

### 3. The Circumstance of Korean Schools in Japan

(1) Relevant recommendations and statements of the Government report

- Paragraph 19 of the concluding observations (CERD/C/JPN/CO/7-9)
- Paragraphs 170~175 of the Government report (CERD/C/JPN/10-11)

(2) Main Points

- (a) In Japan, Korean schools are treated no differently from any other school.
  
- (b) In compliance with the Constitution, the Fundamental Law of Education and other relevant laws, it is stipulated that every Japanese national shall be given the opportunity to receive education on equal standing according to his/her ability without any educational distinction. On this basis, the opportunity to receive compulsory education is equally guaranteed to foreign residents in Japan as well.
  
- (c) The Committee recommendation requires the Japanese Government to use public money in the form of subsidies to Korean schools. To realize this recommendation, approval of relevant laws is required and it is also necessary for Korean schools to satisfy a certain educational requirements.

(3) Background

The compulsory education system in Japan requires that every Japanese national shall go to schools which satisfy a certain level of standard for a maximum nine years before he/she reaches the age of fifteen, as regulated by the Constitution, the Fundamental Law of Education and the School Education Act.

The Constitution of Japan stipulates in Article 89: No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association, or any charitable, educational or benevolent enterprises not under the control of public authority.

Korean schools are not qualified “schools” as defined above, and it is against the Constitution, in fact illegal, to spend the public’s money on them. To receive public funding, Korean schools are required to duly observe the Fundamental Law of

Education, the School Education Act and other laws, to maintain a certain level of education and to acquire relevant approval. These procedures are free from discrimination or distinction owing to race, ethnicity or birth. In fact, schools like Tokyo Korean School and Tokyo Chinese School or various international schools are accredited in the same manner as regular private schools.

The Japanese education curriculum maintains a defined nationwide standard and, to secure an equal educational opportunity for all, based on laws, decides the level, the goal and what lessons, at a minimum, should be taught. However, Korean schools do not satisfy the standard. The Japanese education system requires issues be addressed, such as the forced abduction of Japanese citizens by North Korea, which is a grave infringement, from the families' viewpoint, of human rights. Korean schools do not follow this requirement. This, for example, is not a political issue, but an educational one.

Moreover, the fact that the General Association of Korean Residents in Japan disseminates speech and encourages behaviors that are totally alien to Japanese taxpayers goes against the Government's desire to spend the Japanese peoples' money. The Koreans declare: "We will further strengthen our power to destroy American and Japanese imperialists through education in Korean Universities," and "An operation is now under way to isolate and destroy America. Hold most revered leader Kim Jong-un as our supreme dignity and rise to bring innovation in the enterprise of our ethnic education." Their claims, stated over and over again, are too supercilious for any Japanese national to support (*The Sankei Newspaper*, dated September 20, 2017). Their speech and behavior is more than political provocation.

If Korean schools can solve these problems, it is possible that that system will spend the public's money on them. Korean speech and behavior, which claims that the Japanese Government discriminates against South and North Korean residents in Japan, is not true. The opportunity to receive an education through public assistance is given to any person, regardless of nationality--there is no racial prejudice in our public education system.

The Japanese Government issued a notice regarding a point of attention in relation to subsidizing Korean schools (as of March 29, 2016, in the name of the Minister of Education, Culture, Sports, Science and Technology): "With regard to Korean schools, our Government understands that General Association of Korean Residents in Japan, which maintains close relationship with North Korea, makes much account of its education and exerts influence over what to teach as well as personnel affairs and financial matters." This notice shows that the Japanese Government questions the

way Korean schools, as tools of the General Association of Korean Residents in Japan, are being run.

As measures that apply not only to children and students of South and North Korean residents but also to the children and students of other foreign residents, the Japanese Ministry of Education, Culture, Sports, Science and Technology has issued a notice: “In the light of progress in globalization and on the basis of growing demand for teaching the Japanese language to Japanese children/students who have returned home from abroad and to foreign children/students studying in our compulsory education schools, from the viewpoint of furthering the education of the Japanese language to those children/students in question, we will implement a system in which instruction held in classes other than those of children/students in question can be done through special curriculum.” At the level of local governments, Japanese language instructors and supporters were allocated, and a new system was established to accept foreign children/students, teaching them not only Japanese but also the Japanese way of life and customs, in close coordination with relevant organs, eliminating social barriers.

The procedure undertaken at the local government level to give out subsidies raises suspicion. It is doubtful whether subsidies are actually received by the guardians/children/students who eligible for subsidies. As an example, an incident occurred in Kanagawa Prefecture. It was revealed that the prefectural government gave a subsidy for the fiscal 2014 directly to children/students/guardians, but the understratum organ of the General Association of Korean Residents in Japan took the money, going door-to-door and visiting each recipient. This is against the original purpose and goal of the subsidy, of giving money to children/students/guardians who needed the money--the General Association should be chided for wrongfully handling public money. Whatever the purpose, fair and strict management should be required in spending money collected from taxpayers. It should be pointed out that in this case, public money was handled by a body that was neither responsible nor eligible for the task.

Lastly, there is one more fact that should be mentioned and that is that by policies decided upon by North Korean authorities, “crimes against humanity” are being committed, far and wide within the state, as clearly stated in the United Nations investigative committee report, “On human rights in the Democratic People’s Republic of Korea.” Their educational practice is based on a mythology that deifies Kim Il-song and Kim Jong-il, masterminds of numerous crimes against humanity. As a tool of the leadership, education in North Korea leaves much to be desired. Of

course, it is up to the Koreans themselves to discuss and decide what form their ethno-cultural education should be. But looking at the present human rights situation in North Korea, the issue of education should be looked into with greater consideration.

(4) Conclusions and Recommendations

- (a) In Japan there are many international and ethnic European and Asian schools and ethnical education itself should not be denied. At present, there are Chinese and Korean schools, which meet our educational standards.
- (b) Teaching the Japanese language to foreign children/students is included in our compulsory education, which is given free gratis by the Japanese Government and local governments. All operating ethnic schools should be required to manage its own finances.
- (c) Public money should not be spent on Korean schools that cannot meet the education standards that are required by the Japanese Ministry of Education, Culture, Sports, Science and Technology. The Government should not offer under-the-table financial assistance. Therefore, the Committee's recommendation, that "the Japanese Government should resume or maintain the provision of subsidies to Korean schools," must be promptly withdrawn.

Reported by "the Study Group for School Education"