

**Comments by the Government of Japan regarding the Concluding observations on the  
third to fifth periodic reports of the Republic of Korea issued on 12 May 2017  
(CAT/C/KOR/CO/3-5)**

1. The Committee Against Torture (CAT) referred to “sexual slavery” during World War II in paragraphs 47 and 48 of the Concluding Observations to the Government of the Republic of Korea (ROK) issued on 12 May, and recommended in paragraph 48 (d) that the State party should “(r)evise the Agreement of 28 December 2015 between the Republic of Korea and Japan in order to ensure that the surviving victims of sexual slavery during World War II are provided with redress, including the right to compensation and rehabilitation and the right to truth, reparation and assurances of non-repetitions, in keeping with article 14 of the Convention.”
2. The Government of Japan has sincerely dealt with issues of reparations, property and claims pertaining to the Second World War under the San Francisco Peace Treaty, which the Government of Japan concluded with 45 countries, including the United States, the United Kingdom and France, and through other bilateral treaties, agreements and instruments. These issues including those of claims of individuals, have already been legally settled with the parties to these treaties, agreements and instruments. (With regard to the ROK, it was confirmed in the 1965 Agreement between Japan and the Republic of Korea Concerning the Settlement of Problems in Regard to Property and Claims and Economic Cooperation that the issues concerning property and claims “have been settled completely and finally.” The Government of Japan, in accordance with the said Agreement, provided 500 million US dollars to the ROK as economic cooperation.)
3. Additionally, since the 1990s, the Government of Japan has extended its utmost cooperation to the projects of the Asian Women’s Fund (AWF), which carried out “medical and welfare support projects” and provided “atonement money” (for a total of 5 million yen per person in the ROK and Taiwan and 3.2 million yen in the Philippines) to offer realistic relief to former comfort women who are now advanced in years. When the atonement money as well as the medical and welfare support were provided, the then-Prime Ministers (namely, PM Ryutaro Hashimoto, PM Keizo Obuchi, PM Yoshiro Mori and PM Junichiro Koizumi), sent a signed letter (see attachment) expressing apologies and remorse directly to each former comfort woman. As a result of such efforts, the 1998 Japan-ROK Joint Declaration—A New Japan-Republic of Korea Partnership towards the Twenty-first Century—called upon both countries “to build a future-oriented relationship based on reconciliation as well as good-neighborly and friendly cooperation.”  
(<http://www.mofa.go.jp/region/asia-paci/korea/joint9810.html>)
4. As the comfort women issue became a political matter between the two countries despite such efforts, the Government of Japan and the Government of the ROK held intensive consultations on this issue toward an early conclusion to realize the healing of the former

comfort women, who were already advanced in years. The Foreign Ministries of both nations had a meeting on December 28, 2015, and finally reached an agreement on this issue. ([http://www.mofa.go.jp/a\\_o/na/kr/page4e\\_000364.html](http://www.mofa.go.jp/a_o/na/kr/page4e_000364.html)) With this agreement, the two Governments confirmed that the comfort women issue is resolved “finally and irreversibly.” In addition, in accordance with the agreement, the Government of Korea established a foundation for the purpose of providing support for the former comfort women and the Government of Japan contributed 1 billion yen to the foundation.

5. This Japan-ROK agreement has not only been welcomed by the international community, including Mr. Ban Ki-moon, then Secretary-General of the United Nations, and the Government of the United States of America, as well as appreciated by the media in the European and American countries, including the New York Times, but has also been positively received by many former comfort women in the ROK. Under the cooperation between Japan and the ROK, projects have been carried out for recovering the honor and dignity and healing the psychological wounds of former comfort women. So far, among the 46 former comfort women who were alive at the time of the agreement, 34 former comfort women have already agreed to the projects, of which 32 women have actually received such support as medical care and welfare support. It is thus important that the agreement is steadily implemented for the sake of former comfort women who are now advanced in years.
6. As stated above, the agreement is the result of considerable diplomatic efforts and is already being implemented. The review of the agreement makes it difficult to continue the ongoing medical and welfare projects and hinders the healing of the psychological wounds of the former comfort women. From this perspective, the Government of Japan strongly believes that the report, which contains unilateral recommendations to revise this agreement, is not acceptable, and will not serve to heal the psychological wounds of the former comfort women.
7. Although this review was carried out for the ROK, the CAT did not offer Japan, the other party to the bilateral agreement, any opportunity to inform or express its position on the agreement, which has been implemented by both Japan and ROK during the review process. Also the Committee has issued a unilateral recommendation that the agreement does not fully comply with the Convention and should be revised, relying largely on the comments from some civil societies, without proper assessment on the relationship between Japan and the ROK. Japan strongly holds the view that such review procedures by the CAT are unfair and improper. Further, the expression “sexual slavery” contradicts the facts and is therefore inappropriate. The expression “sexual slavery” does not appear in the agreement between the Governments of Japan and the ROK either. From these perspectives, Japan strongly disagrees with the content of paragraphs 47 and 48(d) concerning the comfort women issue in the final observation of the CAT.

8. From the perspective of recovering the honor and dignity and healing the psychological wounds of the former comfort women, it is extremely important that the projects based on the agreement continue to be implemented steadily. The Government of Japan asks the Committee to observe the implementation of the agreement and not to hinder the implementation of the agreement, which is the outcome achieved through immense diplomatic efforts of the Government of Japan.