

0500 hrs gmt Wednesday 17 March 1993

**£JAPAN: @INADEQUATE SAFEGUARDS TO PROTECT THOSE  
FLEEING PERSECUTION**

The Japanese government is shirking its responsibilities towards hundreds of asylum-seekers fleeing human rights violations and routinely threatens others with deportation, Amnesty International said in a report issued today.

"Japan has a responsibility to protect political refugees fleeing threats to their life or freedom," said the organization. "Instead, officials often fail to act on asylum applications and even put pressure on individuals to return to countries where they may be tortured, arbitrarily detained or killed. This has got to stop."

An Amnesty International fact-finding mission visited Japan in October 1992 and concluded that a thorough reform of Japan's asylum policy is needed to bring the country into line with its international obligations.

Chinese asylum-seekers in particular have fallen foul of Japan's asylum procedures. Following the Tiananmen Square massacre and the subsequent repression in China, many Chinese students in Japan who had played a prominent part in the pro-democracy movement were told to return home, despite being at clear risk of serious human rights violations.

In recent years hundreds of Chinese "illegal immigrants" have been deported back to China after reaching Japan by boats. The Japanese government treats these cases in a special and secretive way, denying access to lawyers or others who might assist them and thereby failing to ensure that any who have fled China for political reasons have an opportunity to have their asylum claims considered.

One such case was that of Lin Guizhen who arrived in Japan in September 1989. Human rights lawyers were refused permission to meet Lin for several weeks - when they finally were allowed to do so, she said that she had informed officials on several occasions during her detention that she wished to apply for asylum but had been told that she "had no right to be in Japan" and would be deported.

In August 1991 - despite the fact that an appeal against a refusal to grant asylum was still being considered by the courts and despite protests by her lawyers and human rights organisations - Lin Guizhen was forcibly returned to China where she was sentenced to two years "re-education through labour". She has since been released.

Those asylum-seekers who are allowed to submit a claim are put through a secretive, arbitrary and often obstructive process. Some, including people at risk of serious human rights violations in the countries they fled, have been detained for months.

Members of Pakistan's Ahmadiyya community who had fled religious persecution in that country eventually decided to return there and risk imprisonment rather than remain in indefinite detention in Japan.

Others, despite being clearly entitled to refugee status, had applications refused and were kept in a legal limbo on visas which must be renewed every 30 days, with the constant possibility of deportation hanging over them. Iranian asylum-seekers told Amnesty International that when they report each month to receive their 30-day stamp they are subjected to pressure from immigration officials to return to Iran or are routinely threatened with deportation to Iran.

**This tangle of restrictive rules and procedures is compounded by a lack of guidance and advice for asylum-seekers. Furthermore, immigration officials display a lack of knowledge about international standards relating to refugees, and often do not have ready access to reliable information on human rights conditions in an applicant's country of origin.**

**In its report, Amnesty International makes a number of recommendations to the Japanese Government to tackle the serious deficiencies in its current policies, including the establishment of an independent body to decide on asylum claims.**

**"The need to ensure that the fundamental human rights of refugees and asylum-seekers are protected must be paramount," said Amnesty International. "Respecting such rights is not an act of benevolence that can vary according to domestic policy considerations - it is an obligation imposed by international law."**

**EMBARGOED FOR 0500 HRS GMT 17 MARCH 1993**