



October 12, 2021

Mr. Koji Murofushi
Commissioner
Japan Sports Agency

Ms. Seiko Hashimoto
President
Tokyo Organising Committee of the Olympic and Paralympic Games

Dear Mr. Koji Murobushi and Ms. Seiko Hashimoto,

I. Request Matters

All of the groups undersigned below are strongly opposed to “taibatsu”—corporal punishment—in sport. Taibatsu and other abuse causes lifelong trauma for children and athletes, and we urgently need to end it.

1. We request to reiterate strong determination to spread the message that corporal punishment and other forms of abuse in sports are unacceptable to all stakeholders in sports and Japanese society.
2. We request the establishment of a “Japan Center for Safe Sport,” an independent administrative body for educating the public and eradicating abuse in sports.
3. We request the enactment of the “Safe Sport Act” as a legal measure based on Article 8 of the Basic Act on Sport.

II. Regarding the Japan Center for Safe Sport and Safe Sport Act

1. Overview of the functions of the Japan Center for Safe Sport:
 - “Safe Sport” refers to the state in which those involved in sports are protected from all forms of “abuse.”
 - “Abuse” here is a concept that includes all of the following:
 - (1) Physical violence,
 - (2) Psychological violence by verbal abuse etc.,

- (3) Sexual abuse,
- (4) Sexual harassment,
- (5) Neglect,
- (6) Injuries caused by sport-related accidents that should have been prevented.
- The Japan Center for Safe Sport has the following functions to realize Safe Sport in Japan:
 - (1) Dissemination and education about the concept of Safe Sport.
 - (2) Operation of independent, anonymous, and free consultation services regarding abuse in sports and receiving complaints or reports of child athlete abuse via a centralized reporting system, into which all existing reporting mechanisms would flow.
 - (3) Investigation of abuse cases in sports.
 - (4) Punishment for abuse cases in sports, remedy for athletes, and appeal system for sanctioned coaches.
 - (5) Publication and creation of a database for punishment cases.
 - (6) Providing training and rehabilitation programs to prevent recurrence.
 - (7) Maintaining standards to prevent and protect against child athlete abuse, and to ensure full compliance with those standards by Japanese sports organizations.
 - (8) Referring abuse cases to law enforcement for criminal investigation, where appropriate.
 - (9) Ensuring free, ongoing, professional psychological support services for child athletes who have experienced abuse.
 - (10) Establishing training standards for all coaches of child athletes.
 - (11) Conducting education and awareness campaigns about the existence of this independent body, and the resources it provides.
- The center will also provide easy access to professionals for athletes in need of legal assistance for the following human rights abuses:
 - (1) Image-based sexual abuse,
 - (2) Online-based abuse,
 - (3) Gender, racial, LGBT, disabilities, and other discrimination,
 - (4) Other human rights violations in sports activities.

2. Safe Sport Act

A law aimed at eradicating all forms of abuse in sports.

- The Act includes the following:
 - (1) Grounds for the establishment and activities of the Japan Center for Safe Sport.
 - (2) Legal and financial grounds for activities to raise awareness for the

- prohibition of all forms of abuse in sports.
- (3) Obligation of sports organizations to act to eradicate all forms of abuse.
 - (4) Prohibition of all forms of abuse in sports.
 - (5) Guarantee of proper procedures for those who are suspected of committing abuse in sports.
 - (6) Establishment of an independent and fair ruling body that imposes adequate punishments on those who commit abuse.
 - (7) Guarantee of the right to appeal to the Japan Sports Arbitration Agency for those who have been punished.
 - (8) Provisions for rehabilitation programs to prevent recurrence of abuse by sports coaches who have been found guilty of illegal acts.
 - (9) Delineation of the rights of athletes, including the right to participate in sport free of abuse.
 - (10) Mandate for training all coaches of child athletes.
 - (11) Mandate for any adult who becomes aware of child athlete abuse to report it.

III. Reasons for the request

Why we need the Japan Center for Safe Sport:

1. Abuse is still taking place, as reported almost daily in national media.

In Japan's sports, the Japan Sport Association, the Japanese Olympic Committee, the Japanese Para-Sports Association, All Japan High School Athletic Federation, and Nippon Junior High School Physical Culture Association have been playing a central role to eradicate abuse in sports. However, according to an [online survey](#) of athletes from 50 sports conducted by Human Rights Watch and released in July 2020, among the 381 respondents who were children since 2013, 19% had been physically abused, and 18% had been verbally abused. The number of reports of sexual abuse and harassment in sports coaching is small, indicating that the full extent of such problems has not yet been revealed. Because victims sometimes hesitate to report abuse, it is necessary to have confidential, specialized, and free consultation, as well as a mechanism to access legal remedies so that athletes who have been victims of abuse will be more comfortable in seeking help.

2. Necessity of legal support for athletes

In addition, many athletes in Japan suffer from image-based sexual abuse as well as online-based abuse on social media. During the Tokyo 2020 Olympics, an athlete was threatened and escaped forcible return to abuse and retaliation in her home country. We need a mechanism that provides easy access to professionals on legal issues related to sports so that athletes can receive

appropriate legal assistance at a low cost.

3. Limitations of small sports organizations

Many Japanese sports organizations are rather small, and there is a limitation to how much each organization can do to tackle abuse in sports coaching. Establishing an organization specializing in abuse in sports coaching is in line with the need.

4. Safe Sport Movement in other countries

In other countries, such as the United States, Canada, Australia and Germany, governments have begun efforts to eradicate abuse in sports and support athletes by allocating budgets, staff, and systems to protect athletes.

For the above reasons, it is necessary to establish the Japan Center for Safe Sport as a government initiative to eradicate abuse in sports and enhance legal support for athletes and protection for children.

Why we need the Safe Sport Act:

1. Necessity of clear prohibition

Abuse in sports coaching is a crime of assault or injury under criminal law. However, the application of criminal law to abuse in sports coaching is reluctant. Moreover, in Japanese society, the false idea that corporal punishment with love or passion is acceptable has not yet been dispelled. Therefore, we need the "Safe Sport Act," which defines abuse in sports coaching in detail and clearly prohibits it.

2. Necessity of unified response

Some sports in Japan are carried out as school club/team activities, and some are carried out under the National Federations and their affiliated organizations. Hence the jurisdiction of each organization is subdivided. In order to apply the functions of the Japan Center for Safe Sport to all organizations, it is necessary to provide a legal ground for the establishment of the Center.

3. Guarantee of rights and obligations to each stakeholder

To eradicate abuse in sports coaching, it is necessary to design a well-balanced system that considers each stakeholder, such as the obligation of sports organizations to tackle abuse and the guarantee of due process and the right to appeal for coaches. Ten years after the Basic Act on Sports went into effect, it is clear that legal measures are required to make sure that sports are safe.

Sincerely,

Shoichi Sugiyama
Representative and Attorney
Japan Safe Sport Project

Natsuhiko Watanabe
Director
Unisocc

Kanae Doi
Japan Director
Human Rights Watch

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