
**ADDENDUM TO
JAPAN'S BATTLE AGAINST SEX TRAFFICKING: A VICTIM-
ORIENTED SOLUTION**

This Note argues that Japan should ratify the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (U.N. Trafficking Protocol or Protocol), which supplements the United Nations Convention Against Transnational to Organized Crime. Japan signed the Trafficking Protocol in 2002, but did not ratify it for the following fifteen years.¹ In July 2017, after this Note was printed, Japan ratified the U.N. Trafficking Protocol.²

Prior to ratifying the U.N. Trafficking Protocol, Japan stated that its current local laws satisfied the Protocol's requirements, indicating that it did not need to amend its domestic law in order to fulfill the requirements.³ Japan maintains that its penal code's prohibition on prostitution and its Immigration Control and Refugee Recognition Act, in conjunction with other local laws, comply with any obligations assumed by Japan's ratification of U.N. Trafficking Protocol.⁴

There is no current expectation that Japan will amend its laws addressing sex trafficking. Absent such amendments, it is not clear what the effects of ratification, if any, will be on Japan's efforts to address the crime of sex trafficking.

Accordingly, the arguments in this Note retain their relevance, and may still serve as guidance for Japanese policy. First, this Note provides context by considering some factors that led to the recent ratification, including pressure from the international community, problems faced by victims of sex trafficking, and how cultural norms might add to the issue's unique complexity in Japan. Second, this Note argues that, in

1. United Nations Treaty Collection, *A Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII12a&chapter=18&lang=en (last visited Dec. 23, 2017).

2. *Id.*

3. See INTERMINISTERIAL LIAISON COMMITTEE, JAPAN'S 2014 ACTION PLAN TO COMBAT TRAFFICKING IN PERSONS: MINISTERIAL MEETING CONCERNING MEASURES AGAINST CRIME 17–20 (2014), http://www.mofa.go.jp/j_info/visit/visa/topics/pdfs/actionplan0912.pdf

4. *Id.* at 17–20, 30.

their current form, statutes such as the Law on the Prohibition of Prostitution and the Immigration Control and Refugee Recognition Act are outdated and insufficient to fulfill the requirements of the Trafficking Protocol. Finally, this Note suggests how these statutes could be amended to help Japan meet its (now formal) obligation both to prosecute sex traffickers and to assist victims of sex trafficking.