

# OPEN LETTER

Professor David Kaye  
University of California, Irvine

Re: Your preliminary report on freedom of speech in Japan

Dear Professor Kaye,

My name is Eitaro Ogawa, Secretary General of a civil group called Viewers and Listeners for Legal Compliance in Broadcasting based in Tokyo Japan. I was intrigued by your preliminary report on “the right to freedom of opinion and expression” you issued on 19 April 2016. It prompted me to write this open letter to you.

You decisively warned that media freedom in Japan is in great danger due to the oppression applied by the government. Your report coincided with a media freedom ranking released by an NGO called Reporters without Borders which ranked Japan at 72th significantly slipped down from previous years.

I found that your report was based on intangible evidence that were predominantly hearsay. Accordingly it contained little substance as opposed to your sensational accusation. So, I decided to issue a statement regarding your report attached to this letter.

First of all, it appears that you were convinced through your seven day investigations that several famous TV reporters who were articulate towards the government were either demoted or retrenched by the governmental pressure. It is not difficult to assume to whom you were referring but all of them publicly denied receiving any pressure from anybody let alone the government. Only Mr Shigeaki Koga whom you quoted in your report insisted that he constantly received political pressure from Abe cabinet but he failed to describe any specific incidents. This is rather embarrassing. But those people were the ones most excited about your report and used your report to convince the general public that freedom of speech in Japan was in peril. I discovered a strange circle of people using each other to spread a false accusation by involving you. I summarized it in a chart to notify the general public what is going on.

You also expressed significant concern over The Specially Designated Secrets Act. It seems that you were basically copying Ms Sanae Fujita’s assertion. You were merely

# OPEN LETTER

pointing out some potential issues without any tangible evidence of restrictions and/or dangers journalists actually faced. Recently my thought was confirmed by the Japanese Supreme Court which rejected the similar claim lodged by a group including some freelance journalists as the claim was only based on abstract assumptions without tangible evidence.

You accused the government of hiding the historical crime committed by the then government from the general public by removing the description of so called comfort woman from textbooks. The Japanese government rendered its sympathy in fullest to former comfort women and did everything to settle the matter to move on but it officially denied the accusation of organized abduction and enslavement. The comfort woman myth stems from imaginary stories fabricated by a con man called Seiji Yoshida and Asahi Newspaper which spread his stories without any examination. Asahi already admitted it and publicly apologized. What you are doing is no more than interference on the domestic affairs of other nation.

On this particular topic you should be more worried about the gross infringement of academic freedom in South Korea. Professor Park Yuha has been indicted on charges of writing a book not favoring the government's view. The prosecutor is demanding three years' imprisonment. This is absolutely insane. Professor Park Yuha's book is a pure academic work based on facts with no element of crimes. The government is the one committing a serious crime against academic freedom. Ranking Japan below South Korea severely undermines the credibility of Reporters Without Borders' report as well as your report. You should have no time to waste your time in Japan.

Over all your report seems a mere repetition of what other people claim carrying little substance. It has been only conveniently used by those people who told you that they were under governmental threats and then successively denied it. This effectively makes your report look like an anti-government propaganda tool. It is true that the main mission of journalism is to watch authorities and criticize them when necessary. Yet your report failed to achieve the purpose as it was no more than a collaboration of people who wanted to use your authority to accuse the government as they were lacking confidence and proficiency in attacking the government on their own. I strongly recommend you move your focus to other countries that need your help much more than Japan does.

## OPEN LETTER

I was going to ask you a list of questions but I see no necessity for now. My questions will be on hold until you release your final report although I no longer think you need to do so.

Please note that this open letter will be posted on our website. <http://housouhou.com/>

Sincerely yours

A large, bold, handwritten signature in black ink, reading '小川 栄太郎' (Ogawa Eitaro).

Eitaro Ogawa

Secretary General

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