

## CEP Magazine – April 2024



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### Business and human rights: Insights from the demise of Johnny's

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By Kaori Kubo, CCEP-I, MBA

If you are a compliance professional, you have probably heard the phrase “business and human rights” at least once. In a nutshell, business and human rights refers to the concept of ensuring that business is conducted in a manner that does not infringe on human rights. For example, the 2000 United Nations Global Compact<sup>[1]</sup> and the 2011 Guiding Principles on Business and Human Rights<sup>[2]</sup> promote this concept. However, many companies are not aware of the practical impact of this concept on their business.

The concept of business and human rights was previously not well known in Japan. However, social awareness of the concept increased in 2023 when the founder of a talent agency was accused of sexual abuse. The company was Johnny & Associates Inc. (Johnny's), which produced male pop stars in Japan for over 60 years. The late Johnny Kitagawa, founder and manager of Johnny's, was accused of sexually abusing underage male trainees in the agency over the years, a form of human rights abuse. Sexual abuse may be but one example of a human rights violation, but it can be a useful case study for compliance professionals as a hint on how companies should respond when human rights violations occur and how to prevent them.

Ignoring human rights violations can have devastating results. In the case of Johnny's, the company—estimated to have assets totaling approximately 100 billion yen—was dismantled after the scandal.<sup>[3]</sup>

#### Warning against human rights violations by external pressure

The case first came to wide public attention when the British Broadcasting Corporation (BBC) broadcast *Predator: The Secret Scandal of J-Pop* in June 2023.<sup>[4]</sup> The program looked at the allegations of Johnny's sexual abuse, which had been tolerated as an open secret for many years.

The allegations had come to light at least as early as 2004. The Tokyo High Court's decision to dismiss the appeal was an admission of Johnny's sexual abuse.<sup>[5]</sup> However, this case did not receive much media coverage. In addition, there was no social awareness in Japan that sexual abuse against men constituted an extremely serious violation of human rights. Against this background, his assault was overlooked without social sanction.

Following the BBC broadcast, United Nations representatives visited Japan in July 2023 to hear from relevant government agencies, human rights protection organizations, academia, labor unions, and business and industry representatives.<sup>[6]</sup> Under such external pressure from BBC and the United Nations, Johnny's finally decided to request an investigation by outside experts.

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