought volleyball was enjoyable ... I hated volleyball as a player."[63] Wanting to spare the next generation of youth what she experienced, Masuko ultimately founded a volleyball tournament in 2015 that prohibits coaches from verbally and physically abusing athletes. She spoke of athlete abuse as a

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[59] Human Rights Watch interview with Chieko T., email, May 12, 2020.

[60] Global Initiative to End All Forms of Corporal Punishment of Children, "Corporal punishment of children: review of research on its impact and associations," 2016, http://endcorporalpunishment.org/wp-content/uploads/research/Research-effects-review-2016-06.pdf (accessed June 29, 2020).

[61] Human Rights Watch interview with Dorothy Rozga, video-conference, April 9, 2020.

[62] Human Rights Watch interview with Professor Osamu Takamine, Tokyo, February 8, 2020.

[63] Human Rights Watch interview with Naomi Masuko, video-conference, April 9, 2020.

cycle to be broken: “When I was older, I talked to my coach—and he said his generation was much worse. So, from his words, I at last understand this experience was a chain. And it is our job to break the chain.”[64]

[64] Ibid.

III. Impunity for Abusive Coaches

An important reason that abuse of children continues to persist in Japanese sport is that individuals responsible for abuse are rarely held accountable. Several institutions are implicated in this failure, from sports organizations, to schools, to the criminal legal system. Without improved accountability, the behavior of abusive coaches will continue to go unchecked.

Child abuse in sport is criminally punishable as a violation of Japan's penal code. Police and prosecutors in Japan have full authority to investigate and prosecute any cases involving assault or injury, including any such case that occurs within sport.[65] This has led to prosecutions and convictions in some cases of child athlete abuse. For example, the Sakuranomiya High School basketball coach, whose abuse was cited in a boy's suicide note, was convicted of assault in 2013.[66] However, criminal punishment in child athlete abuse cases appears to be rare. None of the current or former child athletes Human Rights Watch interviewed or surveyed indicated that there were any criminal consequences for their abusive coaches. As Lawyer Hiroyuki Kusaba, who has been defending victims of abuse and their families in school sports for years, told Human Rights Watch, "Child abuse in sport is rarely treated as a crime." He explained:

> The idea that some violence and verbal abuse is necessary and unavoidable to improve skills in sport is imprinted on the minds of parents and children. In many cases, they feel that corporal punishment is not unfair, or even if they did, they think they should not report to a third party. Even if one reports to the police, the investigating authorities will often not build or prosecute the case because of the lack of evidence. This means that even if there are eyewitness accounts of physical violence, it is not easy to sufficiently establish that the act was not part of the instruction. [67]

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[65] Articles 204 (injury) and 208 (assault), Penal Code of Japan, http://www.japaneselawtranslation.go.jp/law/detail/?id=1960&re=02&vm=04 (accessed July 2, 2020).

[66] "Japan coach gets suspended jail over suicide of abused teen," *Straits Times*, September 26, 2013, https://www.straitstimes.com/asia/japan-coach-gets-suspended-jail-over-suicide-of-abused-teen (accessed July 2, 2020).

[67] Human Rights Watch interview with Lawyer Hiroyuki Kusaba, video-conference, May 14, 2020.

Of the 425 online survey respondents who reported being physically abused as child athletes, only 31 (7 percent) indicated that there were any consequences for the abuser.[68] Failure to hold perpetrators accountable is an issue even in cases that receive public and media scrutiny. For example, the high school volleyball coach in Tochigi prefecture who, according to news reports, kicked and beat a 17-year-old boy (described in Section II above) was allowed to stay in his job and finish out his contract.[69]

In the 2019 case of the table tennis coach whose abuse was cited in the suicide note of a 15-year-old girl (described in Section II), the final decision on the coach's punishment was still pending at the time of this report's publication. According to the city's board of education, the final punishment decision will be made by the Ibaraki prefecture Board of Education. The coach is still working as a teacher, but is suspended from coaching the team. According to media reports, in addition to the abuse alleged in the 15-year-old player's suicide note, the city's board of education received another anonymous complaint about the coach. He has admitted to verbally abusing his players and using harsh coaching methods.[70]

Even in cases where abusive coaches have faced consequences, the punishments can seem lenient relative to the severity of the underlying offense. For example, the high school baseball coach whose physically abusive behavior was captured on video in 2018 (described in Section II), received a one year suspension from the Japan High School Baseball Federation.[71] He was also suspended by the school that employed him, but was then transferred to an affiliated school, and is not currently teaching or coaching baseball.[72] And the judo coach who abused members of the 2012 Olympic women's judo team returned to coaching for a company-based judo team in 2016, after his 18 month suspension had ended.[73]

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[68] Human Rights Watch online survey.

[69] "Volleyball coach kick team member, kneeled down and saying it is taibatsu," *The Asahi Shimbun*, November 30, 2017, https://www.asahi.com/articles/ASKCZ33CMKCZUUHB005.html (accessed on June 9, 2020).

[70] "Teacher's verbal abuse, threats blamed for 15-year-old girl's suicide," *Japan Today*, 7 May 2019, https://japantoday.com/category/national/teacher%E2%80%99s-verbal-abuse-blamed-for-15-year-old-girl%E2%80%99s-suicide?comment-order=latest (accessed July 2, 2020); Takahagi City Board of Education response to Human Rights Watch inquiry, May 28, 2020.

[71] Nagoya Keizai University Senior High School response to Human Rights Watch inquiry, May 20, 2020.

[72] Ibid.

[73] "Former 60kg world champion Ryuji Sonoda to become a coach," *PARK 24*, April 1, 2016, http://judo.park24.co.jp/information/2016_04_01_4504.html (accessed June 9, 2020).

Human Rights Watch found a similar pattern in interviews with current and former child athletes: coaches who had physically abused interviewees or their teammates were rarely held accountable. Of all the current and former child athletes we interviewed who had been physically abused, all but one said they were unaware of any consequences for the coach.

Kaoru Z., the 13-year-old basketball player who described having water withheld during practice and being verbally abused by his coach, told Human Rights Watch about his efforts to report his coach's behavior. Kaoru told his parents and he and his father then expressed their concerns to his homeroom teacher, the head of afterschool programs, on three separate occasions. Feeling that they were not making progress, they then spoke with the school principal. Kaoru believes the principal "said something to [the coach], and maybe he was better for a few days but then he went back to his old ways of coaching." The coach is still coaching basketball at Kaoru's school, and Kaoru wonders why. The experience has left Kaoru feeling hopeless about the value of reporting the coach to his parents, teacher, and principal. He said, "Nothing is going to change. It was worthless to report. All I wanted to say to my principal is 'I would like a different basketball coach.'"[74]

Chieko T., who spoke of being sexually abused by her former coach, described to Human Rights Watch her attempt to hold the coach accountable for his abuse. She reported the abuse to the police, but no action was taken against the coach. According to Chieko, the coach is still coaching at a different club, and still shows up at Chieko's competitions against her wishes.[75]

A manager of a professional women's soccer club described the challenges she experienced in dealing with the male coach in her club who had sexually abused several players, including teenagers on the team. Given the seriousness of the allegations and the popularity of the coach—an ex-professional soccer player who was well-liked in the sports community—the manager felt it was important to fire the coach and announce the firing publicly, at a press conference. Despite having strong evidence of the coach's abuse, however, the manager faced skepticism and pushback from the team players, other coaches, and the parents about her decision to fire a coach who was such a "top player".

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[74] Human Rights Watch interview with Kaoru Z., video-conference, March 23, 2020.

[75] Human Rights Watch interview with Chieko T., email, May 12, 2020.

The manager is dismayed that the fired coach is still coaching elementary school children. "He still has his license. We went to Japan Football Association (JFA), but since there wasn't a police case … JFA said he could not be deprived of his coaching license."[76]

Improved criminal and administrative accountability would send a clear message to athletes, coaches, and society at large that abusive coaching methods are not tolerated. As journalist Yuko Shimazawa, who wrote a book on the 2013 suicide of a Sakuranomiya High School basketball player, told Human Rights Watch: "We need to see not only the light of the athlete's victory—but also the darkness of the coaching."[77]

[76] Human Rights Watch interview with a manager of a professional women's soccer team, video conference, March 26, 2020.
[77] Human Rights Watch interview with Yuko Shimazawa, Tokyo, February 7, 2020.

IV. Gaps in Reform

Despite almost a decade of reforms—changes that many Japanese sports organizations point to as evidence of progress in addressing child abuse in sport—our survey and interviews show that abuses continue, with serious consequences for the victims. This section outlines the reforms of the 2010s and details the significant gaps that remain in the prevention, reporting, and accountability systems that should protect child athletes in Japan.

In the 2010s, six key reforms changed the policies and structures that govern Japanese sports: the Basic Act on Sport (2011), the Declaration on the Elimination of Violence in Sports (2013), the establishment of the Japan Sports Agency (2015), a new Basic Sport Plan (2017), the Comprehensive Guideline for Athletic Club Activities (2018), and the Governance Codes for National Sport Federations and Regular Sports Organizations (2019). Each of these initiatives include provisions relevant to protecting child athletes, but, as written, they do not do enough to guarantee protection from abuse. (While the effect of the Governance Codes has yet to be measured, we identify several gaps in its current form, detailed below.)

The physical abuse of child athletes is not just a violation of children's human rights and sporting principles, but a crime subject to criminal penalties. As such, the responsibility for protecting child athletes in Japan falls to a variety of institutions, including the criminal legal system, the child welfare system, schools and their governing boards, and sports organizations.

The role of national sports organizations—such as Japan Sports Agency (JSA), Japan Sport Association (JSPO), the Japanese Olympic Committee (JOC), Japanese Para-Sports Association (JPSA), and the national federations—merits special attention. Sports organizations have a unique responsibility to protect child athletes and unique powers by which to do so, but their responsibilities are not legally mandated. As a result, individual sports organizations are left to their own devices in implementing child athlete protection principles, and athletes are left to navigate a fragmented and often ineffectual maze of systems.

Poor Articulation of Legal Rights of Athletes, Legal Responsibilities of Sports Organizations

Given the long history of physical violence in sport in Japan, and its acceptance as a coaching tactic, it is especially important that Japanese law directly and unambiguously ban child abuse in sports. At present, Japanese law does not explicitly do so.

In its 35 articles, the 2011 Basic Act on Sport (Basic Act) outlines a number of goals and principles for Japanese sport, including: "improvement of sports facilities," "the use of school facilities," "the prevention of sports accidents," "the promotion of scientific research on sport," and "anti-doping."[78] While the Act's preamble says participation in sport is a human right, it does not codify the rights of the athlete, including the right to participate in sport free from abuse. Nor does it impose any legal responsibility on sports organizations to ensure protection from abuse.

The Basic Act only addresses athlete safety in a general way. For example, the preamble states that every citizen should be able to participate in sport in a "safe and fair environment." And article 2 states: "Sport shall be promoted to retain and promote mental and physical health in those who play sport in a safe manner." The only article dedicated to the government's responsibility for athlete safety is article 14, which is titled "Prevention of Sports Accidents." It reads:

> The national government and local government shall endeavor to ... ensure safety in sport (including knowledge about the appropriate usage of sport goods) and implement other necessary measures in order to prevent or contribute to the reduction of sport accidents or other external injuries or problems caused by sport.[79]

The Basic Act does not explicitly establish protection from violence or harassment as an element of athlete safety.[80]

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[78] *The Basic Act on Sport,* 2011, https://www.mext.go.jp/a_menu/sports/kihonhou/attach/1336024.htm (accessed June 29, 2020).
[79] Ibid.
[80] Ibid.

Like many other basic acts in Japan, the Basic Act on Sport also fails to establish a clear authority for implementing its provisions. On the one hand, it states that responsibility for implementing the law lies with the national government (article 3). But it also defers to local governments, allowing them to implement the law as "appropriate to the characteristics of the area, voluntarily and independently" (article 4). Further complicating the location of authority, the Basic Act appears to defer to sports organizations in regards to how they implement the law (article 5).[81] This fragmented system of authority is at the heart of the ongoing failure to adequately prevent and address child athlete abuse.

Advocates for child athlete protection involved with drafting the Basic Act on Sport hoped that there would be additional legislative rules and protections built on its foundation. However, Takuya Yamazaki, a lawyer involved with the creation of the act told Human Rights Watch: "As the name of the law says, it is 'basic.' Many more specific rules were supposed to be implemented/legislated, but it has been 10 years since it has been enacted and no specific rules have been enacted."[82]

The Sport Basic Plan, the five-year plan which accompanied the Basic Act and guided its implementation, was first established in March 2012. The 2012 plan did not address the need to protect athletes from physical violence and harassment.[83] The second five-year Sport Basic Plan, established in March 2017 and set to expire in 2022, acknowledges the importance of protecting athletes from physical violence and harassment, but it does not establish specifically how to do this. It does emphasize the importance of coach training, and points to a new curriculum for coaches. While this is a positive step, the prevention of violence and harassment should be further prioritized, with specific measures outlined in more detail.

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[81] Ibid.

[82] Human Rights Watch interview with Takuya Yamazaki, video-conference, April 7, 2020.

[83] MEXT, "The Sport Basic Plan," March 30, 2012. https://www.mext.go.jp/component/a_menu/sports/detail/__icsFiles/afieldfile/2012/04/02/1319359_3_1.pdf (accessed June 29, 2020).

A Fragmented System for Addressing Child Athlete Abuse

Without a national law codifying the responsibility of sports organizations to protect child athletes from abuse, sports organizations are allowed to decide on their own whether and how to set up systems of response.

The Japan Sports Agency (JSA) was established in 2015 as a division of MEXT to unify and centralize government policy on sports and to prepare for the 2020 Tokyo Olympic and Paralympic Games.[84] Prior to 2015, the creation and implementation of sports policy was spread across various ministries within the government. While JSA addresses that issue—it has central authority for sports policy making within the government—it has no direct oversight of or legal authority over individual sports federations.

As demonstrated in the graphic on the following page, created by Sasakawa Sports Foundation in 2017, this leaves dozens of organizations with oversight over different aspects of Japanese sport.[85] For example, the Japan Sport Association (JSPO) oversees the national and prefectural federations, but largely defers to the autonomy of these federations in operational matters; the Japanese Olympic Committee (JOC) oversees Olympic-level athletes; and the All Japan High School Athletic Federation oversees extracurricular high school sports.

One consequence of this fragmented structure is that there is no sports authority in Japan that exercises the power to identify, investigate, and punish child athlete abuse across all sports. While JSA is the central authority for sport in Japan, its mandate is limited to voluntary investigations, with no ability to issue punishment or sanctions.

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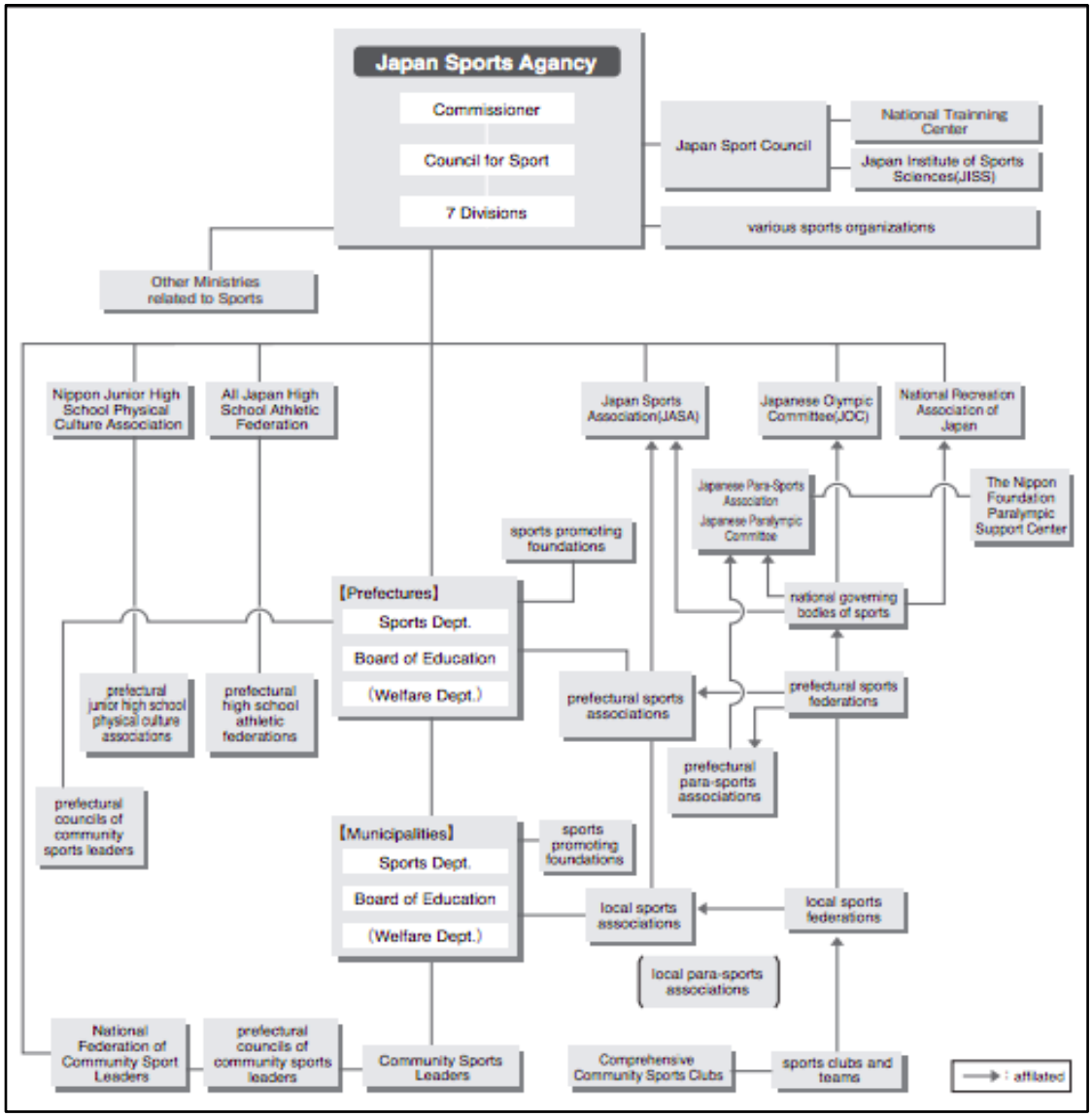
[84] Japan Sports Agency, "Background of establishment," https://www.mext.go.jp/sports/en/about_us/background/ (accessed June 29, 2020).

[85] Sasakawa Sports Foundation, "White Paper on Sport in Japan," 2017, http://www.ssf.or.jp/Portals/0/resources/outline/en/pdf/SportWhitePaperinJapan2017_c.pdf, (accessed June 29, 2020).

Chart of Japanese Sports Organizations



JSA does not have an internal organizational infrastructure for tracking and addressing child athlete abuse.[86] There is no child protection unit within JSA, and the responsibility for addressing child athlete abuse is spread across various departments. As for tracking cases, in response to a Human Rights Watch request for guidelines on child athlete protection, JSA responded: "JSA does not set guidelines on how to create systems for reporting the abuse of child athletes … [or] how to investigate reports of child athlete abuse." Human Rights Watch also asked JSA for any data it had tracking reports of child athlete abuse, either collected by JSA itself or via the individual sports federations; JSA responded: "JSA does not collect those numbers."[87]

Reformed National Standards Still Fall Short

The 2013 Declaration on the Elimination of Violence in Sports (2013 Declaration), the second Sport Basic Plan issued by JSA in 2017, and a pair of governance codes issued by JSA in 2019 took steps to combat abuse of athletes. However, none include legally enforceable mandates, and all defer to individual sports organizations in how to implement the principles.

The suicide of the child basketball player and the abuse of the Japanese Olympic women's judo team described above provided an impetus for the issuance of the 2013 Declaration, co-signed by five of the largest Japanese sports governing bodies—JOC, JSPO, the Japanese Para-Sports Association (JPSA), the All Japan High School Athletic Federation, and the Nippon Junior High School Physical Culture Association.[88] The declaration states, "Acts of violence are never tolerable whatever the reason and must be eliminated from all aspects of sports," and directs sports organizations to "maintain a system to study the state and causes of violence in their associations and organizations, to establish guidelines, training programs, and so on concerning organizational operations and the elimination of violence, to establish consultation services, and so on."[89]

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[86] Japan Sports Agency, "Organizational chart," https://www.mext.go.jp/sports/en/about_us/soshiki/1362177.html (accessed June 29, 2020).

[87] JSA response to Human Rights Watch data request, April 6, 2020.

[88] "The Declaration on the Elimination of Violence in Sports," 2013, https://www.joc.or.jp/english/aboutjoc/statement/130425.html (accessed June 29, 2020).

[89] Ibid.

While the declaration directs sports organizations to act, it does not provide clear standards for compliance. As a result, sports organizations have been left to their own devices in terms of establishing violence prevention, reporting, and accountability systems. Due to a lack of compliance tracking, it is unclear how many sports federations have implemented the declaration's directives. Shoichi Sugiyama, a sports lawyer interviewed by Human Rights Watch, said of the declaration: "There were hardly any implementable guidelines after this declaration, in my understanding."[90]

In June 2019, JSA issued two guidelines for the governance of sports organizations: the Governance Code for National Sport Federations, and the Governance Code for "Regular Sport Organizations" (those that do not fall under the national federation system).

In both cases, these governance codes are not uniquely focused on the prevention of athlete abuse—they are primarily concerned with other matters of governance, such as financial management, governing boards, and information disclosure. Specific systems for addressing athlete abuse are not laid out; instead, athlete abuse is grouped into broader categories of malfeasance.

The Governance Code for National Sport Federations requests national federations to: 1) establish mechanisms for reporting malfeasance; 2) establish systems to investigate reports of malfeasance; and 3) establish protocols for disciplining violators.[91] While the responsibility for implementing these systems and protocols is left up to the individual national sports federations, a new "governing body" (which includes JSPO, JOC, and JPSA) is tasked with monitoring compliance.[92] National federations found to be non-compliant with the governance code are to be reported during "roundtable meetings" of the governing body, JSA, and JSC. JSA will then publish the result and request that the national sport federation make improvements.

There has been no formal assessment of compliance to date: the first assessment is to be conducted at some point in 2020, with the assessment of all federations expected to take up to four years. These assessments will be made public. The organizations within the

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[90] Human Rights Watch interview with Lawyer Shoichi Sugiyama, video-conference, April 6, 2020.

[91] Japan Sports Agency, "Governance Code for National Sport Federations", 2019, https://www.mext.go.jp/sports/b_menu/sports/mcatetop10/list/1412105.html (accessed June 29, 2020).

[92] Ibid.

governing body (JSPO, JOC, and JPSA) would not be subject to governance codes' mandates, and hence would not be monitored for compliance outside of their own self assessments.[93]

The Governance Code for Regular Sport Organizations does not have a compliance mechanism under JSA, and therefore responsibility for implementing the code is left entirely up to the individual sports organizations. Principle 3 of the code states regular sport organizations should "thoroughly recognize compliance including for the elimination of violence," and specifically encourages organizations to have compliance training with a focus on violence by senior officials and coaches. However, it does not specifically instruct organizations to create reporting, investigation, and disciplinary systems.[94]

These governance codes represent important progress, particularly in the creation of a new governing body to hold national sports federations accountable for improved athlete protection. While both include useful provisions and articulate important principles, they are not legally enforceable. The code for national federations stipulates that the governing body should monitor their compliance with the terms of the code, but it remains to be seen how it will work in practice. In the meantime, as detailed below, sports organizations' systems for addressing child athlete abuse remain woefully inadequate.

Inaccessible Reporting Systems

Dozens of organizations have their own mechanisms for receiving complaints of child athlete abuse, including JSC, JOC, JSPO, JPSA, and individual sports federations. And this fragmentation will continue: the 2019 Governance Code for National Sports Federations provides that each individual federation is responsible for creating its own abuse reporting mechanism. As a result, there is no uniform process or standard for what a reporting system should include. In the absence of a centralized system or uniform standards, some sports organizations have created their own reporting mechanisms, with significant variation in how and when victims can reach them, and what the reporting process

[93] Japan Sport Association response to Human Rights Watch data request, July 7, 2020.

[94] Japan Sports Agency, "Governance Code for National Sport Federations" and "Governance Code for Regular Sports Organizations", 2019, https://www.mext.go.jp/sports/b_menu/sports/mcatetop10/list/1412105.html(accessed June 29, 2020).

requires. Because of this fragmented structure, there is currently no public reporting on the total number of child athlete abuse complaints in Japan.

Human Rights Watch researchers tried to discern the reporting systems of various sports organizations, including JSA, JSC, JSPO, JOC and the national federations of 10 individual sports. To illustrate the variations and gaps across sports organizations, the chart below documents the available abuse reporting systems, at time of writing, of these 14 major sports organizations in Japan.[95]

HRW researchers did not find any type of identifiable reporting system for two organizations: JSA and the Japan Basketball Association. Eight organizations had email reporting systems; six had hotline numbers listed; and four had online forms for abuse reporting. Mail and fax systems, which Human Rights Watch considers outdated and inaccessible to child athletes, were used by six and four sports organizations, respectively.

For the organizations with hotlines in place, finding the phone number was not always straightforward, sometimes requiring additional research beyond a sports organization's homepage. Furthermore, hotlines' hours of operation differed widely, and were often limited. The JSPO hotline, for example, was only open on Tuesdays and Thursdays between 1 p.m. and 5 p.m., and was shut down due to Covid-19 at the time HRW researchers reached out.

A number of organizations require the victim to report directly to a law firm, a prospect that may feel intimidating to a child athlete. And some organizations do not allow anonymous reporting, an option that could alleviate athlete concerns about privacy and retaliation. A few organizations (including JSPO and JSC) also require the reporting party to provide personal information beyond their name (such as phone number, fax number, or address).

[95] Human Rights Watch analysis of sports organizations' abuse reporting systems. Human Rights Watch interns attempted to identify the available reporting systems for over 60 sports organizations; the process was difficult, with information often unavailable or difficult to verify online. We focused our analysis on these 14 major organizations, which are reflective of the broader inconsistency in available reporting systems.

Sports Organization	Were Human Rights Watch researchers able to identify a reporting mechanism?					
	Hotline / telephone	*Email*	*Fax*	*Mail*	*Online form*	*Any reporting mechanism*
Japan Sports Agency (JSA)	No	No	No	No	No	No
Japan Sport Association (JSPO)	Yes	No	Yes	No	Yes	Yes
Japan Sport Council (JSC)	No	Yes	No	No	Yes	Yes
Japanese Olympic Committee (JOC)	Yes	Yes	Yes	Yes	No	Yes
All Japan Judo Federation	No	Yes	No	Yes	No	Yes
Japan Amateur Baseball Association	No	Yes	Yes	Yes	No	Yes
Japan Basketball Association	No	No	No	No	No	No
Japan Football Association	Yes	No	No	No	Yes	Yes
Japan Gymnastics Association	No	No	No	No	Yes	Yes
Japan Rugby Football Union	No	Yes	No	No	No	Yes
Japan Swimming Federation	Yes	No	No	No	No	Yes
Japan Sumo Federation	Yes	Yes	No	Yes	No	Yes
Japan Table Tennis Association	No	Yes	Yes	Yes	No	Yes
Japan Volleyball Association	Yes	Yes	No	Yes	No	Yes

Even if these federation-led reporting mechanisms worked perfectly, experts agree that athletes are often reluctant to report abuse to the federation that oversees their sport. Shoichi Sugiyama, a sports lawyer interviewed by Human Rights Watch, described this reluctance: "If I am a table tennis athlete, it is difficult for me to consult with my own federation, because if I complain about my coaches, I am fearing retaliation from the coach, or I fear that I will be dealt with differently [by the federation]."[96] This fear of reporting to an athlete's own federation was also reflected by the parent of an abused

[96] Human Rights Watch interview with Lawyer Shoichi Sugiyama, video-conference, April 6, 2020.

former judo athlete who was disabled after an injury caused by his coach: "Even if someone reports to a federation, [the person fears that] ... eventually their coach would hear the report and be likely to revenge."[97]

According to Lawyer Sugiyama: "This is why JOC, JSC or JSPO has a hotline. It's easier for an athlete to consult [with those hotlines] than with their own organizations."[98] While the JSPO, JSC, and JOC hotlines provide alternate avenues for abuse reporting, they have their own limitations. The JOC and JSC hotlines are available only for Olympic-level or elite athletes.[99] And in cases where a victim turns to the JSPO hotline for help, JSPO might share the allegation with the federation that oversees their sport.[100]

An additional problem with the existing reporting structures is that most athletes do not seem to know of their existence. Of all the current and former child athletes interviewed by Human Rights Watch, only one (a university student who played baseball in high school) said he was aware of a hotline or other mechanisms for reporting abuse. He did not learn about the hotline directly from a sports federation, but from a sports lawyer who gave a lecture on athlete rights at his university.[101] None of the athletes we interviewed said they had reported their experience of physical abuse to a sports organization.

Because existing abuse reporting systems are so varied and fragmented, it comes as no surprise that Japan lacks comprehensive and uniform data on the number of child athlete abuse cases and their outcomes. While some individual sports organizations track some aspects of this data, it is not available across all levels of all sports.

Incomplete and Dispersed Investigation Systems

Similar to reporting mechanisms, there is a patchwork of investigation systems, with a lack of uniformity across sports. Some organizations have a reporting mechanism, but no system for investigation at all. As a result, even when abuses of child athletes are reported, what happens next varies depending on the level and sport.

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[97] Human Rights Watch interview with Keiko Kobayashi, video-conference, April 20, 2020.
[98] Human Rights Watch interview with Lawyer Shoichi Sugiyama, video-conference, April 6, 2020.
[99] Ibid.
[100] JSPO, "You are the future of sport: Activities for the 2018 fiscal year," p. 28. Copy on file with Human Rights Watch.
[101] Human Rights Watch interview with Tsukuru U., video-conference, March 26, 2020.

JSA appears not to conduct investigations into child athlete abuse at all. In response to Human Rights Watch's data request, they wrote, "There has not been a case [of child athlete abuse] where JSA has done [an] investigation."[102]

JSPO will investigate cases that they deem to be "eligible", meaning that the abuser has a JSPO coaching license, is registered with the Junior Sports Clubs, or is on JPSO boards or committees.[103] In certain cases, JSPO outsources parts of the investigation to the Japan Sport Law Support and Research Center.[104] However, in response to a Human Rights Watch data request, JSPO indicated they do not comprehensively track the outcomes of these investigations, so the effectiveness of the system is not clear.[105]

Japan Sport Council (JSC) has an internal abuse investigation panel system in place, but it only applies to elite-level athletes.[106]

JOC designates a lawyer to investigate complaints it receives.[107] Again, its effectiveness is questionable, as the outcomes of investigations are not disclosed, and, according to legal experts Human Rights Watch interviewed, the organization's investigative resources are limited. [108] This can result in significant delays in punishments by JOC and its member national federations, during which abusive coaches are still working and athletes are left vulnerable to further abuse. For example, in 2013, two gymnasts reported to the JOC hotline that their coach had hit one gymnast and broken her nose, and pushed the other and caused bruises on her leg. JOC did not take any punitive action. Only after a criminal case was conducted and the coach was found guilty of injury (a process that took nearly two years), did the Japan Gymnastics Association punish the coach by "de-registering [her]

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[102] Japan Sports Agency response to Human Rights Watch data request, April 6, 2020.

[103] Japan Sport Association, "Hotline for violent acts etc in sports," https://www.japan-sports.or.jp/about/tabid983.html (accessed June 29, 2020).

[104] Japan Sport Law Support and Research Center, "Japan Sport Association Consulting Office." http://jsl-src.org/?page_id=39 (accessed June 29, 2020).

[105] Japan Sport Association response to Human Rights Watch data request, May 12, 2020.

[106] Human Rights Watch interview with Lawyer Shoichi Sugiyama, video-conference, April 6, 2020; Japan Sport Council "Third party consultation and investigation system hotline," https://www.jpnsport.go.jp/corp/gyoumu/tabid/517/Default.aspx (accessed June 2, 2020).

[107] "Opening of hotline for athletes and coaches," *Japanese Olympic Committee*, March 19, 2013, https://www.joc.or.jp/news/detail.html?id=2491 (accessed June 29, 2020).

[108] Human Rights Watch interview with Lawyer Shoichi Sugiyama, video-conference, April 6, 2020.

for [an] indefinite term".[109] In 2019, this de-registration was terminated, meaning that the coach is eligible to coach again.[110]

From responses to Human Rights Watch data requests, we know that some sports federations have investigated cases of athlete abuse—volleyball, softball, and gymnastics, for example. But most federations contacted either did not respond or indicated that they could not produce data on investigations. As such, Human Rights Watch has been unable to comprehensively determine how many federations have investigation systems in place.

As noted above, the effectiveness of federation reporting systems is limited by the reluctance of athletes to report abuse to their own federation and, in many cases, by athletes' lack of awareness that such systems even exist. An additional problem is the competing loyalties of the people charged with conducting the investigations. As sports lawyer Takuya Yamazaki told Human Rights Watch: "The difficulty is that most national federations are managed by former athletes or people in the sports industry. They are really hesitant to say something against the established coaches."[111]

As with reporting systems, the uneven and dispersed nature of existing investigation systems means that Japan lacks comprehensive data on how many reports of child athlete abuse are investigated.

Inadequate Accountability Measures

As demonstrated in Section III above, there are numerous examples of coaches not being held accountable for child athlete abuse in Japan. While there have been some notable counterexamples in recent years, our interviews suggest that impunity remains the norm, including a failure of the criminal legal system to hold abusive coaches accountable.

When it comes to the administrative systems of sports organizations, a lack of accountability appears to result from a number of factors, most notably the lack of

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[109] "300,000 yen fine to former gymnastics coach: first case after JOC hotline established," *The Hokkaido Shimbun Press*, March 25, 2015.

[110] "Japan Gymnastics Association - Tomoko Hagiwara and others nominated for Board members," Jiji.com, June 8, 2019, https://news.myjcom.jp/sp/sports/story/all/190608F894.html (accessed June 29, 2020).

[111] Human Rights Watch interview with Lawyer Takuya Yamazaki, video-conference, April 7, 2020.

effective reporting and investigation mechanisms described above, but also the lack of clear standards for what punishment should be.

As with reporting and investigation of abuse claims, there is no publicly available comprehensive data on the final outcomes of cases reported to sports organizations. Some organizations do track the disciplinary outcomes of investigations. The Japan Volleyball Association (JVA), for example, received 232 abuse complaints between 2013-2019, which resulted in 22 punishments in which a coaching license was suspended or taken away.[112] JVA indicated that they only have jurisdiction over coaches who have a coaching license co-authorized by JVA and JSPO, and that they weren't sure how many of the 232 abuse complaints involved unlicensed coaches.[113] This lack of jurisdiction over unlicensed coaches is one major barrier to effective federation-led accountability. The Japan Softball Association received 17 reports of abuse involving a child victim between 2016-2019, which resulted in 2 investigations leading to 2 punishments (each a 2-year suspension of the abusive coach's license).[114] JSPO does not comprehensively track the outcomes of their investigations; for example, they do not track outcomes for investigations involving the Junior Sports Club division. But, in their response to a Human Rights Watch data request, they indicated that they issued at least 44 punishments between 2016-2018.[115]

These punishment decisions are at the discretion of individual sports organizations as Japan lacks uniform standards for what accountability should look like. In its guidelines for federations and other sports organizations, the 2019 governance codes do not clearly delineate standards for sanctioning coaches who abuse child athletes. By leaving decisions on disciplinary consequences up to the individual sports organizations, the codes allow for an inconsistent mix of accountability systems and the outcome of an abuse investigation dependent on the sport in which the abuse occurs.

When it comes to school sports, MEXT's 2013 notice, "Further Clarity on Ban on Corporal Punishment by School Coaches," mandates that school boards require school principals to immediately report all instances of corporal punishment and take strict measures

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[112] Japan Volleyball Association, "Action Plan 2020," February 26, 2020.
[113] Japan Volleyball Association response to Human Rights Watch data request, April 16, 2020.
[114] Japan Softball Association response to Human Rights Watch data request, May 13, 2020.
[115] Japan Sport Association response to Human Rights Watch data request, May 12, 2020.

against abusers, specifying that corporal punishment violates article 11 of the Basic Education Act.[116] While an important step forward, the notice does not set forth standards for reporting, investigation, and disciplinary measures, or create any oversight mechanism.

Lack of Victim Support Infrastructure

Sports federations and organizations appear to have done little to publicize and make available resources to support child athletes who have been victims of abuse in sport. As sports lawyer Takuya Yamazaki told Human Rights Watch: "[There are] absolutely not enough resources. [Sports organizations] are not used to being concerned with others regarding that type of problem. That is a mental block for them."[117]

A Human Rights Watch search of the JOC, JSPO, JSA, and JSC websites supports this claim: we found no lists of mental health or other support services for victims of abuse on any of the websites.

Inadequately Trained Coaches

Several interviewees said that specialized training of coaches is essential to preventing child athlete abuse. While several Japanese coaches already are working to improve such training and change the culture of sports instruction in Japan, sports authorities in Japan can do more to ensure the change is systemic.

The 2019 governance codes encourage training for coaches on violence and harassment prevention, but lack clear and detailed standards for what this training should involve. Furthermore, the codes do not mandate training specific to child athlete abuse. Sports organizations have adopted various coach training curricula, including JSPO's updated "Model, Core Curriculum," which it put in place in April 2019.[118]

The stated purpose of the model JSPO curriculum is: "nurturing good coaches who can encourage the personal growth of athletes and who do not threaten the value of sport

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[116] Ministry of Education, Culture, Sports, Science and Technology "Notice on through coaching based on student's understanding and ban on taibatsu," No.1269, March 13, 2013, https://www.mext.go.jp/a_menu/shotou/seitoshidou/1331907.html (accessed June 29, 2020).

[117] Human Rights Watch interview with Lawyer Takuya Yamazaki, video-conference, April 7, 2020.

[118] Handout provided by Japan Sports Agency regarding JSPO's "Model, Core Curriculum for Fostering Good Coaches", 2019. Copy on file with Human Rights Watch.

through corporal punishment, assault, unlawful acts, etc."[119] The new curriculum shifts the emphasis away from "hard" sports knowledge and tactics to foreground more holistic attributes of coaching such as "attitude, behavior" and "thinking, judgment."[120]

It is unclear how many coaches have been trained under this new curriculum. The training only applies to JSPO-licensed coaches ("authorized sport instructors"), of which there are approximately 180,000.[121] Unlicensed coaches would not be subject to this training, and it is unknown how many unlicensed coaches are active in Japan. Umbrella sports organizations told Human Rights Watch that no one tracks that kind of data. According to JSPO, "In Japan, anyone can be a sports instructor because it is not limited by [the] license system, etc. Thus, we believe that it is difficult to know the exact numbers of unlicensed or unauthorized instructors."[122]

A 2014 report on sports instructors in Japan estimated that almost 90 percent of junior high school instructors and 80 percent of high school instructors do not have a JSPO license.[123] An expert affiliated with JSPO told Human Rights Watch: "There are many coaches who are coaching without a license. So, the whole license system is not in place well."[124]

Other federations—such as volleyball and basketball—have put in place their own coach training programs. But these trainings have been criticized for having a lack of substance and practical engagement. For example, Naomi Masuko said of the Japanese Volleyball Association's coach training program: "the training is for a couple of days … I hear that coaches are just going to get, or renew, their licenses…. [T]he bar is very low."[125]

In 2013, MEXT issued "Guidelines on Coaching at School Athletic Clubs Activities," addressing the role of coaches or instructors of school-based sports clubs or teams. The

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[119] Japan Sport Association, "Model, Core Curriculum for Fostering Good Coaches", 2019. Copy on file with Human Rights Watch.

[120] Ibid.

[121] Japan Sport Association, "Model, Core Curriculum for Fostering Good Coaches", 2019. Copy on file with Human Rights Watch.

[122] Japan Sport Association response to Human Rights Watch data request, April 17, 2020.

[123] Japan Sport Association, "Report on school club sport coaches," July 2014, https://www.japan-sports.or.jp/Portals/0/data/katsudousuishin/doc/houkokusho.pdf (accessed May 25, 2020).

[124] Human Rights Watch interview with an expert affiliate of JSPO, video-conference, March 31, 2020.

[125] Human Rights Watch interview with Naomi Masuko, video-conference, April 9, 2020.

guidelines explicitly prohibit "corporal punishment" by coaches or instructors, in recognition of the harmful impact that "corporal punishment" has on students. While the guidelines encourage the training of coaches, they do not require it.[126] In 2018, JSA issued a "Comprehensive Guide for School Athletic Clubs Activities" which included the previous MEXT guidelines. Again, coach training was encouraged but not required.[127]

[126] Ministry of Education, Culture, Sports, Science and Technology "Guidelines on Coaching at School Athletic Club Activities," May 2013, https://www.mext.go.jp/sports/b_menu/sports/mcatetop04/list/detail/__icsFiles/afieldfile/2018/06/12/1372445_1.pdf (accessed June 29, 2020).

[127] Japan Sports Association, "A Comprehensive Guideline for Athletic Club Activities," March 2018. Copy on file with Human Rights Watch.

V. International Reform Efforts

Japan, of course, is not the only country in which high profile cases of athlete abuse have generated reforms. Other countries and international sports bodies have also acknowledged these problems and begun to address them.

The Safe Sport Movement

Increasingly, there is a movement to create robust, independent entities responsible for addressing athlete abuse. While some countries have made progress, there are still gaps between the goals of the movement and the institutions currently in place—gaps that can serve as a guide for how Japan can do better themselves.

Perhaps the most well-known and comprehensive safe sport center is U.S. Safe Sport, established in 2017 after a U.S. gymnastics abuse scandal. (The term "safe sport" in this context refers to the movement within the sporting world to "[protect] athletes from emotional, physical, and sexual abuse").[128]

In late 2015, a team physician, Larry Nassar, was fired from USA Gymnastics after it was revealed that he had sexually abused several gymnasts.[129] He remained on staff at Michigan State University until September 2016, during which time he continued to abuse gymnasts,[130] before a newspaper investigation revealed that he had abused hundreds of gymnasts over the course of several decades.[131] As a 2016 letter from US federal lawmakers to USA Gymnastics notes, there were "failures by USA Gymnastics to alert authorities of sex abuse allegations against several coaches, despite being notified of serious allegations on numerous occasions. Some allegations were allowed to linger for years before any action was taken, leaving young victims in the supervision of sexual

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[128] U.S. Center for SafeSport, https://uscenterforsafesport.org/about/our-work/ (accessed June 29, 2020).

[129] Tracy Connor & Sarah Fitzpatrick, "Gymnast Maggie Nichols was first to report abuse by Larry Nassar," *NBC News*, June 9, 2018, https://www.nbcnews.com/news/us-news/gymnast-maggie-nichols-was-first-report-abuse-larry-nassar-n836046 (accessed June 29, 2020).

[130] Ibid.

[131] Dakota Crawford & Amy Hamline, "Follow IndyStar's Larry Nassar, USA Gymnastics and Larry Nassar from start to finish," *IndyStar*, https://www.indystar.com/story/sports/2018/01/24/indystar-larry-nassar-usa-gymnastics-investigation/1062120001/, (accessed June 29, 2020).

predators."[132] Nassar was arrested and convicted on multiple counts of child sexual abuse, among other charges, and sentenced to 40-175 years in prison.[133]

In response to the Nassar abuse case, the US government enacted the "Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017," also referred to as the "Safe Sport Authorization Act."[134] Among other things, the law established an independent body—the U.S. Center for SafeSport—to investigate reports of athlete abuse within the US Olympic and Paralympic committees and national sports federations.[135] In its first year of operation, the U.S. Center for SafeSport (the Center) was "inundated" with cases, with more than 4,000 complaints received since it opened.[136] Reports continue to rise, with a 55 percent increase in sexual misconduct claims between 2018 and 2019.[137] The Center is also notable for its level of transparency, with the disciplinary outcomes of all abuse investigations listed publicly in its "Centralized Disciplinary Database."[138]

The U.S. Center for SafeSport is an important step towards better protection of child athletes in the U.S., and informs this report's recommendation that Japan also establish an independent body for addressing child athlete abuse. However, the U.S. Center for SafeSport has key gaps that should be filled in Japan's efforts to establish a similar body. While the U.S. Center for SafeSport is an independent nonprofit entity established by federal law, it receives the majority of its approximately$6M USD of funding[139] from the US

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[132] Letter from U.S. Senators Dianne Feinstein, Patrick Leahy, RIchard Blumenthal, & Joe Donnelly to USA Gymnastics President and CEO Steve Penny, August 5, 2016, https://www.documentcloud.org/documents/3006350-US-Senators-8-5-16-USA-Gymnastics-Letter.html (accessed June 29, 2020).

[133] Scott Cacciola and Victor Mather, "Larry Nassar sentencing: 'I just signed your death warrant,'" *New York Times*, January 24, 2018, https://www.nytimes.com/2018/01/24/sports/larry-nassar-sentencing.html (accessed June 29, 2020).

[134] Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017, https://www.govinfo.gov/content/pkg/PLAW-115publ126/pdf/PLAW-115publ126.pdf (accessed June 29, 2020).

[135] U.S. Center for SafeSport, https://uscenterforsafesport.org/ (accessed June 29, 2020).

[136] Rachel Axon and Nancy Armour, "SafeSport CEO Shellie Pfohl will step down at year's end," *USA Today*, February 21, 2019, https://www.usatoday.com/story/sports/olympics/2018/12/28/shellie-pfohl-safesports-ceo-stepping-down/2438229002/ (accessed June 29, 2020).

[137] Letter from Olympic and Paralympic Athletes to United States Congress, n.d., https://img1.wsimg.com/blobby/go/573edb75-6173-4bec-8d91-9972c89dc2cd/downloads/Olympic%20Movement%20Member%20Support%20Ltr%20S2330%20Comm.pdf?ver=1583960765570&fbclid=IwAR3FAEfrLrdIgxFxIiSMjcqGqoxcjzlubewpXNhiu9VVZJsMrd310VlDg8Y (accessed June 29, 2020).

[138] US Center for SafeSport, "Centralized Disciplinary Database," https://uscenterforsafesport.org/response-and-resolution/disciplinary-database/ (accessed June 29, 2020).

[139] US Center for SafeSport, "2018 Form 990," https://bit.ly/2LdOQGo, (accessed June 29, 2020).

Olympic Committee (USOC) and from national sports federations.[140] There are also concerns that the Center is underfunded, leading to high caseloads and an insufficient capacity for investigation.[141] Finally, the center does not investigate all forms of child athlete abuse. While it has exclusive authority over investigations of sexual misconduct, it only investigates cases of physical and/or emotional abuse when they are particularly egregious.[142]

Other countries have also created safe sport structures. Canada, for example, established two pilot programs in 2019: the Canadian Sport Helpline (CSH) and the Investigation Unit (IU). These programs were funded by the Canadian government and designed to address the abuse and harassment of athletes. The CSH is a "listening and referral service" that connects victims with resources; it is not an abuse reporting mechanism itself and does not directly result in abuse reports being investigated. The CSH served 193 athlete clients between March 2019 and February 2020. The Investigation Unit is a voluntary, "fee-for-service" body that provides third-party investigations to national sports organizations. It does not have exclusive authority for investigating athlete abuse; rather, it is a resource that sports organizations can use if they wish. While there is no comprehensive tracking of the number of investigations, a survey of IU investigators found that they had conducted at least 13 investigations between March 2019 and February 2020. These pilot programs represent a step in the right direction, but have received criticism for not being comprehensive (i.e. the CSH's role is fairly limited, and the IU is only tasked with investigation when a national sports organization requests it). An assessment of the CSH's first year of service concluded: "clients agree that providing a confidential, empathic listening service is a strength, but that the lack of follow-up and inability to directly refer concerns and complaints to an impartial sport governing body causes frustration." When it comes to the IU, critics note the lack of an enforcement process: investigators make

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[140] "Sporting organizations double funding to SafeSport Center," *USA Today*, September 21, 2018, https://www.usatoday.com/story/sports/olympics/2018/09/21/sports-organizations-double-funding-to-safesport-center/37894413/ (accessed June 29, 2020).

[141] Rachel Axon and Nancy Armour, "SafeSport CEO Shellie Pfohl will step down at year's end," *USA Today*, February 21, 2019, https://www.usatoday.com/story/sports/olympics/2018/12/28/shellie-pfohl-safesports-ceo-stepping-down/2438229002/ (accessed June 29, 2020).

[142] US Center for SafeSport, "Centralized Disciplinary Database: Matters Adjudicated by the NGBs/LAOs/USOPC," https://uscenterforsafesport.org/wp-content/uploads/2019/12/CDD-Link-2-NGB-LAO-USOPC-mattersv2.pdf (accessed June 29, 2020).

findings and recommendations, but it is left up to individual sports organizations whether or not to take action.[143]

In the UK, the independent non-profit Sport Resolutions established the National Safeguarding Panel (NSP) in 2013. The NSP is available as a third-party investigator in cases of athlete abuse within national sports organizations.[144] Sport Resolutions has worked on many of the most notable cases of athlete abuse in the UK, including the ongoing investigation into allegations of child sex abuse in football.[145] Like Canada's Investigation Unit, Sport Resolutions and its NSP do not have the authority to directly issue sanctions; they make recommendations which national sports organizations then decide on.[146]

The International Olympic Committee

The International Olympic Committee (IOC) issued its first official statement on athlete abuse in 2007, with the "Consensus Statement on Sexual Harassment and Abuse in Sport."[147] In that document, which focused on sexual abuse, the IOC recognized the right of all athletes to enjoy a safe and supportive sports environment free from abuse, and provided guidelines for prevention.[148] In 2016, the IOC updated that consensus statement to address other forms of abuse, including physical abuse, psychological abuse, and neglect.[149] The 2016 statement emphasized that, while all athletes are at risk for abuse, particular athletes are at a higher risk, including child athletes.[150]

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[143] Prairie Research Associates and the Sport Dispute Resolution Center of Canada, "Pilot Project Evaluation Report Canadian Sport Helpline and Investigation Unit," March 31, 2020.

[144] Sport Resolutions, "NSP," https://www.sportresolutions.co.uk/services/national-safeguarding/panel (accessed June 29, 2020).

[145] Sport Resolutions, "Service Overview," https://www.sportresolutions.co.uk/services/investigations-and-reviews/service-overview (accessed June 29, 2020).

[146] Sport Resolutions, "NSP Investigations," https://www.sportresolutions.co.uk/services/national-safeguarding/investigations (accessed June 29, 2020).

[147] International Olympic Committee, "IOC Adopts Consensus Statement on 'Sexual Harassment & Abuse in Sport," February 8, 2007, https://stillmed.olympic.org/Documents/THE%20IOC/OFFICIAL%20SHA%20Statement.pdf (accessed June 29, 2020).

[148] Ibid.

[149] British Journal of Sports Medicine, "International Olympic Committee consensus statement: harassment and abuse (non-accidental violence) in sport," https://bjsm.bmj.com/content/50/17/1019 (accessed April 30, 2020).

[150] Ibid.

The IOC's elevation of athlete abuse as a concern continued with the creation of the Olympic Code of Ethics, adopted in 2016, which includes in its foundational principles a "rejection of all forms of harassment and abuse, be it physical, professional or sexual, and any physical or mental injuries."[151] A year later, in 2017, the IOC launched a toolkit for International Sports Federations (IFs) and National Olympic Committees (NOCs) to guide them in the development and implementation of policies and practices to protect athletes, including child athletes.[152] The IOC noted that they consider the guidelines within the toolkit to serve as "the minimum requirements" for protecting athletes from abuse.[153] Of particular note is the IOC's use of and standards for "safeguarding officers," individuals who are specifically trained to address athlete harassment and abuse. These individuals are responsible for setting up abuse reporting systems, handling abuse reports, and conducting investigations.[154]

In recognition of the particular vulnerabilities of child athletes, the IOC introduced a number of safe sport initiatives at the 2018 Youth Olympic Games in Buenos Aires, including restructuring how the IOC handles abuse violations (delegating the IOC Disciplinary Commission to hear and decide cases); staffing an IOC safeguarding officer in the Youth Olympic Village; and having safe sports experts on-site to deliver information on child athlete rights and protections.[155] In June 2019, the International Olympic Committee amended the Olympic Charter, the organization's foundational document, to include protection as part of the IOC's own responsibilities, stating that the IOC will "promote safe sport and the protection of athletes from all forms of harassment and abuse."[156] Importantly, this provision (rule 2.18) is not tied to any event such as the Olympics, but

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[151] International Olympic Committee, "Code of Ethics," 2016, https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/IOC/What-We-Do/Leading-the-Olympic-Movement/Code-of-Ethics/EN-IOC-Code-of-Ethics-2016.pdf (accessed June 29, 2020).

[152] International Olympic Committee, "Safeguarding Toolkit," 2017, https://www.olympic.org/athlete365/safeguarding/ (accessed June 29, 2020).

[153] Ibid.

[154] Ibid.

[155] Margo Mountjoy, Tine Vertommen, Kirsty Burrows, Susan Greinig," #SafeSport: safeguarding initiatives at the Youth Olympic Games 2018," Journal of Sports Medicine, 2020, vol. 54:176–182, https://bjsm.bmj.com/content/bjsports/54/3/176.full.pdf (accessed June 29, 2020).

[156] International Olympic Committee, Olympic Charter, June 26, 2019, https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/General/EN-Olympic-Charter.pdf (accessed June 29, 2020).

applies to all athletes and coaches around the world who are part of the Olympic sport system.[157]

Other International Reforms

While the IOC has adopted language across various platforms in support of protecting child athletes from abuse, groups outside the IOC structure are also driving reforms forward. For example, the International Safeguarding Children in Sport Founders Group—a cohort of experts on sport and child protection—issued the International Safeguards for Children in Sport in 2015, a document which outlines safeguards that all sports organizations working with children should have in place.[158] The Centre for Sport and Human Rights in Geneva has convened a task force including major sports federations, such as the Federation Internationale de Football Association (FIFA), governments, sponsors, UNICEF (the UN's child rights agency), athletes' unions, and experts to address persistent gaps in laws and reporting systems to address child abuse in sport.[159]

In 2017, the United Nations Educational, Scientific, and Cultural Organization (UNESCO) released the Kazan Action Plan, which outlines how sports should contribute to the UN's Sustainable Development Goal to end "abuse, exploitation, trafficking and all forms of violence against and torture of children" by 2030.[160] Among other measures, the Kazan Action Plan Working Group has proposed country-specific indicators, which instructs national sports organizations to adopt formal child protection policies; to train athletes, coaches, and officials on these policies; and to nominate designated officers for "child protection."[161]

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[157] Ibid.

[158] International Safeguarding Children in Sport Working Group, International Safeguards for Children in Sport, https://www.sportanddev.org/sites/default/files/downloads/international-safeguards-for-children-in-sport-version-to-view-online.pdf (accessed April 30, 2020).

[159] Mary Harvey, "Protecting Children in the Sports Environment," February 2020, https://www.sporthumanrights.org/en/resources/protecting-children-in-the-sports-environment-keynote-at-ispcan-2020-qatar (accessed June 29, 2020).

[160] UNESCO, "Kazan Action Plan," 2017, https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2018/06/10.pdf (accessed June 29, 2020); UN Sustainable Development Goal Indicators, Goal 16, Section 2.

[161] The Commonwealth, "Measuring the Contribution of sport, physical education, and physical activity to the Sustainable Development Goals," 2019, https://thecommonwealth.org/sites/default/files/inline/Sport-SDGs-Indicator-Framework.pdf (accessed June 29, 2020).

In 2018, UNICEF, in a process led by the Japan Committee for UNICEF, released the Children's Rights in Sport Principles, which outline 10 key principles, including the elimination of all forms of violence against children in sport, and the establishment of effective reporting mechanisms and remedies for child victims.[162] This followed UNICEF's 2010 report "Protecting Children from Violence in Sport," which both documented the extent of child athlete abuse in sport and included recommendations for strengthening child athlete protection, like improved data collection and education and awareness training.[163]

[162] UNICEF, "Children's Rights in Sport Principles," 2018, https://childinsport.jp/en/ (accessed June 29, 2020).

[163] UNICEF, "Protecting Children from Violence in Sport," 2010, https://www.unicef-irc.org/publications/pdf/violence_in_sport.pdf (accessed June 29, 2020).

VI. Japan's Legal Obligations to Protect Child Athletes

Children in Japan have the right to play and enjoy sports, and to be protected from all forms of physical and mental violence and abuse. These rights are guaranteed both by Japanese domestic law and international human rights law.

Domestic Law

The broadest prohibition on "child abuse" is contained in Japan's "Child Abuse Prevention Law," enacted in 2000. Article 3 of the law states: "No one shall be allowed to abuse a child."[164] Included in the definition of "child abuse" are "physical abuse resulting in bodily injury to a child"; "coercion of any child ... to engage in any sexually explicit conduct"; "preventing the normal physical and mental development of a child through neglect"; and " strong verbal abuse or an attitude of rejection toward the child" by their guardians. [165]

This Child Abuse Prevention Law serves as a prohibition on child abuse in all settings. There are additional laws that prohibit "corporal punishment" in specific contexts. "Corporal punishment" has been legally prohibited in Japanese schools since 1947.[166] This prohibition has been affirmed as applying to extracurricular activities as well. In 2013, after the Sakuranomiya High School suicide, MEXT issued the notice "Further Clarity on Ban on Corporal Punishment by School Coaches," which states: "Corporal punishment is prohibited under the article 11 of Basic Act on Education.... Corporal punishment is not allowed under any circumstances..... Extracurricular school activities are a part of school education and therefore corporal punishment is clearly prohibited."[167] "Corporal punishment" has also been specifically prohibited in the home, in welfare facilities, and in alternative care settings through a 2019 amendment to the Child Abuse Prevention Law.[168]

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[164] Child Abuse Prevention Law, Article 3, 2000.

[165] Child Abuse Prevention Law, Article 2, 2000.

[166] Aaron Miller, "Taibatsu: 'corporal punishment' in Japanese socio-cultural context," *Japan Forum*, vol. 21, no. 2 (April 2010): 233-254.

[167] Ministry of Education, Culture, Sports, Science and Technology "Notice on through coaching based on student's understanding and ban on taibatsu," No.1269, March 13, 2013, https://www.mext.go.jp/a_menu/shotou/seitoshidou/1331907.htm (accessed June 29, 2020).

[168] Child Abuse Prevention Law, Article 14, 2019. It states, "A person who exercises parental authority over a child shall not discipline the child by inflicting corporal punishment upon him/her."

While the Child Abuse Prevention Law prohibits child abuse in all settings, the law lacks an explicit ban on "child abuse" or "corporal punishment" in the context of sport. And while the School Education Act prohibits corporal punishment, it does not specifically call out extracurricular school sports, and it does not cover sports occurring outside of schools.

Japan's 2011 Basic Act on Sport states, in its preamble, that "the practice of sports is a human right," and that playing sport is an element of the right "to live a happy and prosperous life."[169] This act states the right to play sport only in the preamble, and it does not include any specific protections against abuse.

International Law

Under international law, children are guaranteed the right to play, and the right to be free from all forms of violence. Children's experience of abuse in sport violates both of these rights.

The Convention on the Rights of the Child, to which Japan is a party, guarantees the right of "every child ... to rest and leisure, [and] to engage in play and recreational activities appropriate to the age of the child."[170] The Committee on the Rights of the Child, which oversees countries' compliance with the treaty, notes that "poor recognition" from States regarding the significance of play in children's lives "results in a lack of investment in appropriate provisions, weak or non-existent protective legislation, and the invisibility of children in national and local-level planning."[171]

The Convention on the Rights of the Child explicitly bans violence against children in all forms, regardless of the setting. The Committee on the Rights of the Child has called upon countries to:

> take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or

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[169] Basic Act on Sport, Preamble, 2011.

[170] UN General Assembly, Convention on the Rights of the Child, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, https://www.refworld.org/docid/3ae6b38f0.html (accessed June 29, 2020).

[171] UN Committee on the Rights of the Child (CRC), General comment No. 17: The right of the child to rest, leisure, play, recreational activities, cultural life and the arts (art. 31), 17 April 2013, *CRC/C/GC/17* (2017), https://www.refworld.org/docid/51ef9bcc4.html (accessed June 29, 2020).

> exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.[172]

These "appropriate measures" include having procedures in place for the "reporting, referral, investigation, treatment and follow-up of instances of [abuse]."[173]

The Committee on the Rights of the Child makes clear that physical violence as a form of punishment—a practice also referred to as "corporal punishment"—and is also prohibited in all settings. The Committee defines "corporal" or "physical" punishment as "any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light."[174] The Committee takes care to note that, in places where there has been traditional acceptance of the value of corporal punishment, "it is essential" that criminal and other laws "clearly prohibit its use in relevant settings," and that it is "valuable if ... guidances for teachers ... and also rules or charters of institutions emphasize the illegality of corporal punishment."[175]

While the Committee does not explicitly mention corporal punishment as it occurs in sport, it applies its prohibition to all settings in which children are subject to physical violence as a form of punishment.[176] While it is clear that international law prohibits violence against children in any form and setting, the Committee on the Rights of the Child can and should more clearly extend this prohibition to the sports setting. When it comes to articulating barriers to the right to play, the Committee can and should make clear the ways in which abuse within sport threatens that right.

Japan's failure to explicitly prohibit corporal punishment against children in all settings has been repeatedly criticized during the country's Universal Periodic Reviews (UPRs) at the United Nations Human Rights Council and its review before the Committee on the Rights of the Child.

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[172] UN Committee on the Rights of the Child (CRC), General comment No. 13: The right of the child to freedom from all forms of violence, 18 April 2011, *CRC/C/GC/13* (2011), https://www.refworld.org/docid/4e6da4922.html (accessed June 29, 2020).

[173] Ibid.

[174] UN Committee on the Rights of the Child (CRC), General comment No. 8 (2006): The right of the child to protection from corporal punishment and other cruel and degrading forms of punishment, 2 March 2007, CRC/C/GC/8 (2006), https://resourcecentre.savethechildren.net/node/10263/pdf/gc8.pdf (accessed June 29, 2020).

[175] Ibid.

[176] Ibid.

In 2008, members of the UN Human Rights Council recommended that Japan "prohibit expressly all forms of corporal punishment of children, and promote positive and non-violent forms of discipline," a recommendation Japan accepted.[177] In its latest review before the Human Rights Council, in 2017, Japan was again cited for the lack of an explicit ban on corporal punishment in all settings.[178] At the time, Japan noted that "the meaning of corporal punishment was not absolutely clear" to them, but they accepted the Human Rights Council's recommendation to explicitly ban all forms of corporal punishment.[179]

In 2016, in order to achieve the sustainable development goal of ending all violence against children, the UN Secretary-General launched the Global Partnership to End Violence Against Children.[180] Responding to calls from Japanese civil society for leadership, the Japanese government became a "pathfinding country" in 2018, publicly and formally committing Japan to "active efforts to end violence against children both domestically and internationally."[181]

Still, the Committee on the Rights of the Child voiced concerns about the implementation of existing laws in 2019, writing: "Corporal punishment in schools is prohibited by law, but [the Committee] is seriously concerned that ... the prohibition in schools in not effectively implemented." The Committee also echoed the recommendation from the Universal Periodic Review at the Human Rights Council to create a more comprehensive law that would "explicitly and fully prohibit corporal punishment, however light ... in all settings."[182]

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[177] UN HRC, "Report of the working group on the universal periodic review Japan addendum conclusions and/or recommendations," A/HRC/8/44, June 12, 2008.

[178] UN HRC, "Report of the working on the universal periodic review Japan addendum views on conclusions and/or recommendations, voluntary commitments and replies presented by the state under review" A/HRC/37/15, March 1, 2018.

[179] Ibid.

[180] End Violence Against Children, https://www.end-violence.org/ (accessed June 29, 2020).

[181] Speech by Parliamentary Vice-Minister for Foreign Affairs Manabu Horii at the 2030 Agenda for Children: End Violence Solutions Summit, February 15, 2018, https://www.mofa.go.jp/fp/hr_ha/page3e_000826.html (accessed June 29, 2020).

[182] UN CRC, "Concluding observations on the combined 4th and 5th periodic reports of Japan," CRC/C/JPN/CO/4-5, March 5, 2019.

VII. Conclusion

For too many years, the human rights of child athletes have been neglected, especially when it comes to their protection from violence and abuse. But, with athlete survivors in the lead, there is now a global movement in sport to ensure that child athletes have the right to play, and to do so free from abuse.

Child athlete abuse remains prevalent in Japan, where there is a long tradition of physical punishment as a coaching tactic. With the one-year postponement of the Olympic and Paralympic Games, the Japanese government and Japanese sports organizations have the opportunity to adopt world-leading standards to prevent the abuse of child athletes and to hold offenders accountable.

Recommendations

To the National Diet

- Amend the Basic Act on Sport or introduce a new law to explicitly:
    - Ban all forms of abuse by coaches against child athletes in organized sport;
    - Delineate the rights of athletes, including the right to participate in sport free of abuse;
    - Mandate training for all coaches of child athletes; and
    - Mandate that any adult who becomes aware of child athlete abuse must report it.
- Amend the Child Abuse Prevention Law to explicitly expand the existing definition of child abuse in article 2 so that it includes child abuse in organized sport.
- Establish a Japan Center for Safe Sport, an independent administrative body tasked with addressing child abuse in Japanese sport. Among sports organizations, this independent body would have centralized administrative authority to address any allegation of child athlete abuse within organized sport in Japan. Responsibilities should include:
    - Maintain standards to prevent and protect against child athlete abuse, and ensure full compliance with those standards by Japanese sports organizations;
    - Receive complaints or reports of child athlete abuse directly, as well as via a centralized reporting system into which all existing reporting mechanisms would flow;
    - Conduct investigations into all cases of child athlete abuse in organized sport, issue proportionate sanctions against coaches—such as revoking their coaching license, suspending or banning them from coaching—and provide an appeal system for sanctioned coaches;
    - Refer abuse cases to law enforcement for criminal investigation, where appropriate;
    - Track and report data on the number of allegations, and the outcomes of investigations;
    - Create a public registry of coaches who are sanctioned;

    - Ensure free, ongoing, professional psychological support services for child athletes who have experienced abuse;
    - Establish training standards for all coaches of child athletes; and
    - Conduct education and awareness campaigns about the existence of this independent body, and the resources it provides.
- Provide the funding necessary to adequately staff and resource the Japan Center for Safe Sport, described above.

To the Japan Sports Agency (JSA):

- Introduce a new notice which explicitly does the following:
    - Ban all forms of abuse by coaches against child athletes in organized sport;
    - Delineate the rights of athletes, including the right to participate in sport free of abuse;
    - Require training for all coaches of child athletes; and
    - Require that any adult who becomes aware of child athlete abuse to report it to the appropriate authorities.
- Withhold subsidies from sports organizations that do not comply with Japanese law or with child athlete protection standards set by the recommended Japan Center for Safe Sport.
- Revise the 2019 sports governance codes so that all national sport federations and regular sport organizations are mandated to follow the code. The revised code should set out clear standards on reporting, investigation, and disciplinary measures for child athlete abuse in order to ensure abusive coaches are consistently held accountable nationwide, across sports and prefectures. The revised code should also mandate that any adult who becomes aware of child athlete abuse report it to the appropriate authorities, including law enforcement in cases of criminal behavior.
- Conduct annual monitoring and evaluation of the recommended Japan Center for Safe Sport, and make subsequent reports available to the public.
- Conduct public awareness campaigns promoting safety and standards in sport.

To the Ministry of Education, Culture, Sports, Science and Technology (MEXT):

- In the third Sport Basic Plan (from 2022 to 2026), strengthen and prioritize the protection of child athletes from abuse, and clearly state concrete measures to achieve this goal.
- Amend the 2013 notice "Further Clarity on Ban on Corporal Punishment by School Coaches," or introduce a new notice, to further elaborate on the specific procedures and standards for reporting, investigation, and disciplinary measures, so that abusive coaches are held accountable in a consistent and timely manner. The revised notice should also mandate that any school personnel who become aware of child athlete abuse report it to the appropriate authorities, including law enforcement in cases of criminal behavior.
- Withhold financial subsidies from sports organizations that do not comply with Japanese law or with child athlete protection standards set by the recommended Japan Center for Safe Sport.
- Update MEXT's annual survey of abuse in schools so that it provides data on instances of abuse in school sport.
- Require child protection training and licensing for anyone coaching sport in schools.
- Impose sanctions on schools—such as suspensions or bans on participation in athletic competition, withholding of sports subsidies, or imposition of fines—that fail to take action against abusive coaches.
- Conduct annual monitoring and evaluation of the recommended Japan Center for Safe Sport, and make subsequent reports available to the public.
- Refer abuse cases to law enforcement for criminal investigation where appropriate.

To all Japanese Sports Organizations, including, but not limited to, the Japan Sport Association (JSPO), the Japanese Olympic Committee (JOC), the Japanese Para-Sports Association (JPSA), the Japanese Paralympic Committee (JPC), National and Prefectural Sports Federations, and School Sports Federations:

- Adopt measures recommended by the Global Steering Group to implement the UN's 2017 Kazan Action Plan, which outlines how sports should contribute to the UN's Sustainable Development Goals:
    - Adopt formal policies to protect child athletes from abuse;
    - Train athletes, coaches, and officials on the formal policies for child athlete protection outlined above; and
    - Nominate designated child protection officers.
- Cooperate with the recommended Japan Center for Safe Sport, including providing any information received regarding incidents of child athlete abuse.
- Implement and enforce sanctions delivered by the recommended Japan Center for Safe Sport, JSA, or MEXT.
- Refer abuse cases to law enforcement for criminal investigation where appropriate.

To the Japan Sport Council (JSC):

- Withhold financial subsidies from sports federations that do not comply with Japanese law or child athlete protection standards set by the recommended Japan Center for Safe Sport.

To the Japan Sport Association (JSPO), the Japanese Olympic Committee (JOC), and the Japanese Para-Sports Association (JPSA):

- Require child protection training and licensing for anyone coaching sport for a member federation.
- Revoke membership for any member federation that does not comply with Japanese law or child athlete protection standards set by the recommended Japan Center for Safe Sport; this would include barring non-compliant federations from competitions, including the National Sports Festival held by JSPO and the National Para Sports Festival held by JPSA.

To Municipal Governments and School Boards:

- Comply with Japanese law and child athlete protection standards set by the recommended Japan Center for Safe Sport.
- Require child protection training and licensing for anyone coaching sport in schools.
- Refer abuse cases to local law enforcement for criminal investigation, where appropriate.
- Implement and enforce sanctions delivered by the recommended Japan Center for Safe Sport, JSA, or MEXT.
- In compliance with the 2013 MEXT notice "Further Clarity on Ban on Corporal Punishment by School Coaches," mandate that any school personnel who becomes aware of child athlete abuse report it to relevant school officials.
- Cooperate with the recommended Japan Center for Safe Sport, including providing any information received regarding incidents of child athlete abuse.

To the Japanese Criminal Legal System:

- Investigate all reports of criminal child abuse in sport and prosecute appropriately.
- Track and report data, including the number of child abuse in sport cases reported to police, the number prosecuted, and the outcomes of judicial process.

Acknowledgments

Consultants Sarah Tofte and Nasir Husain and Minky Worden, Director of Global Initiatives, wrote this report based on research that they undertook from January to June 2020. Additional research, interviews, and outreach were conducted by Minky Worden, director of global initiatives; Kanae Doi, Japan director; Bede Sheppard, deputy director in the children's rights division; Riyo Yoshioka, senior program officer in the Asia division; Hanna Yumura, senior operations and program coordinator; and Aline Sauvegrain Tanabe and Miku Ishii, interns in the Human Rights Watch Tokyo office.

Brian Root, quantitative analyst at Human Rights Watch, reviewed the online survey and analyzed responses to produce the data in this report.

The report was reviewed by Minky Worden, Kanae Doi, Bede Sheppard, Nisha Varia, advocacy director in the women's rights division; Jane Buchanan, deputy director in disability rights division; and Brad Adams, executive director in the Asia division.

Clive Baldwin, senior legal advisor, and Joseph Saunders, deputy program director, provided legal and program review. Tetz Hakoda and Yuki Akimoto provided Japanese translation for the report and the survey. Attorney Shoichi Sugiyama was the specialist reviewer of the Japanese translation of this report. Creative guidance was provided by Ifé Fatunase, multimedia director, and Sakae Ishikawa, producer. Production assistance was provided by Racqueal Legerwood, coordinator in the Asia division; Travis Carr, digital coordinator; Kristen Sibbald, communications associate; and Fitzroy Hepkins, senior administrative manager.

Human Rights Watch would like to thank everyone who helped distribute our survey, advised on child and athlete safeguarding, abuses in sport, and methodology, and connected us with interviewees. These include Brendan Schwab, Andrea Florence, and Gigi Alford (the World Players Association); Mara Gubuan and Jessica Howard (Equality League); Nancy Hogshead-Makar (Olympian, Champion Women); members of the Coca-Cola Red Sparks; Moya Dodd (Gilbert + Tobin); Nikki Dryden (Olympian, lawyer); Mary Harvey and Dorothy Rozga (Centre for Sport and Human Rights); Jumpei Hirota; Seiji Iinuma (ATHLETE SAVE JAPAN); Attorney Takashi Ito; Haruka Iwamoto; the Japan Hockey Association; the

Japan Sport Association; the Japan Sports Agency; the Japan Volleyball Association; Judge Rosemarie Aquilina; Machiko Kaida (C-Rights); Kenji Kasahara (mixi, Inc.); Hayato Kawahara (Global Athlete Project); Junichi Kawai (Japanese Paralympic Committee); Sonoko Kawakami (Save the Children Japan); Keiko Kobayashi (Japan Judo Accident Victims Association); Miyuki Kobayashi (JEFUNITED CORPORATION); Rob Koehler (Global Athlete); Valerie Kondos; members of the Kumamoto VOLTERS; Attorney Hiroyuki Kusaba; Katia Mascagni, Kirsty Burrows, and Susan Grenig (International Olympic Committee); Naomi Masuko (former women's national volleyball team player); members of the Meiji University Kempo Club; Takashi Miyake (WILD KNIGHTS SPORTS PROMOTION, former rugby national team player); Hideki Mochizuki (Swimming World Japan); Attorney Koichiro Mochizuki; Attorney Yasumichi Mori; Attorney Eisuke Okamura; Yoko Ono; Kana Oyama (former women's national volleyball team player); Haruki Satomi (SEGA SAMMY HOLDINGS INC.); members of the SegaSammy Baseball Club; Yuko Shimazawa (journalist); Seiichi Shimomura (Kiryu Daiichi High School, former rugby national team player); Attorney Shoichi Sugiyama; Masanobu Takahama (Hanamaru Group); Professor Osamu Takamine; Dai Tamesue; Attorney Nobuyoshi Tsujiguchi; Attorney Toshiro Ueyanagi; Liz Twyford and Lucy Amis (UNICEF); members of Unisocc; Morinari Watanabe (International Olympic Committee); Yukari Yamada (Hida Schule, sports writer); Professor Rieko Yamaguchi; Attorney Takuya Yamazaki; and Masa Yanagisawa (HRW Board of Directors).

This report was possible thanks to the generous support of Oak Foundation.

We are also deeply grateful to the current and former athletes, parents, coaches, activists, and others who courageously shared with us their personal experiences for this report.

“I Was Hit So Many Times I Can’t Count”

Abuse of Child Athletes in Japan

For decades, children in Japan have been brutally beaten and verbally abused in the name of winning trophies and medals. Japanese sport has a history of corporal punishment—taibatsu in Japanese. New research shows that child athletes in Japan both at the grassroots and elite levels suffer physical, sexual, and verbal abuse when training for sport, which can lead to lifelong trauma.

“I Was Hit So Many Times I Can’t Count”: Abuse of Child Athletes in Japan documents experiences of more than 800 former child athletes—more than 50 from in-person interviews, and 757 from an online survey—including Olympians and Paralympians. The survey includes participants from 45 of the 47 Japanese prefectures, and 50 sports. Abuses include sexual abuse, punching in the face, kicking, beating with objects like bats, deprivation of water, choking, and whipping with whistles or racquets. Despite recent Japanese reforms, our findings point to the “normalization” of these abuses, the lack of access to reporting mechanisms and remedy for athletes, and the absence of accountability throughout Japanese schools, federations, and elite sports—leaving abusive coaches to harm other young athletes.

As Japan prepares to host the Olympics and Paralympics in Tokyo in July 2021, the global spotlight will bring a once-in-a-generation opportunity to change law and policies in Japan, and around the world, to protect millions of child athletes.

Participation in sport should provide children with the joy of play, and with an opportunity for physical and mental development and growth. In Japan, however, violence and abuse are too often a part of the child athlete’s experience. Photo montage of the Tokyo Olympic Stadium and youth in Japan training and playing popular sports.

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