

Background of this document

This document is a memorandum on a meeting with Ms. Maud de Boer-Buquicchio, the United Nations' Special Rapporteur on the sale of children, child prostitution and child pornography, held upon her visit to Japan in October 2015. The meeting marks the Uguisu Ribbon Campaign's first direct lobbying effort to the United Nations.

Main points conveyed to Ms. Boer-Buquicchio

1. We would like experts unfamiliar with the art and culture of manga to understand that the social impact and side effects of legal restriction will be far greater than they imagine.
2. If the Special Rapporteur is considering recommending increased regulation of manga, we urge her team to adequately conduct consultations with stakeholders (manga artists, readers and so on) and experts (manga and media researchers, scholars of criminal law and information law with deep knowledge of issues surrounding the regulation of manga and so on).
3. We requested that the Special Rapporteur refrain from releasing strongly worded findings or recommendations that might impact legal proceedings in South Korea, where the Act on the Protection of Children and Juveniles Against Sexual Abuse was under review in the Constitutional Court.

Petition

October 20, 2015

NPO Uguisu Ribbon Campaign

We would like to express our strong opposition to any plans to restrict visual depictions of "non-existent persons," such as characters in cartoons and comics, as a part of anti-child pornography legislation.

It seems that, in some European countries, such regulations are seen as an acceptable limiting of freedom of expression. However, we want to argue that there is no acceptable reason for placing stronger restrictions upon visual media than textual media. In fact, placing stronger restrictions upon visual media could result in grave and unexpected consequences.

We understand that in Europe these sorts of regulations have been relatively uncontroversial up until now. This lack of controversy may well have something to do with the fact that comics are not a form of media central to society in much of Europe. They are used as a tool for communication by only a limited number of

professionals.

In many East Asian countries like Japan and Korea, however, regular people from all backgrounds and ages express themselves through comics in the way that regular people in European countries express themselves through written words. In Japan and Korea, fiction and non-fiction comics are created by men, women, minors, seniors, and so on. Most of these people make comics not for professional reasons, but as a way to communicate with each other.

In short, comics have a critical social function in these countries. Regulating the content of comics in Japan or Korea would be like regulating the content of literature or poetry in Western countries. In Korea, where comics are already targeted by anti-child pornography legislation, thousands of people have come under investigation for their creations – most of them university students and progressive women.

If you plan to discuss depictions of “non-existent persons” in your report to the Human Rights Council, we implore you to give due consideration to the unforeseen consequences that any restrictions could have upon freedom of speech. We sincerely hope that, while in Japan and Korea, you will make time to listen to the voices of the many citizen groups and legal experts who have long fought to keep the tools of censorship out of the hands of those who would restrict our people’s grassroots media.

We thank you for your attention.