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**HUMAN RIGHTS COMMITTEE**

**NGO Alternative Report for LOIPR on the 7th Periodic Report of Japan**

Related Article: Article 8 (Elimination of slavery and servitude)

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# **JAPAN**

## **On Japan's Military Sexual Slavery Issue**

**24 July 2017**

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Submitted by:

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<sup>1</sup> The Women's Active Museum on War and Peace (WAM) is a non-governmental organization as well as a museum, established in August 2005 with donations from people in Japan and abroad. WAM focuses on violence against women in war and conflict situations, particularly the issue of Japan's military sexual slavery, or the so-called "comfort women" issue. WAM holds exhibitions and other educational events, conducts fact-finding projects, archives data and testimonials, and acts as an advocate for victims of wartime violence in order to prevent the recurrence of these atrocities. WAM has submitted alternative reports on Japan's military sexual slavery system to various UN human rights bodies, such as CCPR, CESCR, CEDAW, CAT and UPR of the Human Rights Council.

## **The Events after the Last Review in 2014**

1. After the review by the CCPR in July 2014, one of the major events held by the State party was a press conference on December 28, 2015 with the Foreign Ministers of Japan and the Republic of Korea, to announce the bilateral “agreement” to solve the issue of “comfort women.”
2. Since the CCPR included paragraph 14 regarding the sexual slavery practices to the “comfort women” to be followed up within one year, the State party reported on March 17, 2016 about the above mentioned announcement.
3. The CCPR special rapporteur sent a letter on April 17 2016 (KF/fup-116) based on the information provided, and requested information as follows on the paragraph 14:

Paragraph 14:[B2]: The Committee notes the information provided by the State party, but requests further information on measures taken after the adoption of the concluding observations on Japan, on 23 July 2014(CCPR/C/JPN6), including on the agreement made in December 2015 between the State party and the government of the Republic of Korea, in which the Prime Minister of Japan reportedly made an apology and the State party promised an 1 billion yen payment that would provide support for former comfort women. The committee also requires information on measures taken to (a) investigate all cases and prosecute and punish perpetrators; (b) provide full reparation to victims and their families; (c) disclose all available evidence; (d) condemn attempts to defame victims or to deny the events; and (e) educate students through references in textbooks. The Committee reiterates its recommendation.

4. On December 27, 2016, the State party replied to the questions of the special rapporteur (MT/UN 598).
5. Therefore, this report will: (a) provide additional information and context on the bilateral announcement of December 28, 2015; (b) provide information about the questions raised by special rapporteur on April 17, 2016 and respond to the State party’s reply of December 27, 2016; and (c) propose relevant questions to be considered.

## **1, Korea-Japan Bilateral “Announcement” on Japan’s Military Sexual Slavery Issue**

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### **The character of the “announcement”**

6. On December 28, 2015, the Foreign Ministers of the Republic of Korea (ROK) and Japan appeared on TV for a press conference and announced that the “comfort women” issue was “finally and irreversibly” resolved. The content of the announcement (hereafter the “announcement”) between the governments of the ROK and Japan was concluded with no consultation with the victims/survivors. Moreover, no written document has been made public by either government, leaving nothing for the survivors to read, consider or sign. The contents of the “announcement,” translated into English and disclosed by each government, differ significantly according to each government’s position.
7. Japan’s military sexual slavery is not a bilateral issue between the ROK and Japan. It was practiced throughout the Asia-Pacific region until Japan’s defeat in 1945. Survivors who have

testified come from many different countries and regions, including the Republic of Korea (ROK), the Democratic People's Republic of Korea (DPRK), China, Taiwan, the Philippines, Malaysia, Indonesia, the Netherlands, East Timor, Papua New Guinea and Japan. The locations of “comfort stations” identified from documents or witnesses include Myanmar, Thailand, Vietnam, Cambodia, Singapore, India, Guam, Palau and other Southern Islands. Under international law, the State party remains responsible for remedy for all the victims/survivors, whose rights to receive reparation are still violated. Therefore, the ROK-Japan bilateral “announcement” neither discharges the Japanese government’s responsibility, nor resolves the “comfort women” issue.

### **Nature of the Payment**

8. Foreign Minister Kishida made it clear at the press conference that the 1 billion yen payment (\$9.8 million) is not compensation based on legal responsibility for the harm done to the survivors<sup>2</sup>.

### **Apology**

9. No apology was given directly to the victim/survivors. Prime Minister Abe was repeatedly asked to apologize publicly to survivors during sessions of the Japanese Diet in January 2016. He refused. When the Korean foundation, established by the Korean government as a result of the “announcement”, asked him for an apology for the sake of the survivors, he replied “I have no intention whatsoever” of giving them one.<sup>3</sup>

### **Reactions from UN human rights bodies and victims/survivors**

10. The State party says that the “announcement” was “welcomed by the international community” and “positively received by many former comfort women in the ROK”<sup>4</sup>. However, this assessment does not reflect the statements or reactions of the UN Human Rights institutions nor the survivors of Japan’s military sexual slavery system.
11. Survivors have rejected the notion that this “announcement” represents the “final and irreversible solution of the comfort women” issue. (Please refer to Appendix B on page 27 for a selection of comments made by survivors about why they rejected the “announcement.”)
12. According to the Japanese government reply to the follow-up, two thirds of the survivors have received money transferred from the Japanese government to the foundation set up by the Korean Government. However, according to a report by Korean NGOs, the reason why the victims/survivors accepted the money was because they had been falsely informed that the “Japanese government has officially apologized and the payment is compensational”<sup>5</sup>. One of the supporting groups, the Korean Council for the Women Drafted for Military Slavery by Japan, has also reported that although one victim/survivor refused to receive money, “the staff of the foundation kept coming back to her urging to receive money, which we consider that as human rights violation.”<sup>6</sup>
13. The CEDAW reviewed Japan in February 2016 and discussed the bilateral “announcement.”

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<sup>2</sup> At the press conference with Japanese reporters pursuant to the “announcement”, December 28, 2015.

<sup>3</sup> At House of Representatives Budget Committee, October 3, 2016

<sup>4</sup> The reply from the Government of Japan dated December 27, 2016(MT/UN 598)

<sup>5</sup> From para 300 of the report submitted by 64 Korean NGOs to the 60th session of the Committee Against Torture, dated 20 March 2017.

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCAT%2fCSS%2fKOR%2f26966&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCAT%2fCSS%2fKOR%2f26966&Lang=en)

<sup>6</sup> Follow-up information submitted by the Korean Council for the Women Drafted for Military Slavery by Japan to the CCPR dated 12 May 2017.

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fFIS%2fJPN%2f27485&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fFIS%2fJPN%2f27485&Lang=en)

The concluding observations expressed concern that the “announcement” did not fully adopt a victim-centered approach and recommended that the victims’ rights to truth, justice and reparations be ensured. (See Appendix A on page 16-17 for full recommendation.)

14. Mr. Zaid Ra’ad Al Hussein, the High Commissioner for Human Rights, commented on March 10, 2016, during the 31st session of Human Rights Council that [the “announcement’s”] “terms have been questioned by various UN human rights mechanisms, and most importantly by the survivors themselves. It is fundamentally important that the relevant authorities reach out to these courageous and dignified women.<sup>7</sup> (For full comment, see Appendix A, page 25.)
15. Three UN special rapporteurs, namely, Ms. Eleonora Zielinska, Chair-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice; Mr. Pablo de Greiff, Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; and Mr. Juan E. Méndez, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, have also expressed their concerns on this political “announcement”. They urged the government of Japan to implement CEDAW’s new recommendations, take a victim-centered approach and follow international human rights standards.<sup>8</sup> (For full report, see Appendix, page 25.)
16. Ban Ki-moon, then Secretary-General of the United Nations, welcomed the “announcement” right after it was released to the press on December 28, 2015, and hoped that “the agreement will contribute to improving the bilateral relationship between the two countries.”<sup>9</sup> However, after he met the survivor Ms. Gil Won-ok, on 11 March, 2016, he said “I hope that the Agreement between Japan and the Republic of Korea on 28 December 2015 will be faithfully implemented under the guidance of human rights principles,” and “I call on all concerned parties to continue the dialogue towards a comprehensive resolution of this issue in line with human rights principles, with the victims at the centre.”<sup>10</sup> Comparing the two statements, he is not simply “welcoming” the “announcement” after two months, but stressed the need for it to be implemented under human rights principles.
17. On May 27, 2017, Prime Minister Shinzo Abe and Mr. António Guterres, UN Secretary-General had a short meeting in Italy. It is reported that UN Secretary-General Guterres expressed “his support for the agreement and welcomed it”.<sup>11</sup> However, the following day on May 28, the spokesman of the UN Secretary General issued the note to correspondence saying that “the Secretary-General agreed that this is a matter to be solved by an agreement between Japan and the Republic of Korea. The Secretary-General did not pronounce himself on the content of a specific agreement but on the principle that it is up to the two countries to define the nature and the content of the solution for this issue.”<sup>12</sup> Even after this notice, the State party has not changed the contents of the website, and keep saying that the UN Secretary-General Guterres expressed “his support for the agreement and welcomed it” on the website of the Ministry of Foreign Affairs.<sup>13</sup>
18. In May, 2017, the Committee against Torture reviewed the report submitted by the Republic

<sup>7</sup> URL:<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=17200&LangID=E>

<sup>8</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17209&LangID=E>

<sup>9</sup> <http://www.un.org/apps/news/printnewsAr.asp?nid=52910>

<sup>10</sup> <http://www.un.org/apps/news/printnewsAr.asp?nid=53428>

<sup>11</sup> <http://www.japantimes.co.jp/news/2017/05/28/national/politics-diplomacy/u-n-chief-supports-japan-south-korea-comfort-women-agreement/#.WWtPIITyhaQ>

<sup>12</sup> <https://www.un.org/sg/en/content/sg/note-correspondents/2017-05-28/note-correspondents-response-questions-meeting-between>

<sup>13</sup> [http://www.mofa.go.jp/fp/ipc/page3e\\_000683.html](http://www.mofa.go.jp/fp/ipc/page3e_000683.html)

of Korea, and recommended to “revise the agreement of 28 December 2015 between Japan and the Republic of Korea in order to ensure that the surviving victims of sexual slavery during the Second World War are provided with redress, including the right to compensation and rehabilitation, and that they are guaranteed the right to truth, reparation and assurances of non-repetition.” (for full observation, see Appendix A, page 19.)

**Questions:**

- ✓ What is the legal status of the bilateral “announcement” between Japan and Republic of Korea?
- ✓ Does the State party intend to revise the content of the “announcement” in order to fully comply with the covenant and start negotiations with a victim-centred approach?

## 2. Investigation and Prosecution of the Perpetrators

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19. The State party replied on investigation and prosecution of the perpetrators as follows (emphasis added):

With regards to the war crimes committed by Japanese citizens during the Second World War, we are aware that there have been (1) the International Military Tribunal for the Far East, held in Tokyo, (2) GHQ military tribunals in Tokyo, and (3) tribunals held by the Allied countries. For example, in the Dutch East Indies, some former military officials coerced foreign women into prostitution, against their superior's orders and in violation of military rules that require the woman's consent. In this case, after the military found out about the situation, the military shut down the comfort station, and the officials involved in the case were tried in a BC-level court martial after the war. One was sentenced to death, and 8 were sentenced to imprisonment. That said, it is extremely difficult to investigate the facts of individual cases retrospectively, and therefore, the Government of Japan does not consider prosecuting and punishing perpetrators<sup>14</sup>.

### **No prosecution by the State party in the post-war period**

20. Unlike post-war Germany and other European countries who have been prosecuting those individuals who committed crimes against humanity in WWII, the State party to date has never itself tried to bring to justice anyone who committed atrocities in its war of aggression. The State party has never tried anyone for any war crimes, and Japan’s military sexual slavery is no exception, despite the fact that it has repeatedly pledged to contribute to the international community’s efforts to end the cycle of impunity for violence against women.
21. The post-war trials, including the International Military Tribunal for the Far East (IMTFE) held in Tokyo, did not adequately prosecute sexual crimes by the Japanese Imperial Army, possibly due to the lack of gender sensitivity among legal professionals at the time. No superior commander was tried for planning or setting up Japan’s military sexual slavery system.

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<sup>14</sup> The reply from the Government of Japan dated December 27, 2016(MT/UN 598)

22. The case in the Dutch East Indies to which the State party refers is known as the “Semarang case” prosecuted by the Batavia Temporary Court Martial, in which young Dutch women in civilian detention centres were forced into sexual slavery for Japanese troops. Certain Japanese military officials stationed locally including a Major General planned comfort stations and eventually took young women detainees from the detention centres and into the facilities. While it is true that the “comfort stations” in Semarang were shut down after two months, none of the military officials was disciplined by the State party prior to Japan’s defeat. Instead, the Major General was promoted to Lieutenant General in March 1945<sup>15</sup>.
23. Throughout the Dutch East Indies, none of the “comfort stations” where local Indonesian women were confined were shut down. The closure of the facilities in the Semarang case is a rare exception and may well be due to the fact that the victims were of European origin in civilian detention centres; as such it provides no support for the State party’s contention that it was acting lawfully at the time. Further, while the State party underlines that those officials were acting “against their superior’s orders” and “in violation of military rules” as if to say other “comfort stations” were operated lawfully, such allegations cannot stand in light of the testimony of the many women survivors who courageously came forward across Asia in the 1990s to testify about their ordeals. In addition, the State party has yet to provide adequate grounds and documentation for the new and unproven assertion that those acts were committed “against their superior’s orders” and “in violation of military rules”. Moreover, if the State party holds the position that those superiors’ orders and military rules truly existed, it must explain why none of those officers were prosecuted before the Dutch court martial took up the matter.

#### **Possibility of investigation and prosecution**

24. It is still possible to investigate and prosecute perpetrators and the State party cannot argue it is difficult to do so. It would have had much more time had it started investigations in 1994 when a group of Korean survivors and their supporters tried to file an official complaint with the Tokyo Public Prosecutor’s Office and when the Dutch government reported eight such cases and sixty-five Dutch victims in the same year. The state party’s unwillingness to prosecute is evident even where the identity and whereabouts of surviving responsible former officers is well known to the government.
25. A typical case is that of former Prime Minister Yasuhiro Nakasone. In his 1978 memoir, Nakasone wrote about his days as a Navy officer in present-day Indonesia: “It was a big troop with about three thousand men or more. After a while some of them started to assault native women or give themselves over to gambling. I took great effort to set up (a) comfort station.”<sup>16</sup> On March 23, 2007, when questioned at a press conference he replied that the “comfort station” was a place to play games like Japanese checkers and for other recreational activities, not a brothel<sup>17</sup>. However, in October 2011, a civil society group found official documents in the Library of the Ministry of Defence, stating that, “*with the paymaster’s arrangements, women natives were collected and (a) comfort station was opened*” on March 11, 1942. The name of the paymaster was Yasuhiro Nakasone, and the documents included a map that included the location of the comfort station in Balikpapan, Borneo Island, Indonesia.<sup>18</sup> Therefore, the “comfort station” set up by Nakasone was in fact a brothel for soldiers. Despite the discovery of such evidence, the State party has done nothing to hold him

<sup>15</sup> TOYAMA Misao (ed.), *Riku-Kaigun Shoukan Jinji Soran (Rikugun-hen)* [Comprehensive list of personnel affairs of officers of the Army and the Navy (Part: Army)], Fuyo Shobo Shuppan, 1981, p.36.

<sup>16</sup> “Owarinaki Kaigun”[Endless Navy], Bunkahousou Kaihatsu Sentaa, 1978

<sup>17</sup> Mainichi Shimbun, March 23, 2007.

<sup>18</sup> Kaigun koku-kichi dai-ni setsuei shiryo [Naval air base second construction party materials] copied in April 1962 by Yonezo Miyaji, the former chief engineer of naval air base second construction party.

accountable either in the form of judicial proceedings or through a parliamentary process. Ms. Suharti, an Indonesian survivor of Japan's military sexual slavery who was confined in the "comfort station" in Balikpapan, visited Japan in 2009 and tried to meet Nakasone, but she was refused to meet him. Yasuhiro Nakasone is still alive.

26. Another example of the State party's failure to investigate and prosecute perpetrators is found in an official document located by scholars in 2014. It is a report of an interview of a former Naval Chief Petty Officer stationed in Bali, conducted by Ministry of Justice personnel in 1962. In the interview this ex-officer testified that he had about 200 local women sent to the island of Bali and made them "comfort women". He also noted that he was not prosecuted for crimes regarding those women, possibly due to the fact that he locally ran schemes to conceal the fact using the 700,000 yen that he got from the military budget in 1945. The State party should have understood as late as the time of this interview in 1962 that there must have been many other similar cases of victimising women and started investigation immediately. The many memoirs published from 1960s and onwards that refer to the authors' own encounters with "comfort women" also highlight the State party's negligence concerning investigation.

### **Women's International War Crimes Tribunal" held in Tokyo in 2000**

27. The "Women's International War Crimes Tribunal on Japan's Military Sexual Slavery" was held in Tokyo in 2000 by international civil society organizations. The Tribunal identified the responsible military units for certain sites from the testimony of survivors and witnesses, accordingly collected evidence and indicted the individual military officers in charge of those units. Due to limited time and resources, the Women's Tribunal was able to proceed with only ten highest ranking officials among those accused. The bench, consisting of law experts including former judges from Europe, North and South America and Africa, led by Judge Gabrielle Kirk McDonald, former President of the International Criminal Tribunal for the former Yugoslavia, considered the submitted evidence sufficient to declare each of those ten individuals guilty of crimes against humanity. This Tribunal was particularly significant in that it made clear who the responsible party was for setting up Japan's military sexual slavery system. The State party had been sent an official invitation to take part, then a copy of the Tribunal's Judgment. Not only did the State party completely ignore them, but rather, the ruling bloc put pressure on the media to curtail the coverage of the event.

#### **Questions**

- ✓ How will the State party comply with the covenant and implement the recommendations of the number of concluding observations by the UN entities regarding prosecuting the perpetrators?

### **3, Disclosure of Evidence**

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28. The State party replied on disclosure of evidence as follows (emphasis added):

[the] Government of Japan has conducted a full-scale fact-finding study on the comfort women issue since the early 1990s when the issue started to be taken up as a political issue between Japan and the ROK. The fact-finding study included research and investigation on related documents owned by relevant ministries and agencies of the

Government of Japan, document searches at the U.S. National Archives and Records Administration, as well as hearings of relevant individuals including former military parties and managers of comfort stations and analysis of testimonies collected by the Korean Council. The result of this study, as well as the documents found in the process, have been made public<sup>19</sup>.

29. The State party has never conducted “a full-scale fact-finding study on the comfort women issue”. Many of the documents acknowledged as “comfort women” related at the time of Kono Statement in August 4, 1993 had already been located by the efforts of independent scholars. In June 2014, 21 years after the Kono Statement, a citizen’s group submitted over 500 documents discovered by independent scholars and citizens which had not been discovered by the official research by the State party. However, the State party refused to accept those documents, and claimed that the newly discovered documents had to be reported officially by the ministries themselves, not by private citizens.<sup>20</sup> The State party returned all the submitted documents to the citizen’s group on March 31, 2016.
30. Regarding archival research abroad, the State party has conducted only very limited research at the National Archives and Records Administration (NARA) in the U.S. Since 1993 many other relevant documents have been discovered in NARA by independent scholars. The State party has never conducted research at the national archives of the Netherlands, UK, China, ROK, Taiwan, or Australia, where scholars and journalists have already found much relevant evidence. The State party has never acknowledged these documents in foreign archives as “comfort women” related.
31. The State party has not fully disclosed evidence related to the post-WWII war crimes tribunals or provided public access to them. For instance, the document of the “Semarang case” (para.21) is clearly evidence that Japanese soldiers forcefully took women from detention centres to the “comfort stations” in Semarang. This directly contradicts the State Party’s repeated assertion that there are no official documents confirming “forceful taking-away” by military and government authorities. Furthermore, the Ministries of the Foreign Affairs (MOFA) and of Justice, as well as the Cabinet Office, all claim that they cannot locate the materials related to the “Semarang case” despite the fact that there is a record of the MOFA obtaining a copy of the court martial documents from the National Archives of the Netherlands<sup>21</sup>. To date, the State party has not provided public access to the “Semarang case” documents. Further, the State party maintains the position that “it is difficult to answer” the question whether the documents of the Class B and C war crimes tribunal proceedings are “official” because “the situation at the time is not clear.”<sup>22</sup>
32. In terms of collecting testimonies as evidence, the State party only says that they analysed “testimonies collected by the Korean Council”. The State party in fact conducted interviews with 16 victims/survivors living in ROK in 1993, however the results of these interviews have not been disclosed, and the State party never cites these testimonies as evidence. Civil society groups have repeatedly requested public hearings or interviews of other victims/survivors from the Republic of Korea (ROK), the Democratic People's Republic of Korea (DPRK), China, Taiwan, the Philippines, Malaysia, Indonesia, the Netherlands, East Timor. The State party has never done so. Many of victims/survivors have passed away without recognition as victims from the State party.

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<sup>19</sup> The reply from the Government of Japan dated December 27, 2016(MT/UN 598)

<sup>20</sup> Stated by Naoko TANAKA, a staff for Assistant Chief Cabinet Secretary, on March 31, 2016.

<sup>21</sup> Question by AKAMINE Seiken at House of Representatives Cabinet Committee, April 23, 2014

<sup>22</sup> Ibid.



33. The State party is presumed to hold voluminous amounts of contemporaneous records. Independent scholars identify these to include: police records; colonial records of the Department of Overseas Affairs and the Home Ministry; a huge collection of diaries of officials and personnel accompanying the military held by the Defence Ministry; materials relating to the war crimes trials held by the Justice Ministry; and Welfare Ministry documents relating to repatriation and war victims' relief. Even though Japanese government and military officials were ordered to destroy all incriminating official documents at the end of the War, scholars assume that the State party still holds many documents in the above mentioned ministries.

#### Questions

- ✓ Does the State party consider the victims/survivors testimonies as evidence?
- ✓ What are the concrete reasons for the State party for conducting interviews only in the ROK but not in the other countries where victims have come forward?
- ✓ Does the State party intend to seek cooperation from the foreign governments for a thorough fact-finding about Japan's military sexual slavery system, including research in the foreign archives and interviewing victims/survivors as well as witnesses?

#### 4. Providing Full Reparation to Victims

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34. There is no new initiative by the State party since the last review in 2014.

#### Questions

- ✓ How will the State party implement the recommendations of the number of concluding observations by the UN entities, and fulfil the obligations under international human rights law concerning victims of other countries, for instance, China, Timor Leste or Indonesia, where the victim/survivors still alive and claiming their rights for reparation?
- ✓ The practice of Japan's military sexual slavery was widespread and involves women in many countries and regions. Does the State party intend to seek expertise and assistance from UN human right institutions to ensure the victims' rights for remedy and reparation, as suggested by UN high rights experts?

## 5, Public Apology / Official Recognition of the Responsibility / Refuting the Denials

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35. In January 2016, right after the bilateral “announcement”, the Prime Minister of Japan stated as follows.

PM Abe: “This agreement does not mean that [we/GOJ] have admitted to, for instance, things **that constitute war crimes.**” “**There is no such fact as sex slaves or 200,000 [victims];** it is a fact that [western media/the world] has been showering [us/Japan] with this criticism. Against it [i.e. this criticism] the government would like to firmly show that it is no fact. The government made the Cabinet Decision, which adopted the position that **no reference was found by then, among the materials discovered by the government, that directly suggested the so-called forcible taking away by military or government personnel** in 2007, at the time of the first Abe Cabinet, as the official cabinet reply to the parliamentary enquiry in writing submitted by MP Kiyomi Tsujimoto. There has been no change whatsoever with this position [on the part of GOJ], I would like to state anew.”<sup>23</sup>

36. Recalling the 26 years of struggle for justice for victims/survivors of Japan’s military sexual slavery, without fully acknowledging the crimes committed to the women, the words of apology are meaningless. The GOJ’s website says that the Japanese government is “aware of responsibility”. However, as long as denials of the historical facts continue, no one can be certain of which acts the State party is “painfully aware of its responsibility<sup>24</sup>” for, and for what acts the government apologized.

### Questions

- ✓ Does the State party recognize that unambiguous acknowledgement of the facts is fundamentally important for remedy and full reparation?
- ✓ What is the legal argument of the State party to insist that the women in “comfort stations” were not sexual slaves?

## 6. Memory and Education

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37. The State party has made no effort to remember the history of Japan’s military sexual slavery. Instead, there are many attempts to erase and forget the history and disrupt the initiatives to remember by civil society organizations not only in ROK and Japan, but also in the U.S. and other countries.

38. On May 19, 2017, the new Moon Jae-in administration issued a five-year policy plan including designating a “comfort women” memorial day in 2018 and setting up a research institute in 2019 and a history museum in 2020 on the “comfort women issue. Upon this, the State party immediately protested to the ROK government on the same day as the State party

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<sup>23</sup> At House of Councilors Budget Committee, 18 January 2016

<sup>24</sup> [http://www.mofa.go.jp/a\\_o/na/kr/page4e\\_000364.html](http://www.mofa.go.jp/a_o/na/kr/page4e_000364.html)

finds the plan is “against the purpose of the 2015 agreement”, and urged the ROK to faithfully implement the bilateral deal<sup>25</sup>.

### Textbooks

39. Most victims hope that history will be told accurately to succeeding generations to ensure that the same mistakes will not be repeated. However, even though from 1997 through 2001 all history textbooks used in compulsory education in Japan included some reference to the “comfort women” issue, the number of such textbooks decreased in 2002 and 2006, and in 2012, the term 'comfort women' was erased from all compulsory education textbooks. In 2016, a reference to “comfort women” appeared in one history textbook out of 8 publishers, but the reference was largely modified under the scrutiny of a committee set up by the government. (See Appendix C on page 28 )

### Memorials

40. The Japanese Government demands the removal of the “Girl Statue for Peace” in front of the Embassy of Japan in Seoul. This statue was built on December 14, 2011, by citizens including “comfort women” survivors themselves. The memorial was erected on the day of the 1000th demonstration of protest the survivors have held there every Wednesday since 1992<sup>26</sup>. In response to the erection of this statue, the Japanese government made official requests to the ROK for its removal, claiming that the monument negatively affects the “dignity of diplomatic establishments abroad” and that it is in violation of the Vienna Treaties concerning consulatory relations. The government of Japan has continued to demand the removal of the statue even after the “announcement”, acting as if the removal were a part of it.

41. When another girl statue was built by citizens on December 30, 2016, in the city of Busan, ROK, the Japanese Government demanded the removal of this new one and, in protest, summoned back Japan’s ambassador to the ROK. On February 17, 2017, Foreign Minister Kishida made the request again to the Foreign Minister of the ROK “in a strong manner.”<sup>27</sup> Japan’s ambassador returned to the ROK in April and on May 2, requested the “faithful implementation of the 2015 agreement” and the removal of the Busan statue<sup>28</sup>. On May 9, Chief Cabinet Secretary Suga stated that “the government’s policy remains to be persistently requesting the ROK for its steady implementation of the 2015 agreement”.<sup>29</sup>

42. The Japanese Government has repeatedly stated that the “comfort women” statues erected overseas are “against” Japan’s “position”. On February 22, 2017, the Japanese Government filed an *amicus curiae* brief to the U.S. Supreme Court (in *Gingery et al. v. City of Glendale.*) in support of the plaintiffs who sued the city of Glendale for the removal of the “comfort women” memorial which the city erected in July 2013. In the document the Japanese Government argues that the girl statue “presents a significant impediment to Japan’s

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<sup>25</sup> “ROK to designate “comfort women” memorial day; national plan with history museum in 2020” (J), the Mainichi Shimbun, July 21, 2017. <https://mainichi.jp/ch150910073i/%E9%9F%93%E5%9B%BD>.

<sup>26</sup> The “Wednesday Demonstration” started on January 8, 1992 in front of Japanese Embassy in Seoul. Korean survivors of Japan’s military sexual slavery and their supporters have continued to stand in front of the every Wednesday at noon calling for the restoration of their honor and dignity. The Wednesday Demonstrations have been carried out no matter the weather with two exceptions on Wednesdays just after the 1995 Great Hanshin Earthquake and the 2011 Great East Japan Earthquake and Tsunami. On December 14, 2011, at the 1000th time, the “girl statue for peace” had erected.

<sup>27</sup> At the press conference held by Foreign Minister Kishida, on February 17, 2017, reported on the website of Ministry of Foreign Affairs. [http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4\\_000458.html#topic1](http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4_000458.html#topic1)

<sup>28</sup> “Ambassador to ROK asks ROK Foreign Minister for removal of girl statue, first meeting with Minister after return to ROK” (J), The Asahi Shimbun, May 2, 2017 at: [http://www.asahi.com/articles/ASK526JHTK52UHBI038.html?iref=pc\\_rellink](http://www.asahi.com/articles/ASK526JHTK52UHBI038.html?iref=pc_rellink)

<sup>29</sup> “Hope new ROK administration will steadily implement 2015 agreement: CCS Suga” (J), The Asahi Shimbun, May 9, 2017, at: <http://www.asahi.com/articles/ASK593G98K59UTFK003.html>

diplomatic efforts” as it is “not in line” with the “spirit” of the bilateral agreement of 2015. The Japanese Government also “strongly disagrees that the inscription on the Glendale monument accurately describes the historical record, which Japan has studied at length”.<sup>30</sup> When the U.S. Supreme Court dismissed the case on March 27, 2017, Chief Cabinet Secretary Suga again stated that setting up comfort women statues is “irreconcilable” with Japan’s stance and “extremely regrettable” and that the Japanese Government continues to promote an “accurate understanding” of its basic stance and projects with regard to this issue.<sup>31</sup>

43. On March 8, 2017, another “girl statue” was erected on private premises in Germany. The Japanese Government again showed resentment and demanded its removal. At his press conference on March 10, 2017, the Foreign Minister Kishida noted that “the recent developments centering round comfort women statues are extremely regrettable. We will continue to make every effort to explain the position of our country.”<sup>32</sup>
44. On June 30, 2017, another girl statue was erected in a Brookhaven park in Atlanta, U.S.A. In order to block this installation, Takashi SHINOZUKA, the consul general of Japan in Atlanta, stated the following on June 16, 2017:

No evidence has been found about that. So first of all, this is fact of history. Not 200,000, not sex slaves and not taken by force. Maybe you know that in Asian culture, in some countries, we have girls who decide to go to take this job to help their family<sup>33</sup>.

[abbr.]

The memorial which the city of Brookhaven would like to have is not a simple art object but a political tool which has many controversial implications. As you can see, this has been [a] symbol of hatred and resentment against Japanese<sup>34</sup>.

This remark has not been condemned, refuted or taken back by the State party.

### **UNESCO Memory of the World**

45. The government of Japan is openly resisting an initiative to register documents related to Japan’s military sexual slavery in the UNESCO Memory of the World registration. For example, on May 15, 2015, Prime Minister Abe noted “with emphasis” to members of his Liberal Democratic Party including the head of the party’s Foreign Affairs Division: “It is important to start making all-out efforts now so as not to get [the materials concerning “comfort women”] registered [in MOW]”.<sup>35</sup> The government of Japan is suspending its fiscal contribution to UNESCO of US\$34 million in order to pressure UNESCO not to register “comfort women” documents as Memory of the World, as they did the same when documents related to the 1937 Nanjing Massacre were registered in 2015.<sup>36</sup>

### **Museums**

46. As the “comfort women” issue did not appear in mandatory textbooks until 1997, most adults

<sup>30</sup> The website of Ministry of Foreign affairs, <http://www.mofa.go.jp/mofaj/files/000231732.pdf>

<sup>31</sup> “US comfort woman statue: CCS calls for understanding of Japanese Government’s position”, NHK, 28 March 2017. <http://www3.nhk.or.jp/news/html/20170328/k10010927181000.html>

<sup>32</sup> The website of Ministry of Foreign affairs, [http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4\\_000467.html#topic2](http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4_000467.html#topic2)

<sup>33</sup> Website of Reporter Newspapers on June 20, 2017

<http://www.reporternewspapers.net/2017/06/27/japan-consul-generals-comfort-women-comments-trigger-international-criticism/>

<sup>34</sup> Website of Reporter Newspapers on June 20, 2017

<http://www.reporternewspapers.net/2017/06/27/japan-consul-generals-comfort-women-comments-trigger-international-criticism/>

<sup>35</sup> “PM Abe: Memory of the World ‘requires close examination’, efforts for ‘comfort women’ non-registration”, Jiji Wire Service, May 15, 2015. Archived at:<http://archive.fo/nArGp>

<sup>36</sup> Sankei Newspaper, May7, 2017.

have not had a chance to learn about this issue. Thus, it is important to provide other means of educating people about “comfort women”. However, neither the National Museum of Japanese History nor any other national museums related to the history of WWII make any reference to the fact of Japan’s military sexual slavery.

47. Furthermore, the Japanese Government objected to, and harshly criticized, the establishment of museums focusing on the “comfort women” issue in Shanghai and Taiwan. Concerning a report that then-President Ma of Chinese Taipei had expressed interest in setting up a memorial museum on “comfort women,” Chief Cabinet Secretary Suga said: “This is of course in conflict with Japan’s position”; “If such efforts seem likely to be formalized, then we intend to explain our position [to the government of Taiwan] through a variety of channels, and thrash it out [with them] so that the plan is cancelled.”<sup>37</sup>

#### Questions

- ✓ How the State party implement the measures to keep memory and history of Japan’s military sexual slavery in order to assure non-recurrence of such crimes?
- ✓ What aspects of "comfort women" statues and museums are “in conflict” with the State party's position?

[ENDS]

For questions and further inquiries, please contact:  
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<sup>37</sup> At the Cabinet Secretary’s press conference on June 5, 2015.

# Recommendations by the UN Human Rights Bodies on Japan's Military Sexual Slavery Issue

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## Contents

I.	Concluding Observations by Treaty Bodies.....	p15
1.	<b>Human Rights Committee (CCPR)</b> Observation in 2014 (CCPR/C/JPN/CO/6) and in 2008 (CCPR/C/JPN/CO/5)	
2.	<b>Committee on Economic, Social and Cultural Rights (CESCR)</b> Observation in 2013 (E/C.12/1/Add.67) and in 2001 (E/C.12/JPN/CO/3)	
3.	<b>Committee on the Elimination of Discrimination against Women (CEDAW)</b> Observation in 2016(CEDAW/C/JPN/CO/7-8), in 2009 (CEDAW/C/JPN/CO/6), in 2003 (A/58/38) and in 1994 (A/50/38)	
4.	<b>Committee against Torture (CAT)</b> Observation in 2013 (CAT/C/JPN/CO/1) and in 2007 (CAT/C/JPN/CO/2) cf. Observation on the Republic of Korea in 2017 (CAT/C/KOR/CO/3-5)	
5.	<b>Committee on the Elimination of Racial Discrimination (CERD)</b> Observation in 2014(CERD/C/JPN/CO/7-9)	
II.	Universal Periodic Review (UPR) of the Human Rights Council.....	p21
1.	Report of the Working Group on the UPR, Japan(A/HRC/8/44), 30 May 2008	
2.	Report of the Working Group on the UPR, Japan(A/HRC/22/14), 14 December, 2012	
3.	Report of the Working Group on the UPR, Japan, Addendum(A/HRC/22/14/Add.1), 8 March, 2013	
III.	Statements/Comments by the UN Officials.....	p24
4.	Navi Pillay, UN High Commissioner for Human Rights, on 6 August 2014	
5.	Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights, on 10 March 2016	
6.	Press Release by the UN rights experts, on 11 March 2016	

## I. Concluding Observations by Treaty Bodies

The following table contains excerpts of relevant clauses pertaining to the issue of Japan’s military sexual slavery from aforementioned UN human rights treaty bodies’ documents.

Year	Document Number	Excerpt
2014	CCPR/C /JPN/CO /6	<p><b>Sexual slavery practices against “comfort women”</b></p> <p>14. The Committee is concerned by the State party’s contradictory position that the “comfort women” were not “forcibly deported” by Japanese military during wartime but that the “recruitment, transportation and management» of these women in comfort stations was done in many cases generally against their will through coercion and intimidation by the military or entities acting on behalf of the military. The Committee considers that any such acts carried out against the will of the victims are sufficient to consider them as human rights violations involving the direct legal responsibility of the State party. The Committee is also concerned about re-victimization of the former comfort women by attacks on their reputations, including some by public officials and some that are encouraged by the State party’s equivocal position. The Committee further takes into account, information that all claims for reparation brought by victims before Japanese courts have been dismissed, and all complaints to seek criminal investigation and prosecution against perpetrators have been rejected on the ground of the statute of limitations. The Committee considers that this situation reflects ongoing violations of the victims’ human rights, as well as a lack of effective remedies available to them as victims of past human rights violations (arts. 2, 7 and 8).</p> <p><b>The State party should take immediate and effective legislative and administrative measures to ensure: (i) that all allegations of sexual slavery or other human rights violations perpetrated by Japanese military during wartime against the “comfort women”, are effectively, independently and impartially investigated and that perpetrators are prosecuted and, if found guilty, punished; (ii) access to justice and full reparation to victims and their families; (iii) the disclosure of all evidence available; (iv) education of students and the general public about the issue, including adequate references in textbooks; (v) the expression of a public apology and official recognition of the responsibility of the State party; (vi) condemnation of any attempts to defame victims or to deny the events.</b></p>
2008	CCPR/C /JPN/CO /5	<p>22. The Committee notes with concern that the State party has still not accepted its responsibility for the “comfort women” system during World War II, that perpetrators have not been prosecuted, that the compensation provided to victims is financed by private donations rather than public funds and is insufficient, that few history textbooks contain references to the “comfort women” issue, and that some politicians and mass media continue to defame victims or to deny the events. (arts. 7 and 8)</p> <p><b>The State party should accept legal responsibility and apologize unreservedly for the “comfort women” system in a way that is acceptable to the majority of victims and restores their dignity, prosecute perpetrators who are still alive, take immediate and effective legislative and administrative measures to adequately compensate all survivors as a matter of right, educate students and the general public about the issue, and to refute and sanction any attempts to defame victims or to deny the events.</b></p>

## 2. Committee on Economic, Social and Cultural Rights (CESCR)

2013	E/C.12/JPN/CO/3	<p><b>C. Principal subjects of concern and recommendations</b></p> <p>26. The Committee is concerned about the lasting negative effects of the exploitation to which ‘comfort women’ were subjected on their enjoyment of economic, social and cultural rights and their entitlement to reparation. (art. 11, 3)</p> <p><b>The Committee recommends that the State party take all necessary measures to address the lasting effects of the exploitation and to guarantee the enjoyment of economic, social and cultural rights by ‘comfort women’. The Committee also recommends that the State party educate the public on the exploitation of ‘comfort women’ so as to prevent hate speech and other manifestations that stigmatize them.</b></p>
2001	E/C.12/1/Add.67	<p><b>C. Principal subjects of concern</b></p> <p>26. The Committee expresses its concern that the compensation offered to wartime “comfort women” by the Asian Women’s Fund, which is primarily financed through private funding, has not been deemed an acceptable measure by the women concerned.</p> <p><b>E. Suggestions and recommendations</b></p> <p><b>53. The Committee strongly recommends that the State party find an appropriate arrangement, in consultation with the organizations representing the “comfort women”, on ways and means to compensate the victims in a manner that will meet their expectations, before it is too late to do so.</b></p>

## 3. Committee on the Elimination of Discrimination against Women (CEDAW)

2016	CEDAW/C/JPN/CO/7-8	<p>“Comfort women”</p> <p>28. The Committee recalls its previous concluding observations (CEDAW/C/JPN/CO/6, paras. 37 and 38) and also refers to numerous recommendations on the unresolved issue of “comfort women” made by other United Nations human rights mechanisms such as the Committee on the Elimination of Racial Discrimination (CERD/C/JPN/CO/7-9), the Human Rights Committee (CCPR/C/JPN/CO/6), the Committee Against Torture (CAT/C/JPN/CO/2), the Committee on Economic, Social and Cultural Rights (E/C.12/JPN/CO/3), several United Nations Special Procedures mandate holders of the Human Rights Council and the Universal Periodic Review (A/HRC/22/14/Add.1, para.147-145 et seq.). While noting the efforts by the State party to attempt to resolve the issue of “comfort women”, most recently through the bilateral agreement between the State party and the Republic of Korea announced on 28 December 2015, the Committee regrets the State party has not implemented the aforementioned recommendations and its position that the issue of “comfort women” does not fall within the mandate of the Committee, as the alleged violations occurred prior to the entry into force of the Convention for the State party in 1985. The Committee further regrets that:</p> <p>(a) Recently, there has been an increase in the number of statements from public officials and leaders regarding the State party’s responsibility for violations committed against “comfort women”; and that the announcement of the bilateral agreement with the Republic of Korea, which asserts that the “comfort women” issue “is resolved finally and irreversibly” did not fully adopt a victim-centred approach;</p> <p>(b) Some “comfort women” have died without obtaining an official unequivocal recognition of responsibility by the State party for the serious human rights violations that they suffered;</p> <p>(c) The State party has not addressed its obligations under international human rights law towards “comfort women” victims in other concerned countries; and</p> <p>(d) The State party deleted references to the issue of “comfort women” in textbooks.</p> <p><b>29. The Committee reiterates its previous recommendations (CEDAW/C/JPN/CO/6, paras. 37 and 38) and observes that the issue of “comfort</b></p>
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		<p>women” gives rise to serious violations that have a continuing effect on the rights of victims/survivors of those violations that were perpetrated by the State party’s military during the Second World War given the continued lack of effective remedies for these victims. The Committee, therefore, considers that it is not precluded <i>ratione temporis</i> from addressing such violations, and urges the State party to:</p> <p>(a) Ensure that its leaders and public officials desist from making disparaging statements regarding responsibility, which have the effect of retraumatizing victims;</p> <p>(b) Recognize the right of victims to a remedy, and accordingly provide full and effective redress and reparation, including compensation, satisfaction, official apologies and rehabilitative services;</p> <p>(c) Ensure that in the implementation of the bilateral agreement announced jointly with the Republic of Korea in December 2015, the State party takes due account of the views of the victims/survivors and ensure their rights to truth, justice, and reparations;</p> <p>(d) Adequately integrate the issue of “comfort women” in textbooks and ensure that historical facts are objectively presented to students and the public at large; and</p> <p>(e) Provide information in its next periodic report on the extent of consultations and other measures taken to ensure the rights of victims/survivors to truth, justice and reparations.</p>
2009	CEDAW/ C/JPN/C O/6	<p>37. The Committee notes that some steps were taken by the State party to address the situation of “comfort women” but regrets the State party’s failure to find a lasting solution for the situation of “comfort women” victimized during the Second World War and expresses concern at the deletion of references to this issue in school textbooks.</p> <p><b>38. The Committee reiterates its recommendation that the State party urgently endeavour to find a lasting solution for the situation of “comfort women” which would include the compensation of victims, the prosecution of perpetrators and the education of the public about these crimes.</b></p>
2003	A/58/38	<p>361. [abbr.]...While appreciative of the comprehensive information provided by the State party with respect to the measures it has taken before and after the Committee’s consideration of the second and third periodic reports of the State party with respect to the issue of wartime “comfort women,” the Committee notes the ongoing concerns about the issue.</p> <p><b>362. [abbr.]...The Committee recommends that the State party endeavour to find a lasting solution for the matter of “wartime comfort women”.</b></p>
1994	A/50/38	<p>633. The Committee expressed its disappointment that the Japanese report contained no serious reflection on issues concerning the sexual exploitation of women from other countries in Asia and during World War II. It noted that Japan’s commitment to the Convention required it to ensure the protection of the full human rights of all women, including foreign and immigrant women.</p> <p><b>635. [abbr.]...The committee also encourages the Government to take specific and effective measures to address these current issues as well as war-related crimes and to inform the Committee about such measures in the next report.</b></p>

#### 4. Committee against Torture (CAT)

2013	CAT/C/J PN/CO/2	<p><b>C. Principal subjects of concern and recommendations</b></p> <p>Victims of military sexual slavery</p> <p>19. Notwithstanding the information provided by the State party concerning some steps taken to acknowledge the abuses against victims of Japan’s military sexual slavery practices during the Second World War, the so-called “comfort women”, the Committee remains deeply concerned at the State party’s failure to meet its obligations under the Convention while addressing this matter, in particular in relation to: (arts. 1, 2, 4, 10, 14 and 16)</p> <p>(a) Failure to provide adequate redress and rehabilitation to the victims. The Committee regrets that the compensation, financed by private donations rather than public funds, was insufficient and inadequate;</p> <p>(b) Failure to prosecute perpetrators of such acts of torture and bring them to justice. The Committee recalls that on account of the continuous nature of the effects of torture, statutes of limitations should not be applicable as these deprive victims of the redress, compensation, and rehabilitation due to them;</p> <p>(c) Concealment or failure to disclose related facts and materials;</p> <p>(d) Continuing official denial of the facts and re-traumatization of the victims by high-level national and local officials and politicians, including several diet members;</p> <p>(e) The failure to carry out effective educational measures to prevent gender-based breaches of the Convention, as illustrated, inter alia, by a decrease in references to this issue in school history textbooks;</p> <p>(f) The State party’s rejection of several recommendations relevant to this issue, made in the context of the universal periodic review (A/HRC/22/14/Add.1, paras.147.145 et seq.), which are akin to recommendations made by the Committee (para.24) and many other UN human rights mechanisms, inter alia, the Human Rights Committee (CCPR/C/JPN/CO/5, para.22), the Committee on the Elimination of Discrimination against Women (CEDAW/C/JPN/CO/6, para.38), the Committee on Economic, Social and Cultural Rights (E/C.12/JPN/CO/3, para.26) and several special procedures’ mandate-holders of the Human Rights Council.</p> <p><b>Recalling its general comment No. 3, the Committee urges the State party to take immediate and effective legislative and administrative measures to find victim-centered resolution for the issues of “comfort women”, in particular, by:</b></p> <p>(a) <b>Publicly acknowledge legal responsibility for the crimes of sexual slavery, and prosecute and punish perpetrators with appropriate penalties;</b></p> <p>(b) <b>Refute attempts to deny the facts by the government authorities and public figures and to re-traumatize the victims through such repeated denials;</b></p> <p>(c) <b>Disclose related materials, and investigate the facts thoroughly;</b></p> <p>(d) <b>Recognise the victim’s right to redress, and accordingly provide them full and effective redress and reparation, including compensation, satisfaction and the means for as full rehabilitation as possible;</b></p> <p>(e) <b>Educate the general public about the issue and include the events in all history textbooks, as a means of preventing further violations of the State party’s obligations under the Convention.</b></p>
2007	CAT/C/J PN/CO/1	<p><b>Statute of limitations</b></p> <p>12. The Committee notes with concern that acts amounting to torture and ill-treatment are subject to a statute of limitations. The Committee is concerned that the statute of limitations for acts amounting to torture and ill-treatment may prevent investigation, prosecution and punishment of these grave crimes. In particular, the Committee regrets the dismissal of cases filed by victims of military sexual slavery during the Second World War, the so-called “comfort women”, for reasons related to statutory limitations.</p>

		<p><b>The State Party should review its rules and provisions on the statute of limitations and bring them fully in line with its obligations under the Convention, so that acts amounting to torture and ill-treatment, including attempts to commit torture and acts by any person which constitute complicity or participation in torture, can be investigated, prosecuted and punished without time limitations.</b></p> <p><b>Compensation and rehabilitation</b></p> <p>23. The Committee is concerned at the inadequate remedies for the victims of sexual violence, including in particular survivors of Japan’s military sexual slavery practices during World War II and the failure to carry out effective educational and other measures to prevent sexual violence- and gender-based breaches of the Convention. The survivors of the wartime abuses, acknowledged by the State party representative as having suffered ‘incurable wounds’, experience continuing abuse and re-traumatization as a result of the State party’s official denial of the facts, concealment or failure to disclose other facts, failure to prosecute those criminally responsible for acts of torture, and failure to provide adequate rehabilitation to the victims and survivors.</p> <p><b>The Committee considers that both education (article 10 of the Convention) and remedial measures (article 14 of the Convention) are themselves a means of preventing further violations of the State party’s obligations in this respect under the Convention. Continuing official denial, failure to prosecute, and failure to provide adequate rehabilitation all contribute to a failure of the State party to meet its obligations under the Convention to prevent torture and ill-treatment, including through educational and rehabilitation measures. The Committee recommends that the State party take measures to provide education to address the discriminatory roots of sexual and gender-based violations, and provide rehabilitation measures to the victims, including steps to prevent impunity.</b></p>
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cf. The CAT Concluding observation for the Republic of Korea

2017	CAT/C/KOR/CO/3-5	<p><b>Redress for victims of torture and ill-treatment</b></p> <p>47. The Committee:</p> <p>(a) While welcoming the agreement reached at the meeting of Ministers for Foreign Affairs of Japan and the Republic of Korea held on 28 December 2015 and taking note that 38 victims of sexual slavery during the Second World War are still alive, is concerned that the agreement does not comply fully with the scope and content of its general comment No. 3 and that it fails to provide redress and reparation (including compensation and the means for as full a rehabilitation as possible) or to ensure the right to truth and assurances of non-repetition; [abbr.]</p> <p><b>48. The State party should:</b> [abbr.]</p> <p><b>(d) Revise the agreement of 28 December 2015 between Japan and the Republic of Korea in order to ensure that the surviving victims of sexual slavery during the Second World War are provided with redress, including the right to compensation and rehabilitation, and that they are guaranteed the right to truth, reparation and assurances of non-repetition, in keeping with article 14 of the Convention; [abbr.]</b></p>
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## 5. Committee on the Elimination of Racial Discrimination (CERD)

2014	CERD/C/ JPN/CO/ 7-9	<p><b>Comfort women</b></p> <p>18. The Committee notes information provided by the delegation of the State party about efforts made to solve the issue of foreign “comfort women” who were sexually exploited by the Japanese military during the World War II. The Committee also notes information on compensation provided through the Asian Women Fund, established by the State party in 1995, and government expressions of apology, including the apology of the Prime Minister of Japan in 2001. Bearing in mind that human rights violations against surviving “comfort women” persist as long as their rights to justice and reparation are not fully realized, the Committee is concerned at reports that most of the “comfort women” have never received recognition, apologies or any kind of compensation (art. 2, 5).</p> <p>The Committee urges that the State party take immediate action to:</p> <ul style="list-style-type: none"><li>(a) <b>Conclude investigations on violations of the rights of comfort women by the Japanese military, and bring to justice those responsible for human rights violations;</b></li><li>(b) <b>Pursue a comprehensive, impartial and lasting resolution of the issue of comfort women, including expressions of sincere apology and the provision of adequate reparation to all surviving comfort women or to their families;</b></li><li>(c) <b>Condemn any attempts at defamation or denial of such events.</b></li></ul>
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## II. Universal Periodic Review (UPR) of Human Rights Council

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\*The following are excerpts on the “comfort women” issue from the reports.

**Report of the Working Group on the Universal Periodic Review, Japan**  
A/HRC/8/44

30 May 2008

### I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS

#### B. Interactive dialogue and responses by the State under review

15. The Democratic People’s Republic of Korea said that military sexual slavery represents crimes against humanity with no statutory limitations and referred to the resolutions of human rights mechanisms which called on Japan to acknowledge legal responsibility for the Japanese Military Sexual Slavery of 200,000 people, bring the perpetrators to justice and compensate the victims. Reference was also made to the serious concerns expressed and recommendations made by two human rights treaty bodies and to the resolutions adopted by parliaments of many countries and the European Parliament, which called on Japan to address this problem. The Delegation recommended that Japan take concrete measures to address, once and for all, the Japanese Military Sexual Slavery and other violations committed in the past in other countries, including Korea.

18. [abbr] **China** also referred to some historic issues mentioned in reports of the Special Rapporteur on violence against women, the Committee on the Elimination of Discrimination against Women, the Committee against Torture and several NGOs. [abbr] China hoped that the Japanese Government will seriously address those concerns and adopt effective measures to implement the recommendations of those mechanisms.

26. [abbr] On the issue of “comfort women”, **France** indicated that in the light of the many recommendations put forward by several committees on this subject, it would like to encourage Japan to find a long-lasting solution to this problem of women who were forced into prostitution during the Second World War.

32. **The Netherlands** highlighted Japan’s accession to the International Criminal Court and asked how it will respond to the recommendations made by the international community and various human rights mechanisms with regard to Japan’s military sexual slavery practices during the Second World War.[abbr]

37. [abbr] It[**The Republic of Korea**] referred to concerns expressed by various human rights mechanisms about the issue of “comfort women”, which they considered had not been adequately addressed and their recommendations to Japan on this matter. The Republic of Korea called on the Government to respond sincerely to the recommendations of the United Nations mechanisms (Special Rapporteur on violence against women, the Committee on the Elimination of Discrimination against Women and the Committee against Torture) on the issue of “comfort women” during the Second World War.

45.[abbr] Japan referred to a statement released by the Government in August 1993, which recognized that the issue of “comfort women” had severely injured the honour and dignity of many women, and extended apologies and remorse. Japan stressed that the statement was its consistent basic position. Japan stated that it has been dealing with the issue of reparation, property and claims concerning the Second World War, including the issue of “comfort women”, in good faith, pursuant to the San Francisco peace treaty, bilateral peace treaties, and other relevant agreements. In this way, such issues, including that of “comfort women”, have been legally settled with the countries of the parties to these treaties. It also mentioned the activities of the Asian Women’s Fund (AWF), which was established in 1995 and dissolved in March 2007, and its efforts

for the projects of the AWF to facilitate feasible remedies for former “comfort women” who had reached advanced ages by such means as contributing about 4.8 billion yen from its national budget. Japan stated that letters from the Prime Minister were delivered to the former “comfort women” through the activities of the AWF. Japan stressed that it would continue its efforts to promote understanding of the sympathy of the Japanese people represented by the AWF and actively cooperate in the activities for caring the former

“comfort women” succeeding the purpose of the AWF. The Government expressed its readiness to continue to have a dialogue with the treaty bodies on this issue.

## **II. CONCLUSIONS AND/OR RECOMMENDATIONS**

### **60. In the course of the discussion, the following recommendations were made to Japan:**

5. Respond sincerely to the recommendations of the United Nations mechanisms (Special Rapporteur on violence against women, the Committee on the Elimination of Discrimination against Women and the Committee against Torture) on the issue of “comfort women” during the Second World War (Republic of Korea);

18. Take concrete measures to address, once and for all, the Japanese Military Sexual Slavery and other violations committed in the past in other countries including Korea (Democratic People’s Republic of Korea);

**Report of the Working Group on the Universal Periodic Review, Japan**  
**A/HRC/22/14**

**14 December 2012**

## **I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS**

### **B. Interactive dialogue and responses by the State under review**

38. The Netherlands regretted that the issue of “comfort women” during the Second World War was no longer part of the school curriculum. This eliminated an instrument to raise awareness on past atrocities and a discussion of the relevant rights involved. It made recommendations.

46. The Republic of Korea commended Japan for its adoption of the Third Plan for Gender Equality. It noted treaty body and stakeholder concerns that Japan had not taken effective measures to address the issue of “comfort women” victims during the Second World War. It made recommendations.

58. Timor-Leste appreciated Japan’s commitment to United Nations human rights mechanisms. It encouraged Japan to pursue its dialogue with the international community to reach understanding, possibly entailing direct, genuine communication with survivors of past atrocities.

113. China noted Japan’s gender equality plan and campaign to eliminate violence against women, but expressed concern over inadequate measures implementing earlier UPR recommendations. It raised concerns over comfort women. China made recommendations.

## **II. CONCLUSIONS AND/OR RECOMMENDATIONS**

147.145. Recognize its legal responsibility for the issue of the so-called “comfort women” and take appropriate measures acceptable to the victims, as recommended by the relevant international community (Republic of Korea);

147.146. Face up to and reflect on its past and present a responsible interface to the international community by making apologies on the issue of comfort women and giving compensation to its victims (China);

147.147. Acknowledge its responsibility for the issue of "comfort women" used during World War II, and take steps to restore the dignity of victims and compensate them adequately (Costa Rica);

147.158. Ensure that future generations continue to be informed of all aspects of their history, by taking measures such as the introduction of the topic of comfort women in textbooks for school children (Netherlands);

147.148. Accept legal responsibility for and address, once and for all, the Japanese military sexual slavery and other violations committed in the past in other Asian countries including Korea (Democratic People's Republic of Korea);

**Report of the Working Group on the Universal Periodic Review\* Japan Addendum**

Views on conclusions and/or recommendations, voluntary commitments and replies presented  
by the State under review

**A/HRC/22/14/Add.1**

**8 March 2013**

Japan has carefully reviewed the 174 recommendations received during its UPR on 31 October 2012 and is pleased to provide the following responses. Japan will continue to follow up the recommendations which Japan has accepted to follow up, including recommendations for which Japan has been already working.

147.145. Not accept

The Government of Japan acknowledges that during a certain period in the past, Japan caused tremendous damage and suffering to the people of many countries, particularly to those in Asian nations. The Government of Japan, squarely facing these historical facts, has expressed its feelings of deep remorse and heartfelt apology, and has also expressed feelings of sincere mourning for all World War II victims, both at home and abroad.

The Government of Japan is also deeply pained when thinking of the comfort women who experienced immeasurable pain and suffering.

The position of the Government of Japan regarding the comfort women issue is that it should not be politicized or be turned into a diplomatic issue.

With a view to offering realistic relief to former comfort women who are now advanced in years, the Government of Japan decided in 1995 to address the matter through the Asian Women's Fund (AWF) established in cooperation between the Japanese people and the Japanese Government. The Government thereafter has continued to extend maximum cooperation to the AWF in implementing medical and welfare support projects and providing atonement money for the former comfort women. The Government of Japan will continue to make maximal efforts and to implement follow-up activities of the AWF.

The issue of reparations, property and claims concerning the Second World War has been legally settled with the countries that are parties to the San Francisco Peace Treaty, bilateral treaties, agreements and instruments.

147.146. Not accept            See 147.145.

147.147. Not accept            See 147.145.

147.148. Not accept            See 147.145.

147.158.

(a) Japan's position is stated in the interactive dialogue as recorded in the Draft Report of the UPR (para.62).

(b) Our official Courses of Study, which sets standards for educational courses, stipulates "to foster an ability and attitude to consider from a multilateral and multifaceted perspective and judge fairly historical events by using of a wide range of materials and express them appropriately" Each school offers instruction based on this stipulation in order to enable students to consider historical events from various perspectives and judge them fairly rather than to apprehend them from a one-sided perspective.

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### III. Statement by the UN High Commissioner for Human Rights and UN Special Rapporteurs

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#### 1, Navi Pillay, UN High Commissioner for Human Rights

6 August 2014

#### **Japan's approach to the issue of "comfort women" causing further violations of victims' human rights**<sup>38</sup>

GENEVA (6 August 2014) – UN High Commissioner for Human Rights Navi Pillay on Wednesday expressed profound regret that Japan has failed to pursue a comprehensive, impartial and lasting resolution of the issue of wartime sexual slavery, warning that the human rights of the victims, known as “comfort women”, continue to be violated decades after the end of the Second World War.

“During my visit to Japan in 2010, I appealed to the Government to provide effective redress to the victims of wartime sexual slavery,” the High Commissioner said. “Now, as my tenure in office comes to an end, it pains me to see that these courageous women, who have been fighting for their rights, are passing away one by one, without their rights restored and without receiving the reparation to which they are entitled.”

“This is not an issue relegated to history. It is a current issue, as human rights violations against these women continue to occur as long as their rights to justice and reparation are not realised,” she stressed.

Instead of justice, the High Commissioner said, the women are facing increasing denials and degrading remarks by public figures in Japan. A report issued by a Government-appointed study team on 20 June 2014, stated that “it was not possible to confirm that women were forcefully recruited.” Following the release of this report, a group in Tokyo publicly declared that “comfort women were not sex slaves but wartime prostitutes.”

“Such statements must cause tremendous agony to the women, but we have not seen any public rebuttal by the Government,” Pillay said.

Over the years, Japan has received recommendations from a number of UN independent experts, human rights treaty bodies and from the Human Rights Council under its Universal Periodic Review for it to take concrete measures to tackle the issue. Most recently, the UN Human Rights Committee, which oversees implementation of the International Covenant on Civil and Political Rights, called on Japan to take “immediate and effective legislative and administrative measures” to ensure that all allegations of sexual slavery are investigated and perpetrators prosecuted. It also called for access to justice and reparations for victims and their families, the disclosure of all evidence available, and education in the country surrounding the issue.

Pillay noted that Japan had signed the UN Declaration on the Prevention of Sexual Violence in Conflict last year and that it had offered strong support to the UK summit on sexual violence in conflict earlier this year

“I encourage Japan to pursue a comprehensive, impartial and lasting resolution of the wartime sexual slavery issue with the same vigour,” she added, noting the Office’s readiness to offer any necessary assistance.

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<sup>38</sup> Source: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14920&LangID=E>



## 2, Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights

10 March 2016

### **Statement by At the Human Rights Council's 31st session**<sup>39</sup>

Distinguished President,  
Excellencies,

[abbr]

Last year I highlighted the unresolved suffering, and search for justice, of the women who survived sexual slavery by Japanese military forces during World War II. Since then, in December 2015, the Governments of **Japan** and the **Republic of Korea** have announced a bilateral agreement to address the issue. Its terms have been questioned by various UN human rights mechanisms, and most importantly by the survivors themselves. It is fundamentally important that the relevant authorities reach out to these courageous and dignified women; ultimately only they can judge whether they have received genuine redress.

[abbr]

## 3, Press Release by the UN rights experts

11 March 2016

### **Japan / S. Korea: “The long awaited apology to ‘comfort women’ victims is yet to come” – UN rights experts**<sup>40</sup>

GENEVA (11 March 2016) – A group of United Nations human rights experts today raised concerns at the agreement on the issue of ‘comfort women’ passed between Japan and the Republic of Korea in December 2015, and urged the Japanese Government to implement without delay the recommendations\* made earlier this week by the UN Committee on the Elimination of all Forms of Discrimination against Women (CEDAW).

The term ‘comfort women’ refers to hundreds of thousands of girls and women from several Asian countries abducted and forced into sexual slavery prior and during World War II by the Japanese imperial military.

On 28 December 2015, the agreement between Japan and South Korea declared the issues arising from the widespread and systematic human rights violation of the ‘comfort women’ as final and irreversible.

In this context, Japan agreed to acknowledge and express regret for its role and to provide a one-time contribution of one billion yen (US\$ 8.3 million) to carry out joint projects with South Korea, including a foundation to be established by the country.

For its part, the South Korean Government agreed to consider the removal of a statue commemorating the ‘comfort women’ built in front of Japan’s embassy in Seoul. Both governments agreed to refrain from accusing or criticizing each other in the international community on this issue.

“We believe the agreement between Japan and South Korea falls short of meeting the demands of survivors,” said the independent experts on discrimination against women, transitional justice and torture. “An unequivocal official apology recognizing the full responsibility of the then Japanese Government and military, as well as adequate reparations, would protect and uphold the victims’ right to truth, justice and reparation.”

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<sup>39</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17200&LangID=E>

<sup>40</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17209&LangID=E>

“We are also deeply concerned that the Republic of Korea may remove a statue commemorating not only the historical issue and legacy of the ‘comfort women’ but also symbolizing the survivors’ long search for justice,” they added.

The human rights experts drew attention to the fact that the agreement does not meet standards of State accountability for gross human rights violations and was reached without a proper consultation process.

“Neither the surviving victims nor the organizations representing them for more than 20 years were consulted in the preparation of this agreement,” they stated. “This undermines decades of activism and efforts to seek truth and justice and naturally leaves the survivors in considerable distress.”

The experts stated that “the Governments of Japan and South Korea should understand that this issue will not be considered resolved so long as all the victims, including from other Asian countries, remain unheard, their expectations unmet and their wounds left wide open.” They underscored that this is now a race against time given the age of the survivors.

“It is the responsibility of States to put an end to impunity by condemning and addressing sexual and other violence against women and girls used as a war weapon, and by upholding women victims’ right to redress,” the experts said.

Japan has ratified the Convention on the Elimination of All Forms of Discrimination against Women and is therefore reviewed regularly by CEDAW on how it is implementing the Convention. In its last review during its 15 February – 4 March session in Geneva, CEDAW findings and recommendations are particularly important in the context of the bilateral agreement.

The Committee observed the continuing effect of the serious human rights violations of the ‘comfort women’ victims. It urged Japan to, among other things, recognize the rights of victims to remedy, to provide full and effective redress and reparation, including compensation, official apologies and rehabilitative services, to ensure that the views of the victims be taken into account as well as their rights to truth, justice and reparations ensured in the implementation of the 2015 agreement.

“We urge Japan to implement CEDAW’s new recommendations. This will grant effective access to justice, truth and adequate reparation to these women whose inalienable human rights were brutally violated by the State,” the experts concluded.

#### NOTE TO EDITORS:

These are some of the issues discussed between CEDAW and a delegation from the Japanese Government during the latest assessment of Japan’s record on women’s rights by the Committee, which took place in Geneva on 16 February 2016:

[abbr]

The experts: Ms. Eleonora Zielinska, Chair-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice; Mr. Pablo de Greiff, Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; and Mr. Juan E. Méndez, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

[abbr]

## What the Victims of Japan's military Sexual Slavery Say about the JAPAN-ROK "announcement"<sup>41</sup>



### **Gun-ja Kim (b.1926)**

"This is unfair. I cannot accept the agreement just between the two governments. We are the victims, and how come they just make such an agreement? We cannot accept this. We want reparations and official apology on individual basis."

### **Yong-su Lee (b.1928)**

"The Korean government did not even discuss with us even though it was having a meeting with the Japanese government on the 'comfort women' issue. Are they civil servants of our country while they do not listen to the victims themselves, relieve Japan of their legal responsibilities and review the possibilities of getting rid of the Peace Monument? With the Agreement as the excuse, Japan already is claiming that 'There is no more apology.' I will fight until the end for the sake of 238 victims who have passed away already."

"We do not need money. It's not a matter of money. We want official apology and legal reparations."



### **Ok-seon Lee (b.1928)**

"I can't accept this [agreement]. We did not see or hear anything, then the governments claim that apology and reparation are done. They made an agreement just between themselves then lied to us. How comes is this just? I believe the governments are wrong."

### **Il-chul Kang (b.1928)**

"We were forcefully dragged into the war. How come no one asked for our input?"



### **Bok-dong Kim (b.1926)**

"Do they think we've been doing this for this long for money? We've been getting living expense support from our government and NGOs are taking care of us. We're not asking for money. What we want is a legal reparation. That is to admit that they committed the crime as a criminal state.

"Without even talking to us victims about what the two governments have discussed, I really can't understand how they can say that they came to an agreement. We are not beggars. About what Japan had done wrong in the past, it would be acceptable only if

Abe apologizes and settles things legally and educate their students the truth and fix their textbooks. However, without even a word, they talk amongst themselves and now this? Are they giving pity money to the poor? Giving kids candy money? And it's not even reparation. I really don't understand why they are doing this. And about the Peace Statue, both of the governments should leave it alone. The citizens erected it across the embassy on the peace street to teach our future generations of the tragedy that our nation once suffered. They have no rights to say anything regarding the Statue. And I can't accept this kind of apology. Why would we have been fighting until now if it was going to be settled ambiguously like this? If they are going to apologize, then do it properly, and if the Korean government wants to resolve the issue, then do it properly. If they are doing this for peace, then I hope they will do it the right way instead of hurting our feelings."

<sup>41</sup> These comments of the survivors above were from the report to the 63rd Session of CEDAW in 2016, by the Korean Council for the Women Drafted for Military Sexual Slavery by Japan. Source: INT\_CEDAW\_NGO\_JPN\_22816\_E (3)

受理番号 26-65		学校 中学校		教科 社会		種目 社会 (歴史的分野)		学年 1-3	
番号	指摘箇所		指摘事項	指摘事由	検定基準				
	ページ	行							
234	273	囲み	【忘れなかったマルタの歌声】 ソ連は軍隊を送り、この民主化の動きを鎮圧しようとした。	生徒が誤解するおそれのある表現である。 (「民主化の動き」の鎮圧にいたる経緯)	3-(3)				
235	278	1 - 14	林運金は、海南島(中国)の小さな村で暮らしていました。…多くの女性が入れられていました。	話題の選択が、具体の事項に偏っており、全体として調和がとれていない。 (辞典類、通史的概説書にもほとんど取り上げられていない個別事例であり、生徒が理解・追究できない。)	2-(5)				
236	278	4 - 9	1943年の夏、19歳の林運金が稲刈りを手伝っていたとき、突然、日本兵が現れて、いっしょにいた3人とともに、軍の駐屯地に連行されました。かやぶきの小屋に別々に入れられ、日本兵たちの	健全な情操の育成について必要な配慮を欠いている。 (「暴行」についての具体的な記述)	1-(5)				
			暴行を受けました。少しでも抵抗すると、なぐられたり蹴られたり、たばこの火を押しつけられたりしました。その後、島内各地の駐屯地で、大勢の兵士の相手をさせられました。						
237	278	13 - 14	海南島には、4カ所以上の軍の「慰安所」がつくられ、多くの女性が入れられていました。	生徒が誤解するおそれのある表現である。 (同ページ1~12行目及び279ページ4との関係)	3-(3)				
238	278 - 279	15 - 12	金学順の証言(全体) [237ページ囲み【朝鮮・台湾の人びとと日本の戦争】の「一方、朝鮮・台湾の若い女性たちのなかには、「慰安婦」として戦場に送り込まれた人たちがいた。女性たちは、日本軍とともに移動させられて、自分の意思で行動できなかった。」も同様]	政府の統一した見解に基づいた記述がされていない。 (「慰安婦」に関する政府見解)	固有 2-(4)				

This document dated November 2014 is a reply from the government-appointed screening committee to the writer of the “Manabisha” history textbook publisher, indicating paragraphs considered to contain “deficiencies” with accompanying reasons.

Flagged Items	Explanation
LIN Yajin was living in a small village in Hainan(China)... many women were kept inside them.	The choice of subject matter is slanted to one concrete incident and lacks overall balance. (This is a single example that can be found in almost no encyclopedia or historical overview. Students can neither understand it nor pursue research about it.)
In the summer of 1943 at the age of 19, she was helping with the rice harvest when a group of Japanese soldiers suddenly appeared and abducted her and three others girls. They were taken to an army barracks and placed separately in small rooms with thatched roofs where they were violated by the soldiers. If they showed the least resistance, they were beaten, kicked and burned with cigarettes. In the period that followed, they were forced to lie with countless soldiers in outposts scattered about the island.	<b>Lacks necessary consideration of healthy emotional development.</b>  (concrete description with regard to “violent acts”)
At least four military “comfort stations” were built on Hainan Island with numerous women kept inside them.	An expression liable to be misunderstood by students. (Relationship to lines 1-12 on the same page and to Illustration No. 4 on page 279)
The Testimony of Kim Hak-Sun (whole) Same for the column on page 237, [Japan’s War and the People of Korea and Taiwan] “In addition, some young women from Korea and Taiwan were sent to the battlefield as “comfort women.” The women were transported with Japanese troops and were unable to act of their own will.”	<b>Lacking description of unified government viewpoint.</b> (Government view on “comfort women” )



BEFORE

The treatment of the "comfort women" issue in the Manabisha textbook BEFORE government screening.

8. Japanese Military in Southeast Asia

(8) 東南アジアの日本軍



Text describing military operations in Southeast Asia, including mentions of the Philippines and Indonesia.

9. Reconsidering the Postwar Born and Raised on Hainan Island

LIN Yajin was living in a small village in Hainan (China) when Japanese troops occupied the island in 1939 and began developing mines and constructing airfields. LIN Yajin had a dream that one day she would meet the right man, have children and continue her life farming in the village. In the summer of 1943 at the age of 19, she was helping with the rice harvest when a group of Japanese soldiers suddenly appeared and abducted her and three other girls. They were taken to an army barracks and placed separately in small rooms with thatched roofs where they were violated by the soldiers. If they showed the least resistance, they were beaten, kicked and burned with cigarettes. In the period that followed, they were forced to lie with countless soldiers in outposts scattered about the island.

The war ended two years later and LIN Yajin returned home to her village. It had been burned to the ground, and her brother and mother and father were dead. LIN Yajin, now disabled, was taken in by her sister, but she never stopped cursing her fate. "Everything in my life," she said, "has been torn to shreds."

At least four military "comfort stations" were built on Hainan Island with many women kept inside them.

[Japan's War and the People of Korea and Taiwan]

In addition, some young women from Korea and Taiwan were sent to the battlefield as "comfort women." The women were transported with Japanese troops and were unable to act of their own will.

Text from a document titled "The Testimony of Kim Hak-Sun" regarding the treatment of women during the war.

"He's taking me away," a painting by Korean former "comfort woman" Kim Soon-duk

Locations where "Comfort Stations" were established. Shows only places confirmed through existing public documents. Produced with cooperation from WAM.

The Testimony of Kim Hak-Sun

When questioned about "comfort women" in the Diet in 1990, the Japanese government responded that private brokers had taken the women from one place to another, a reply that was also broadcast in Korea. (Aged 67 at the time) Kim Hak-sun, on hearing this, decided to come out publicly as "living proof," revealing that she had been forced to become a "comfort woman" of the military.

After Kim Hak-sun, other women also began coming forward one after another, demanding that the Japanese government apologize and offer compensation. The government, for its part, acknowledged the military's involvement in the establishment and management of "comfort stations" and extended its apologies and remorse. It made clear, on the other hand, that it considered the matter of compensation to have been settled at the national level and would not compensate individuals. As a result, the government set up the "Asian Women's Fund" in 1995 and offered "atonement money" donated by the people of Japan to former "comfort women." It also implemented government programs to assist with the women's health and welfare. Some women refused the offer on the grounds that it left ambiguous the question of national responsibility.

The question of responsibility for violence against women during wartime continues to be pursued, the issue of the "comfort women" system having been taken up by the United Nations Committee on Human Rights as well as the United States Congress.

A collage of images and text related to the "comfort women" issue. It includes a painting titled "He's taking me away," a map of Southeast Asia, a photograph of a tropical beach, and a document titled "Kono Statement" with Japanese text. Red arrows connect various elements to the explanatory text blocks.



**AFTER**

**WAM:** Red sentences below were inserted after the government screening. The first suggests the issue is only with Korea, whereas the second summarizes an incorrect cabinet position.



**8. Japanese Military in Southeast Asia**

**(8) 東南アジアの日本軍**  
トマレー半島、ハワイ攻撃  
1941年12月8日、日本軍はマレー半島に上陸し、イギリス軍と戦いをまじえ、シンガポールへ進軍しました。この上陸より約1週間後、日本軍はハワイ真珠湾のアメリカ太平洋艦隊を奇襲攻撃して、太平洋を拡大しました。このあと、アジア・太平洋地域に拡大していく戦争、アジア太平洋戦争(太平洋戦争)とよびます。

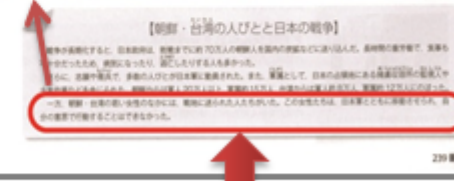
**Appendix C-3**



シンガポールとマラヤ(マレーシア)を占領しました。日本軍はシンガポールの中国系住民を兵隊に集合させて、日本に運別している...  
人間性  
日本軍は、さらにフィリピン・インドネシア・ビルマ(ミャンマー)...

**[Japan's War and the People of Korea and Taiwan]**

In addition, some young women from Korea and Taiwan were sent to the battlefield as "comfort women." The women were transported with Japanese troops and were unable to act of their own will.



**[Kono Statement of 1993]**

- As a result of the study which indicates that comfort stations were operated in extensive areas for long periods, it is apparent that there existed a great number of comfort women.
- The recruitment, transfer, etc. from Korean Peninsula were conducted generally against their will.
- [This was an act] with the involvement of the military authorities of the day, that severely injured the honor and dignity of many women. The Government of Japan would like to extend its sincere apologies and remorse to all those, irrespective of place of origin, who suffered immeasurable pain and incurable physical and psychological wounds [as comfort women].
- We shall face squarely the historical facts, and reiterate our firm determination never to repeat the same mistake by forever engraving such issues in our memories through the study and teaching of history. [excerpt]
- \*Presently, the government of Japan expresses the view that no documents have been found that directly indicate any so-called forceful abduction by the military or government authority.

**WAM:** Clearly, the phrase "comfort women" was erased after the screening.

**Explanation from WAM:**

Testimonies of survivors as well as their actions demanding the right to reparations have completely disappeared. As for visuals, the painting by the "comfort women" survivor and the map of "comfort stations" have been replaced with other war-related pictures such as the annual death rates of Japanese soldiers and civilians during the war.

**WAM:** Even though the paragraph mentions Kim Hak-sun, the first former "comfort women" to come forward, the phrase "comfort women" is omitted. The responsibility of the Japanese government has been rendered so vague it's nearly impossible to understand.



**[Reconsidering Human Rights Violations]**  
Spurred by the testimony of Kim Hak-sun in 1991, the Japanese government undertook an investigation of violence against women and violations of human rights during wartime. In 1993, the government issued its opinion, extending apologies and feelings of remorse. The movement to readdress human rights violations during wartime also advanced in this manner in East Asia. Legislative bodies in the United States, the Netherlands and many other nations have also taken up the question.

The issue of the responsibility that nations around the world bear for violence and violations of human rights during wartime is at present undergoing renewed questioning.