

Secrecy law against democratic rights: Japan moves toward adopting tougher penalties for leakers

Thursday 7 November 2013, by [Kyodo News](#) (Date first published: 22 October 2013).

Japan moves toward adopting tougher penalties for leakers

The Abe administration wants a tougher secrecy law that imposes a prison term of up to 10 years on leakers of “special secrets” concerning foreign and national policy, in line with its plan to create a Japanese version of the U.S. National Security Council.

After Tuesday’s agreement between Prime Minister Shinzo Abe’s Liberal Democratic Party and its coalition partner, New Komeito, the Cabinet will approve the bill Friday. It is then expected to sail through the Diet during the ongoing session that will run until Dec. 6.

Abe told the Diet on Monday that confidentiality is “a prerequisite” for sharing intelligence with other countries and it is important to have the tougher secrecy law “to make full use of the NSC.”

The Diet is deliberating another bill to create the NSC, which will be designed to gather information and speed up decisions on foreign and national policy under the leadership of the prime minister’s office.

Initially, the bill to toughen the secrecy law did not refer to the public’s right to know or freedom of the press. At the request of New Komeito, the administration decided to include provisions addressing these issues.

Concerns remain, however, among experts that the legislation could discourage civil servants from talking to journalists and would infringe on citizens’ right to information.

They also argue that the law will make it easier for the government to withhold information by labeling it a “special secret.”

“Special secrets” are defined in the bill as information that any administrative agency chief would designate as affecting national security if leaked. Special secrets would keep that designation for up to 30 years, and the duration could be extended if approved by the Cabinet.

The move toward such legislation gained momentum after a Japan Coast Guard official posted a video online showing a collision in 2010 between two patrol ships and a Chinese fishing boat near the Senkaku Islands in the East China Sea.

Despite mounting public pressure, the government was reluctant to release the video in view of the possible repercussions on Japan’s ties with China, which had been strained by the incident.

The ruling coalition approved a bill Tuesday to toughen penalties for anyone who leaks government secrets and in doing so harms national security.

Kyodo News, October 22, 2013

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