Suspended sentences in Japan army sexual assault case

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(FILES) This picture taken on February 22, 2023 shows Rina Gonoi, a former member of Japan's Ground Self-Defense Force who was sexually assaulted by colleagues, checking old photos on her phone during an interview with AFP in Tokyo. - A Japanese court is due on December 12, 2023 to give a verdict in a landmark trial of three ex-soldiers accused of sexual assault in a country where still very few victims come forward. Gonoi, 24, won praise but also hate when she went public last year -- after a military probe found insufficient evidence -- accusing the fellow soldiers of assaulting her while others watched and laughed. (Photo by Philip FONG / AFP) / TO GO WITH "JAPAN-ASSAULT-COURT-GENDER-MILITARY", ADVANCER BY KYOKO HASEGAWA - TO GO WITH "Japan-assault-court-gender-military", ADVANCER by Kyoko HASEGAWA  
  
  
  
Three Japanese ex-soldiers were found guilty Tuesday but given only suspended jail sentences for sexually assaulting a female colleague who won praise but also online hate for going public with her accusations.  
  
  
  
Rina Gonoi, 24, broke the mould by speaking out publicly last year about her ordeal in 2021 in a country where the #MeToo movement failed to gain much ground and where many sexual assault victims are too scared to come forward.  
  
On Tuesday, she expressed satisfaction after Shutaro Shibuya, Akito Sekine and Yusuke Kimezawa were sentenced to two years in prison, suspended for four years, for what the judge called their “despicable and malicious” acts.  
  
“What they did should not be forgiven, even if they say it was only to get a laugh out of it. The verdict clearly ruled that it was a crime. I want them to face up to what they did and think about it,” Gonoi said outside the court.  
  
“There are many people out there who cannot speak up, who cannot fight over assaults like this. I was able to make the precedent,” she told reporters.  
  
“It was not necessarily a heavy sentence that I wanted to see. It was that they truly understand it was a crime, sexual violence, not something casual as they claimed.”  
  
– ‘Desperate not brave’ –  
  
In February Gonoi had told AFP in an interview that her decision to go public with her accusations after an internal military probe was dropped was “desperate rather than brave”.  
  
  
  
The public attention from the viral YouTube video and a petition signed by more than 100,000 people forced the defence ministry to acknowledge the assault and apologise.  
  
This March, prosecutors reversed an earlier decision and charged the three men.  
  
Gonoi said that after fulfilling a childhood dream and enlisting in 2020, she experienced daily harassment.  
  
“When walking down the hallway, someone slaps you on your hip, or holds you from behind,” she told AFP.  
  
“I was kissed on the cheek, and my breasts were grabbed.”  
  
Then, during a drill in 2021, she says three colleagues pressed her to the ground, forced apart her legs and each repeatedly pressed their crotches against her while others watched and laughed.  
  
Judge Takaaki Miura told the court on Tuesday that “shaking one’s hip between the legs of the victim has stong sexual meaning” and “ignores the victim’s dignity” and is a “despicable and malicious act”.  
  
– ‘Stigma and shame’ –  
  
Women rarely hold positions in the upper echelons of Japanese politics, business, government and military. The country’s gender pay gap is the worst among advanced economies.  
  
  
  
Prominent cases such as Gonoi’s — and a handful of others like that of journalist Shiori Ito, who accused a prominent TV reporter of rape — are rare.  
  
“While there are still areas of improvement (within society), today’s ruling is a welcome sign that the voices of survivors of sexual violence in Japan will not go unheard, and that accountability for such rights abuses is possible,” Teppei Kasai, Asia programme officer for Human Rights Watch, told AFP on Tuesday.  
  
A 2021 government survey showed that about six percent of assault victims, men and women, went to the police, while nearly half of women respondents said they could not because of “embarrassment”, Kasai had said last week.  
  
– Stricter laws –  
  
Inspired by Gonoi, however, more than 1,400 women and men have submitted their allegations of sexual harassment and bullying in the military following a special inspection by the defence ministry.  
  
  
  
This June, Japan passed legislation redefining rape, including removing the requirement that victims prove they had sought to resist their attacker.  
  
Britain’s BBC in November included Gonoi on a list of 100 “inspiring and influential women” for 2023. Time magazine also included her in its “100 Next” list of people to watch.  
  
But Gonoi, who is suing her alleged attackers and the government in a parallel civil case, received a torrent of vitriol online after coming forward.  
  
“I was prepared for defamation, but it’s tough,” she told AFP, saying at one point it got so bad she did not leave her home for five days.  
  
“There’s something wrong with Japan — people attack victims instead of perpetrators.”