

HOTLINE TO NAGATACHO

One-fifth of kids deprived of contact with one parent

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Dear Prime Minister Yoshihiko Noda, Minister of Justice Hideo Hiraoka, Minister for Foreign Affairs Koichiro Gemba, Minister of Health, Labor, and Welfare Yoko Komiyama, and the government of Japan,

I pose the question: How many children in Japan cannot be with both of their parents on the Children's Day national holiday?

In other words, how many children have lost a meaningful relationship with one of their parents?

Apparently, there may be 2.2 million children or more from 1992 to 2009, including 4,200 American dual-nationals. This has occurred as the result of divorce as well as child abduction, both international and domestic.

The estimate is based on statistics from the Ministry of Health, Labor, and Welfare (MHLW) and Supreme Court of Japan. Each instance is a human rights violation, the loss of a child's access to both parents at all times.

Many in Japan and around the world do not know this human rights problem is happening because it is masked by terminology. The issue is often described as a custody dispute in Japan — a civil matter — when in fact the world outside would refer to it as a child abduction. The scenario is institutionalized and sanctioned by every family court divorce ruling.

First, one must understand the conditions. If a parent takes a child from the other parent, this custodial interference is not illegal in Japan, so abductions are not counted. Therefore, it is difficult to know how many there have been.

We also know that after divorce only one parent retains custody, and there is no enforceable visitation. Hence, denial of access after divorce is not counted either, and can be done with impunity.

How many children in Japan are affected by this? Let's look at MHLW divorce statistics and Supreme Court of Japan visitation rulings.

From 1992 to 2009 there were 4,358,276 divorces in Japan. There were 230,672 divorces involving one spouse who is not Japanese, and 7,449 divorces where one spouse is American. There are about 250,000 divorces per year in Japan. There is one child per divorce on average consistently throughout the time frame

in question.

Half of the children of divorce in Supreme Court of Japan visitation appeal cases from 1999 to 2009 have ended up through the court process with less than 12 visits per year with their noncustodial parent. Typical visitation rulings grant children between 12 and 52 hours per year with their noncustodial parent after divorce, but in half of the cases visitation is less than the low end of that range.

These rulings show how much visitation the highest court in Japan thinks children should have. Maintaining a meaningful parent-child relationship with that much visitation is simply not feasible.

A pie chart that appeared on NHK's "Close Up Gendai" show on Sept. 8, 2010, shows a survey in which 58 percent of respondents stated that they do not have visitation with their children after divorce in Japan. With a divorce rate at about one-third the rate of marriages and one child per marriage and divorce, multiplying the divorce rate by the percentage visitation rate indicated in the NHK survey means that about one-fifth of children in Japan do not have a relationship with both parents. The family is the fundamental unit of a society, but it is not being protected, with dire consequences.

If we multiply the number of children by 50 percent — those who have less than once a month visitation according to Supreme Court data — then we can estimate those who do not have regular visitation with their parent. From 1992 to 2009, this has affected an estimated 2.2 million children in Japan, including 115,000 children of dual nationality, and 3,825 children with one American parent.

The U.S. State Department also reports that 374 American children have been abducted from the U.S. to Japan since 1994. This makes an estimated 4,200 American children (3,825 + 374) who have lost the relationship with their American parent.

What is the meaning of Children's Day, where families are given a holiday to celebrate their children, while the joy for many is taken away by a judicial system that has deprived 2.2 million families of a reason to rejoice?

The breeze that suspends carp streamers (koinobori) across the country on that day is a hollow promise of parenthood and the howl of a desolate childhood for those who long to be cherished by their kin.

A CONCERNED, LOVING PARENT

Submissions to Hotline to Nagatacho should address issues that affect your life in Japan or be in response to government policies. Please imagine you are actually writing to a government official — be it a local school board head or the prime minister himself — to bring attention to an important matter.