

JAPAN

Alternative Report

Submitted by Women's Active Museum on War and Peace and Peace (WAM)¹

Theme

Japan's military sexual slavery system / the "comfort women" issue

Related Articles of ICCPR

Article 8: Prohibition of slavery and forced labor

Reference in the Concluding Observations in 2008 (CCPR/C/JPN/CO/5)

22. The Committee notes with concern that the State party has still not accepted its responsibility for the "comfort women" system during the Second World War, 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 (art. 7 and 8).

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 compensate adequately all survivors as a matter of right, educate students and the general public about the issue, and refute and sanction any attempt to defame victims or to deny the events.

Reference in the List of Issues

Elimination of slavery and servitude (art. 8)

22. In light of the Committee's previous concluding observations (CCPR/C/JPN/CO/5, para. 22), please provide information on whether the State party considers acknowledging any legal responsibility for the abuses against victims of the military's sexual slavery practices during the Second World War, the so-called "comfort women" system. Please inform the Committee if the State party intends to take legislative and administrative measures to provide victims with full and effective redress, investigate the facts and prosecute perpetrators, educate the general public about the issue and take measures against recent attempts to deny the facts by Government authorities and public figures.

Contents

p 2.....Acknowledgement

p 2.....Evaluation of the State Party's Report

p 2-8....Additional Information

- | | |
|--|-----------------------------------|
| 1. Removal of the Word "Apology" | 2. No Effort to End Impunity |
| 3. Denial of the Individual's Right to Claim | 4. Denial of the Historical Facts |
| 5. No Rebuttal to the Denials by Public Figure | 6. Education |
| 7. The Asian Women's Fund | |
| 8. Disrespectful attitude of the State Party to the Covenant and the Committee | |

p 8.....Recommendation

p 9-12...Charts and Reference

Appendix1: Recommendations by the UN Human Rights Bodies on the "Comfort Women" Issue

Appendix2: ILO CEACR Observation concerning Forced Labour Convention(No.29),Japan(ratification 1932)

¹ 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.

Acknowledgement

The CCPR's 2008 Concluding Observations made in response to the Government of Japan's (GOJ) previous report and in relation the issue of Japan's military sexual slavery are very comprehensive and appropriate. They have not only been welcomed by the survivors but have been a tool for the Japanese support movement to hold the state party accountable for their grave human rights violations against women.

Evaluation of the State Party's Report

The GOJ has stated its views with regard to the issue of so-called "comfort women" to various United Nations human rights mechanisms ever since the issue was taken up in 1990's. However, rather than directly answering the observations or questions from those bodies, these reports have only displayed the GOJ's intransigent views.

The response of the GOJ to the treaty bodies (CEDAW, ICCPR, CSCER and CAT) is always similar and can be summarized as follows: a) the particular covenant/treaty has no retroactive effect and does not apply to issues before Japan's accession of the treaty; b) the issue was solved through the Peace Treaty and bilateral agreements signed after WWII, and; c) nevertheless, the Japanese government established the "Asian Women's Fund" with funds provided by the people of Japan in order to fulfil its moral obligation. Although this private fund was dissolved in 2007, it continues to support the victims. This is again repeated in the State Party's report to CCPR in 2012 (CCPR/C/JPN6) as well as its reply to the LOI earlier this year (CCPR/C/JPN/Q/6/Add.1).

Additional Information

The State Party has not taken any measures to acknowledge legal responsibility, implement legislative and administrative measures to provide victims with full and effective redress, investigate the facts and prosecute perpetrators, or educate the general public about the issue. Nor have they taken steps against recent attempts to deny the facts by Government authorities and public figures. Further, due to the regime change to the second Abe administration, the State Party's reply to the LOI shows serious retrogression in terms of apology and acknowledgement of historical facts.

Since the response of the State Party is highly inadequate, WAM, as an NGO, would like to report to the Committee the following additional information. This alternative report will not repeat what we wrote for the 2008 session concerning the issue of domestic and international obligations of the State of Japan and other matters, but will specifically focus on how the State Party addressed, or rather did not address, the recommendations made by the CCPR in 2008.

1. Removal of the Word "Apology"

The language used by the GOJ with regard to the issues of responsibility and apology is clearly contrary to the direction it should be following. The previous administrations at least used the phrase "sincere apology" in their documents to the United Nations when referring to the issue of "comfort women" (See Chart 1). The second Abe Cabinet, however, does not employ the word

“apology”. Instead they claim that, *“the Government of Japan is also deeply pained when thinking of the comfort women who experienced immeasurable pain and suffering.”*

The word “apology” is no longer used either by the GOJ or Prime Minister Abe in any new remarks or documents. The expression “deeply pained”, which seems to be replacing “apology”, is used to refer to its wrongdoing. It’s as if the GOJ were a third party wholly removed from Japan’s past aggression and related responsibility obligations.

2. No Effort to End Impunity

The GOJ has made no effort to bring to justice those who were responsible for Japan’s military sexual slavery system despite its pledge to contributing to the efforts of the international community to end the cycle of impunity for violence against women. This is typically shown in the case of former Prime Minister Yasuhiro Nakasone.

In his 1978 memoir, former Prime Minister 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.”*² On March 23, 2007, when pursued at a press conference he noted that the “comfort station” was a place to play games like Japanese checkers and for other recreational activities, not a brothel³.

However, in October 2011, a civil society group found some 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.⁴ Therefore, the “comfort station” set up by former Prime Minister Nakasone was in fact a brothel for soldiers. Despite the discovery of such evidence, the State party has done nothing to hold him accountable either in the form of judicial proceedings or through a parliamentary process.

3. Denial of the Individual’s Right to Claim

The State Party’s 2014 report explicitly states that “individual” claims have been settled through the San Francisco Peace Treaty and bilateral agreements subsequent to WWII, unlike its previous reports which used more general terms. Further, it goes on to specifically quote from the 1965 bilateral agreements with the Republic of Korea (ROK) to demonstrate that the issue of individual claims was settled through these agreements.

This position of the State party brushes aside important issues, most notably: 1) The documentation disclosed by the ROK government of the normalization negotiation process leading to the 1965 bilateral agreement establishes that nothing was raised during the process with regard to the issue of sexual violence and enslavement by either the GOJ or the ROK government. How to deal with the damage caused by the wrongdoing inflicted upon Korean girls and women by the Imperial Japanese forces was not discussed, and therefore not included, in the issues settled by the agreement; and 2) Since 2011, the ROK government has made official requests to the GOJ

² “Owarinaki Kaigun”(Endless Navy), Bunkahousou Kaihatsu Sentaa, 1978

³ Mainichi Shimbun, March 23, 2007.

⁴ Kaigun koku-kichi dai-ni setsuei shiryō [Naval air base second construction party materials]

to follow the dispute settlement procedures as set forth in its Article III of the same agreement concerning the dispute in interpretation of the agreement with regard to the issue of the “comfort women”. The GOJ has not accepted these requests. Please also note that the State Party quotes only Article II of this agreement in their 2014 report to the Committee⁵.

4. Denial of the Historical Facts

Until recently, the GOJ’s reports to UN human rights bodies explicitly referred to Japan’s past aggression and colonial rule. Even the State Party’s 2012 report to CCPR noted that “*its [Japan’s] past colonial rule and aggression caused tremendous damage and suffering to the people of many countries*”. The 2014 report to the LOI, however, sets out that “*Japan caused tremendous damage and suffering*” instead, with no mention of “*colonial rule and aggression*”. Further, the reference to post-WWII Japan’s commitment to finding peaceful solutions included in the 2012 report is also gone from the 2014 report (see Chart 1).

Prime Minister Abe in his second Cabinet has repeatedly referred to the decision of the first Abe cabinet which claimed that “*by the date [of Kono statement of August 4, 1993], no direct reference has been found in official documents found by the government on the forcible recruitment of the women by military or government officials*”.⁶ In addition, Prime Minister Abe has on several occasions stated that “no evidence”, as opposed to “no direct reference”, was found that “government or military officials broke into private homes” and “abducted women like kidnappers” [for comfort stations], referring to this particular cabinet decision.⁷ When questioned by members of parliament, neither the Prime Minister nor the Chief Cabinet Secretary has ever accepted the testimony of survivors as evidence.⁸

On May 24, 2013, Ms. Tomomi Inada, the Minister of State for Regulatory Reform, stated in a regular press conference organized by the Cabinet Office that “*During the war, though the system of ‘comfort women’ itself was a sad thing, it is also a fact that it [the “comfort women” system] was legal.*”⁹ One year later from this remark, MP Yukihisa Fujita questioned the position of the GOJ concerning this statement of hers; the official reply from GOJ, which is a cabinet decision made recently, is as follows: “*While it is to the knowledge of GOJ that the remark referred to in the enquiry was made, the particular remark was made within the capacity of an*

⁵ <http://www.ioc.u-tokyo.ac.jp/~worldjpn/documents/texts/JPKR/19650622.T9E.html>

Agreement on the Settlement of Problems Concerning Property and Claims and on Economic Co-operation between Japan and the Republic of Korea (June 22, 1965)

Article III

1. Any dispute between the Contracting Parties concerning the interpretation and implementation of the present Agreement shall be settled, first of all, through diplomatic channels.

2. Any dispute which fails to be settled under the provision of paragraph 1 shall be referred for decision to an arbitration board composed of three arbitrators, one to be appointed by the Government of each Contracting Party within a period of thirty days from the date of receipt by the Government of either Contracting Party from the Government of the other of a note requesting arbitration of the dispute, and the third arbitrator to be agreed upon by the two arbitrators so chosen within a further period of thirty days or the third arbitrator to be appointed by the government of a third country agreed upon within such further period by the two arbitrators, provided that the third arbitrator shall not be a national of either Contracting Party.

3. If, within the periods respectively referred to, the Government of either Contracting Party fails to appoint an arbitrator, or the third arbitrator or a third country is not agreed upon, the arbitration board shall be composed of the two arbitrators to be designated by each of the governments of the two countries respectively chosen by the Governments of the Contracting Parties within a period of thirty days and the third arbitrator to be designated by the government of a third country to be determined upon consultation between the governments so chosen.

4. The Governments of the Contracting Parties shall abide by any award made by the arbitration board under the provisions of the present Article.

⁶ February 7 and March 8, 2013, Budget Committee, House of Representatives.

⁷ TIME, April 17, 2014

⁸ March 8, 2013, Budget Committee, House of Representatives.

⁹ The website of the Cabinet Office, GOJ http://www.cao.go.jp/minister/1212_t_inada/kaiken/2013/0524kaiken.html

*individual politician, and [as such] the government is in no position to provide an answer [to provide the GOJ's view of the particular remark].*¹⁰

On February 20, 2014 Mr. Nobuo Ishihara, the deputy to Chief Cabinet Secretary Yohei Kono at the time of writing the Kono statement, testified to the parliament. Mr. Ishihara said that the ROK government had influenced the drafting process. This remark prompted the Cabinet to announce that they would “re-examine the drafting process” of the Kono statement. This re-examination has officially started but no information on the proceedings and even the identity of who is doing the re-examination has been disclosed to the public.¹¹

On June 2, 2014, members of civil society submitted 529 official documents to the GOJ. These documents have been uncovered in archives in Japan and abroad since the Kono statement was issued and show the involvement of the Japanese military in the “comfort women” system.¹² Meanwhile, the GOJ continues to try and undermine the credibility of Kono statement as stated above, and makes no efforts to disclose or locate documents related to the “comfort women” issue.

5. No Rebuttal to the Denials by Public Figure

In 2012 when he was a candidate for a leader of the LDP, Mr. Shinzo Abe declared that the Kono Statement should be retracted because the statement lacked evidence.¹³ During the campaign for the general election, which took place in December 2012, Mr. Abe, as the leader of the LDP, openly and repeatedly stated that he would retract the Kono statement, saying that “*we cannot burden our children and grandchildren with this dishonour.*”¹⁴ He even endorsed an advertisement denying historical facts concerning the “comfort women” in the Star-Ledger, a US newspaper (See Ref. 1). The State Party did not refute these denials.

On May 13, 2013, the world was shocked by the remarks made by Mr. Toru Hashimoto, the mayor of Japan’s third largest city, Osaka, which has a population over 2.6 million. He claimed, among other things, that the “comfort women” were a wartime necessity and that all the countries had them during war.¹⁵ In the summer of 2012, Mr. Hashimoto had already demonstrated his disrespect of women survivors of sexual violence by saying that there was no evidence to support that “comfort women” were forcibly recruited.¹⁶ These remarks by the Osaka Mayor were never met with official rebuttal or condemnation from the GOJ - neither the Noda Cabinet in 2012 nor the present Abe Cabinet. When questioned about his view on the matter, Prime Minister Abe stated that he is “*in no position to comment on it since the remark is from a member of a party not his own*”.¹⁷

On January 25, Mr. Katsuto Momii, the head of the national broadcaster NHK, stated in a regular press conference that, “*such women [“comfort women”] could be found in any nation that was at war, including France and Germany*”.¹⁸ It must be noted that Mr. Momii was appointed by the NHK management board whose members in turn are appointed by the GOJ. Among others, Mr. Naoki Hyakuta, one of the board members who appointed Mr. Momii has also made remarks

¹⁰ The Cabinet’s official reply to the parliamentary enquiry in writing from MP Yukihiisa Fujita on May 20, 2014

¹¹ Chief Cabinet Secretary Suga’s remarks show that nothing will be released before June 22, 2014. Asahi Shimbun, May 29, 2014

¹² The Guardian, June 3, 2014. WAM has been a part of this effort

¹³ Mainichi Shimbun, August 28, 2012.

¹⁴ At the discussion forum of the candidate for presidential election of the LDP, September 16, 2012.

¹⁵ Asahi Shimbun, May 14, 2013.

¹⁶ Yomiuri Shimbun, August 24, 2012. Mr. Hashimoto cited the first Abe’s cabinet decision of 2007 as a source of his remarks.

¹⁷ May 15, 2013, Budget Committee, House of Councilors.

¹⁸ Asahi Shimbun, Jan 26, 2014

denying facts of Japan's past aggression including military sexual slavery.¹⁹ Both of them remain in their positions, without a word of open criticism from the GOJ.

There are too many denials made without the GOJ making official rebuttals to list all of them in this report. Members of some of the opposition parties, particularly those of the Japan Restoration Party, have denied historical facts of Japan's military sexual slavery system even in parliamentary sessions.²⁰ This is again largely in contradiction with the recommendations made by this Committee to the State Party in 2008.

6. Education

6-1 History textbooks

Most victims hope that history will be taught to succeeding generations in order to ensure that the same mistakes will not be made. Even though from 1997 through 2001 all history textbooks used in compulsory education included some reference to the "comfort women" issue, the number of such textbooks decreased in 2002 and 2006. As of 2012 there are no references to the "comfort women" in any compulsory education textbook (see Chart 2).

6-2 National and Local History Museums

Most adults have not had a chance to learn about this history at school because the first survivor of the "comfort women" system didn't come forward until 1991 and the issue did not appear in textbooks in mandatory education until 1997. Thus, it is important to provide other means of educating people about Japan's military sexual slavery system. A national museum may be able to play a significant role in this regard.

However, the National Museum of Japanese History established in 1983 makes no reference to the facts about the "comfort women" system to date. The *Showa-kan* (National Showa Memorial Museum), another national museum, which was established next to the Yasukuni Shrine in 1999 to preserve a record of the hardships of "Japanese people" during and after WWII, also makes no reference to the "comfort women" system, or to anything concerning the suffering of people from the Asia-Pacific region. The *Shokei-kan*, a national museum established in 2006 to relate the hardships of sick and wounded soldiers and their families during WWII also has no reference to the "comfort women" system or to anything concerning crimes committed by Japanese soldiers.

Though national history museums make no reference to the "comfort women" issue, there used to be two peace museums managed by local governments which did - the Peace Museum of Saitama established in 1993 and Okinawa Prefectural Peace Memorial Museum established in 1975. Today the only one left is in Okinawa. The Peace Museum of Saitama used to have one sentence about the "comfort women" issue in its chronology of Showa period. However revisionists led by then governor Ueda targeted the museum in 2007. On October 20, 2013, the reference to the "comfort women" was deleted ahead of a re-opening of the museum.

¹⁹ Asahi Shimbun, Feb 4, 2014

²⁰ The members in leading positions of the JRP who have been providing such examples are former Education Minister Nariaki Nakayama and former Tokyo Governor Shintaro Ishihara (Budget Committee, House of Representatives, February 12, 2014) amongst others. One of the most recent examples is the exchange made on May 28, 2014, by MP Hiroshi Yamada of the JRP, who has taken up the issues related to "comfort women" in eight proceedings in the last 12 months. Mr Yamada noted in this particular proceeding that there exists no evidence whatsoever in Korea, Japan or the United States that "comfort women" were forcibly recruited. Upon this, PM Abe simply noted that historical issues are up to historians to decide (Budget Committee, House of Representatives, May 28 2014.)

6-3 Opposition to Memorials and Museums outside of Japan

On December 14, 2011, a peace memorial was set up by a group of citizens in front of the Japanese Embassy in Seoul, ROK, in commemoration of the 1000th weekly Wednesday Demonstrations, which “comfort women” survivors started in January 1992. The Japanese government, however, has been demanding the removal of this memorial, claiming that it is against the Vienna Convention on Diplomatic Relations and impairs the dignity of its diplomatic establishments abroad.²¹

The Japanese Consulate General in New York also made its own request for the removal of a monument to the “comfort women” erected in the city of Palisades Park City, New Jersey, USA on May 1, 2012²².

The latest example of the GOJ’s opposition documented in official records is the case of a statue of a girl dedicated to “comfort women” built in the city of Glendale, USA. The GOJ noted that it is, “extremely sorry” that “comfort women statues and memorials” have been erected despite its efforts to “*explain to the parties concerned in the USA including the city of Glendale and others the stance of GOJ with regard to the comfort women issue*”.²³ This is hardly adequate for the State Party, particularly when revisionist groups and individuals are sending countless emails against the memorial and condemning the city.²⁴

7. The Asian Women’s Fund

The “Asian Women’s Fund”, a private foundation set up by the Japanese government in 1995, was not an acceptable measure for the survivors of the “comfort women” system. UN human rights bodies, namely CESCR (2001), CEDAW (2003/2009), CAT (2007), ICCPR (2008), and the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR), as well as “comfort women” resolutions adopted by a number of foreign national assemblies have repeatedly recommended that the government of Japan should take new legislative and administrative measures.

8. Disrespectful attitude of the State Party to the Covenant and the Committee

Following the previous review by the Committee, a member of Japan’s Parliament used the parliamentary system of written enquiry to ask about the GOJ’s willingness to adhere to the recommendations made by the Committee with regard to the issue of Japan’s military sexual slavery system.²⁵ The response adopted by the Cabinet is by law a Cabinet decision and legally binds all subsequent Cabinets unless it is retracted by another Cabinet decision:

*“[The Cabinet] is of the understanding that the recommendations concerned have no legally binding force, and are not making it obligatory for the State Party to the International Covenant on Civil and Political Rights to abide by them.”*²⁶

²¹ The Cabinet’s official reply to the parliamentary enquiry in writing submitted by MP Mashisa SATO on June 8, 2012.

²² New York Times, May 18, 2012.

²³ The Cabinet’s official reply to the parliamentary enquiry in writing from MP Kota MATSUDA on August 13, 2013.

²⁴ CBS Los Angeles, January 3, 2014, <http://losangeles.cbslocal.com/2014/01/03/comfort-women-statue-in-glendale-sits-at-center-of-new-controversy/>, Sankei Shimbun, March 11, 2014.

²⁵ The parliamentary enquiry in writing submitted by MP Ikuko Tanioka on 5 January 2009.

²⁶ The Cabinet’s official reply to the parliamentary enquiry in writing submitted by MP Ikuko Tanioka, on 13 January 2009.

This cabinet decision demonstrates the attitude of the GOJ towards UN Treaty Bodies, which is that the GOJ does not fully respect the recommendations made by the UN human rights mechanisms, nor are they willing to respond positively to calls from the international community to fulfil their human rights obligations. It was and still is an utterly regrettable attitude and policy for a member of the Human Rights Council. The GOJ repeated the same response to the CAT observations in 2013.²⁷ To date, no Cabinet decision has retracted this decision.

Recommendation

WAM thanks the Committee for the Concluding Observations made in 2008 regarding Japan's military sexual slavery system finding them very holistic and appropriate. Our organization would strongly welcome the Committee's continued interest in this issue and similar observations and recommendations to be reiterated to the GOJ. As the information provided above shows, we are also urging the GOJ to disclose all relevant documents and to conduct a thorough investigation into Japan's wartime sexual slavery system as a means of combating the denials of historical facts which currently prevails in Japan.

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²⁷ The Cabinet's official reply to the parliamentary enquiry in writing submitted by MP Tomoko Kami, June 18, 2013.

[Chart 1] Comparison of the State Party's report and Reply to the LOI

<p>State Party's Report (Oct. 9, 2012)</p> <p>CCPR/C/JPN/6</p>	<p>Reply to List of Issues(March 6, 2014)</p> <p>CCPR/C/JPN/Q/6/Add.1</p>
<p>126. Since the Covenant has no retroactive effect and does not apply to issues arising in Japan before Japan's accession of the Covenant (1979), it is not appropriate to mention the issue of the —comfort women before and during the Second World War in the report on the measures implemented under the Covenant. However, taking into consideration the deliberations in the Human Rights Committee 94th session in October 2008 and the concluding observations of the Committee on Japan's periodic reports, Japan's efforts on this issue are explained below.</p>	<p>232. As this Covenant is not applied to any issues that occurred prior to Japan's conclusion thereof (1979), it is not appropriate for this report to take up the so-called wartime comfort women issue in terms of the implementation of State Party's duties of the Covenant. However, considering the deliberations at the 94th Committee meeting in October 2008 and the Committee's concluding observations concerning Japan's report, we would like to explain what efforts Japan has so far made on this issue.</p>
<p>127. Japan humbly accepts the fact that <u>its past colonial rule and aggression</u> caused tremendous damage and suffering to the people of many countries, particularly to those of Asian nations, and Japan has therefore expressed its deep remorse and heartfelt apology. <u>Since the end of the Second World War, Japan has maintained its policy not to be a military power and resolve each and every issue it faces in a peaceful manner.</u></p>	<p>233. <u>During a certain period in the past, Japan caused tremendous damage and suffering to people of many countries,</u> in particularly to those in Asian countries. Squarely facing these historical facts, the Government of Japan has repeatedly expressed its feelings of deep remorse and heartfelt apology, and expressed feelings of sincere mourning for all victims of the war both in Japan and abroad.</p>
<p>128. Recognizing that the comfort women issue is one that severely injured the honour and dignity of a large number of women, <u>the Government of Japan has expressed its sincere apologies and remorse</u> to the former so-called comfort women on many occasions.</p>	<p>234. (With regard to the comfort women issue,) Prime Minister Abe, in the same manner as the Prime Ministers who proceeded him, <u>is deeply pained to think of the comfort women</u> who experienced immeasurable pain and suffering beyond description.</p>
<p>129. Japan concluded the San Francisco Peace Treaty, bilateral peace treaties, agreements and instruments with countries concerned, and in accordance with them carried out payment of reparations and other damages in good faith. In this way, issues of claims concerning the War have been legally settled with the countries of the parties to these treaties, agreements and instruments.</p> <p>Recognizing, however, that the issue of comfort women was a grave affront to the honour and dignity of women, the Government of Japan determined that it was appropriate for Japan to express sincere apologies and remorse to former comfort women. The Asian Woman's Fund (AWF), established in 1995, with financial support by the Government amounting to approximately 4800 million yen, provided assistance to former comfort women, including medical care and welfare services. The AWF also provided direct payment totalling approximately 600 million yen funded by contribution from Japanese people.</p>	<p>235. The Government of Japan has sincerely dealt with issues of compensation as well as property and claims pertaining to the Second World War, including the comfort women issue, under the San Francisco Peace Treaty, which the Government of Japan concluded with 45 countries, including the United States, United Kingdom and France, and through bilateral treaties, agreements and instruments. <u>The issues of claims of individuals, including former comfort women, have been legally settled with the parties to these treaties, agreements and instruments.</u></p> <p>In particular, the Agreement on the Settlement of Problems Concerning Property and Claims and on Economic Co-operation between Japan and the Republic of Korea stipulates that "problem concerning property, rights, and interests of the two Contracting Parties and their nationals (including juridical persons) and concerning claims between the Contracting Parties and their nationals... [has been] settled completely and finally." (Article II (paragraph 1)).</p>

<p>130. This Fund was closed and dissolved as of the end of March 2007 after the final project under this Fund in Indonesia had been completed. In order to gain a better understanding of Japanese citizens' sincere feelings about the comfort women issue, as shown through various projects implemented under the Fund, the Government of Japan intends to continue its efforts and to carry out follow-up activities for those projects.</p>	<p>236. Nevertheless, recognizing that the comfort women issue was a grave affront to the honor and dignity of a large number of women, the Government of Japan, together with the people of Japan, seriously discussed what could be done to express their sincere apologies and remorse to the former comfort women. As a result, the people and the Government of Japan cooperated and together established the Asian Women's Fund (AWF) on July 19, 1995 to extend atonement from the Japanese people to the former comfort women. To be specific, the AWF provided "atonement money" (2 million yen per person) to former comfort women in the Republic of Korea, the Philippines and Taiwan who were identified by their governments and other bodies and wished to receive it. Moreover, the AWF provided funds for medical and welfare support in those countries, financial support for building new elder care facilities in Indonesia, and financial support for a welfare project which helps to enhance the living conditions of those who suffered incurable physical and psychological wounds during World War II in the Netherlands. The Government provided a total of 4.8 billion yen for programs of the fund and offered the utmost cooperation for support programs for comfort women, such as programs to offer medical care and welfare support (a total of 1.122 billion yen) and a program to offer atonement money from donations of the people of Japan. In addition, when the atonement money was provided, the then-Prime Minister (namely PM Ryutaro Hashimoto, PM Keizo Obuchi, PM Yoshiro Mori and PM Junichiro Koizumi), on behalf of the Government, sent a signed letter expressing apologies and remorse directly to each former comfort woman (Please refer to the attached document.). While the AWF was disbanded in March 2007 with the termination of the project in Indonesia, the Government of Japan has continued to implement follow-up activities of the fund.</p>
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[Chart 2] Reference to “Comfort Women” in History Textbooks used in Junior High School

After the Kono statement was issued in 1993, all the history textbooks in compulsory education came to include some reference to the 'comfort women' issue. However, the number of such textbooks decreased in 2002 and 2006.

Finally, since 2012, no reference whatsoever to 'comfort women' can be found in any compulsory education textbook.

	1993	1997	2002	2006	2012
Kyoiku Shuppan	No reference	(1)[War and the people's life] ..., and many Korean women were sent to the battlefield as comfort women for Japanese soldiers. (2)[Prospect of the post-war compensation issue]... they include former comfort women, victims of massacres, forcible draft and forced labor (3)[Japan in Asia] As of 1994, more than 20 lawsuits were filed by the victims of forcible draft / forced labor and military note, in addition to the former comfort woman in the picture above. (4) <i>A former comfort woman seeking for compensation and the citizen's group in support.</i> *caption of the picture	No reference	No reference	No reference
Tokyo Shoseki	No reference	(1)[Prolonged war and China and Korea] There were many young women who were forcibly sent to the battlefield.	No reference	No reference	No reference
Osaka Shoseki	No reference	(1)[War and the People]..., and young women such as from Korea were taken to the battlefield as comfort women. (2)[Postwar Compensation] Among serious issues are the comfort women, forcible draft, Taiwanese taken by Japanese military and the discrimination in postwar compensation based on nationalities. (3) <i>Former Korean comfort women march in protest seeking for postwar compensation from the government of Japan(Tokyo, 1994).</i> *caption of the picture	No reference	No reference	*Not published
Nihon Bunkyo Shuppan	No reference	(1)[People's Life in War] There were women who were forced to go with the army as comfort women.	No reference	No reference	No reference
Nihon Shoseki Shinsha **“Nihon Shoseki” until 2002	No reference	(1)[People's Life in War: “Luxury is the Enemy”] ...and made women go with the army as comfort women and treated them brutally.	(1)[“Greater East Asia Co-prosperity Sphere’ Illusion] Young women were forcibly collected in many areas in Asia, such as Korea, and sent to the battlefield as comfort women. (2)[Japan's Postwar Settlement] ...based on this, people forcibly drafted for labor, former comfort women and the victims of the Nanking Massacre have brought court cases seeking apologies and compensation from the Government of Japan. (3) <i>Ms. Kim Haksun appeals: Ms. Kim Haksun brought a court case seeking apologies and compensation from the Government of Japan (1991).</i>	(1)[Greater East Asia Co-prosperity Sphere’ Illusion] Requested by the army, young women were collected in many areas in Asia, such as Korea, and sent to the battlefield as comfort women for Japanese soldiers. (2) <i>A newspaper reporting a court case against the Government of Japan bought by ‘Association for the Pacific War Victims’ in Korea (Asahi Shimbun, December 6, 1991).</i> *caption of the picture. In the picture, the headline of the newspaper article reads: 35 people including former comfort women.	*Not published
Teikoku Shoin	No reference	(1)[Remaining Scars of the War] Some were former comfort women...among those from these areas... (2)[Japan's Policy to make Korean People the Emperor's Subject]...urged people to the war front by drafting men as soldiers and women as comfort women, giving them unbearable hardship.	(1)[in a note of “Postwar Compensation and Neighboring Countries”] Court cases seeking postwar compensation were brought by women who had been sent to comfort facilities, or by men from Korea and Taiwan who had been drafted as Japanese soldiers in the wartime.	(1)[in a note of “Postwar Compensation and Neighboring Countries”] Court cases seeking postwar compensation were brought by women who had been sent to comfort facilities, or by men from Korea and Taiwan who had been drafted as Japanese soldiers in the wartime.	No reference
Shimizu Shoin	No reference	(1)[Forcible draft of people from Korea, China and Taiwan] Among the women from Korea and Taiwan, there were ones who were made to work in the comfort facilities on the battlefield.	(1)[War and People] In inhuman comfort facilities on the battlefield, there were women from Korea and Taiwan, as well as Japan.	No reference	No reference
Fusosha	*Not published	* Not published	No reference	No reference	No reference
Jiyusha	*Not published	*Not published	*Not published	*Not published	No reference

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Yes, we remember the facts.

The purpose of this paid public comment is to present historical facts.

This is an objection advertisement of the "Do you remember?" ad which is currently being posted in Times square. (P.S. It was also posted on the New York Times in May this year as well) We are here to convey the truth, based on actual historical facts and datas achieved as a result of years of research.

And before you move on, let us please introduce you a videoclip which we believe is indispensable to the basic understanding of this issue.

"Sex, Lies, and Comfort Women"
<http://www.youtube.com/watch?v=iwv2qDJ57SY&>

Fact 1 No historical document has ever been found by historians or research organizations that positively demonstrates that women were forced against their will into prostitution by the Japanese army. A search of the archives at the Japan Center for Asian Historical Records, which houses wartime orders from the government and military leaders, turned up nothing indicating that women were forcibly rounded up to work as *ianfu*, or comfort women.
 On the contrary, many documents were found warning private brokers not to force women to work against their will.

Army memorandum 2197, issued on March 4, 1938, explicitly prohibits recruiting methods that fraudulently employ the army's name or that can be classified as abduction, warning that those employing such methods have been punished. A Home Affairs Ministry directive (number 77) issued on February 18, 1938, states that the recruitment of "comfort women" must be in compliance with international law and prohibits the enslavement or abduction of women. A directive (number 136) issued on November 8 the same year, moreover, orders that only women who are 21 years old or over and are already professionally engaged in the trade may be recruited as "comfort women." It also requires the approval of the woman's family or relatives.

A historian who claims that the number of "comfort women" reached 200,000 - a contention frequently quoted in the US media - believes, on the other hand, that the memorandum offers proof of the army's active involvement.



Army memorandum 2197, issued on March 4, 1938

Please read a compelling essay on comfort women written by a historian and a former professor of Nihon University, Rukiko Hata. (Posted on the "Monthly Shukan Magazine" May 2007) "TRANSLATION OF AN ARTICLE DEMONSTRATING THAT THERE WAS NO ORGANIZED OR FORCED RECRUITMENT: MISCONCEPTIONS ABOUT COMFORT WOMEN AND THE JAPANESE MILITARY"
http://www.sdb-fact.com/CL02_1/31_54.pdf

Also, if you are eager to look further into the truth, we strongly recommend Tokyo Christian University Professor Tsutomu Nishioke's book "The Truth of Comfort Women" (Soshisha Publishing 2007), which was written based on convincing proofs. "BEHIND THE COMFORT WOMEN CONTROVERSY"
http://www.sdb-fact.com/CL02_1/39_54.pdf

Committee for the Historical Facts
 "THE TRUTH ABOUT THE COMFORT WOMEN"
http://www.sdb-fact.com/CL02_1/04_54.pdf

Fact 2 There are many newspaper articles, moreover, that demonstrate that these directives were dutifully carried out. The August 31, 1939, issue of Dong-A Ilbo, published in Korea, reports of brokers who forced women to become *ianfu* against their will being punished by the local police, which was under Japanese jurisdiction at the time. This offers proof that the Japanese government dealt severely with inhumane crimes against women.

Unscrupulous Brokers Run Rampant Abduction of Rural Women and Girls
 More than 100 Women Vicinized Pusan Police Offices Dash Off to Mukden

Fact 3 The *ianfu* who were embedded with the Japanese army were not, as is commonly reported, "sex slaves." They were working under a system of licensed prostitution that was commonplace around the world at the time. Many of the women, in fact, earned incomes far in excess of what were paid to field officers and even generals (as reported by the United States Office of War Information, Psychological Warfare Team Attached to U.S. Army Forces, India-Burma Theater, APO 689), and there are many testimonies attesting to the fact that they were treated well.

Sadly, many women were made to suffer severe hardships during the wretched era during World War II, and it is with profound regret that we contemplate this tragic historical reality. At the same time, we must note that it is a gross and deliberate distortion of reality to contend that the Japanese army was guilty of "coercing young women into sexual slavery" in "one of the largest cases of human trafficking in the 20th century," as the House Resolution claims. After all, two-fifth of the approximately 20,000 *ianfu* during the war were Japanese women, as detailed in an academic paper by historian Rukiko Hata.

We are interested, foremost, in sharing the truth with the American public. Criticism for events that actually occurred must be humbly embraced. However, any sort of apology over falsified information or fabrication of history will not only harm the fair and a balanced justice within the society, but also destabilize the Japan-U.S ties and friendship. We ask only that the Facts be objectively regarded so that we may share a correct perception of history.

Assentors

- Diet members**
The Democratic Party of Japan: Nobuyuki Fukushima, Hiroki Hanasaki, Yoichi Kaneko, Jin Matsubara, Noboru Miura, Koichi Mukoyama, Takashi Nagao, Masao Sibalashi, Kenji Tamura, Shu Watanabe, Inami Yoshida
Liberal Democratic Party of Japan: SHINGO ABE, Haruko Arimura, Seichi Eto, Keiji Furuya, Tomomi Inada, Yoshitaka Inazaki, Yoshitaka Ito, Yasuaki Kaneko, Koichi Kishi, Nobuo Kiuchi, Seigo Kitamura, Shigeo Kitamura, Yuzo Kurogaki, Hirokazu Matsuno, Shoji Nishida, Hiroshige Seko, Hakubun Shimomura, Yoshitaka Shindo, Sanae Takachi, Naokazu Takezato, Ichiro Tsukada, Michiko Ueno, Junzo Yamamoto, Yuji Yamamoto, Eriko Yamamoto, Hiroyuki Yoshiie
The Sunrise Party of Japan: Takao Hirasawa, Kyoko Nakayama
- Professors/ Political Commentators/ Journalists/ Movie & TV Producer**
Professors: Hayaru Fukuda, Koichi Endoh, Masahiro Miyazaki, Shiro Higashinakano, Kazuhito Araki, Youichi Shimada, Tsutomu Nishioke, Satoshi Fujii
Political Commentators: Hidetaki Kase, Kenji Nishio, Kouichiro Tanioka, Hisshiko Okazaki
Journalists: Hiromichi Motoki
Movie & TV Producer: Satoru Mizushima

We, the undersigned members of the Committee for Historical Facts, endorse the public comment presented above.

- Shigeharu Aoyama | Yoshiko Sakurai | Koichi Sugiyama | Kohyu Nishimura | Nobukatsu Fujioka
J.L. President | Journalist | Commentator | Journalist | Professor

- The advertisement denying the historical facts of Japan's military sexual slavery system posted on a local newspaper in New Jersey, "Star Ledger", on November 4, 2012.
- It says that there is no official document of military involvement in forcible recruitment (Fact 1), Japanese police involved in a good way arresting the Korean brokers (Fact 2), and "comfort women" were mere prostitutes (Fact 3).
- Mr. Shinzo ABE, presently the Prime Minister of Japan, is in the list of "assentors" above.
- Nine of his cabinet members are also in the list, including four other ministers (Hakubun SHIMOMURA, Minister of Education, Keiji FURUYA, Minister for Abduction issue and the chairman of the National Public Safety Commission, Tomomi INADA, Minister for Administrative Reform, and Yoshitaka SHINDO, Minister of Public Management, Home Affairs, Posts and Telecommunications.)