

Japan's Military Sexual Slavery

NGO Alternative Information to the Government Reply to the List of Issues

The Government of Japan (GOJ) says:

With the recognition that the comfort women issue continues to impact the development of Japan-ROK (Republic of Korea) relations, Governments of Japan and the ROK agreed at the Japan-ROK Summit Meeting held on November 2, 2015, to continue and accelerate consultations on the issue toward its conclusion as promptly as possible. Subsequently, intensive bilateral consultations, including the Director-General consultations between the diplomatic authorities of the two countries, were carried out. On December 28, the Foreign Ministers of Japan and the ROK met and made an announcement (see Attachment) at a joint press occasion. Later on the same day, the leaders of Japan and the ROK spoke over the telephone and confirmed the content of the announcement. With this agreement, the Government of Japan (GOJ) and the Government of the Republic of Korea confirmed that the issue of comfort women is resolved finally and irreversibly.

*Underline to the government reply was added by WAM.

- The “agreement” between the governments of the Republic of Korea (ROK) and Japan was concluded with no consultation with the victims/survivors. Moreover, no common, written document of the “agreement” has been made by the two governments, leaving nothing for the survivors to read, consider or sign.
- The survivors have rejected this political agreement. **Please refer to Appendix A (pages 5-14 of this document)** for a collection of comments made by survivors including why they rejected the “agreement”.
- Japan’s military sexual slavery is not just a bilateral issue between the ROK and Japan. It was practiced throughout the Asia-Pacific region until Japan’s defeat in 1945. Under international law, the Government of Japan (GOJ) remains responsible to remedy all the survivors, and the victims/survivors have the right to receive reparation.

¹The 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 Japan’s military sexual slavery 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 ICCPR, CESCPR, CEDAW, CAT and UPR. WAM is a member of JNNC since its establishment.

The GOJ says:

The GOJ 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 1) research and investigation on related documents owned by relevant ministries and agencies of the GOJ, 2) document searches at the U.S. National Archives and Records Administration, as well as 3) hearings of relevant individuals including former military parties and managers of comfort stations and analysis of testimonies collected by the Korean Council. “Forceful taking away” of comfort women by the military and government authorities could not be confirmed in any of the documents that the GOJ was able to identify in the above-mentioned study.

- There are many fallacies, omissions and ambiguities in this reply by the GOJ.
- Official documents exist among those identified by the GOJ which confirm that the “forceful taking away” of women by the military and government authorities did take place, including materials from the documentation of the war crimes tribunals conducted following WWII. **Please refer to Appendix B (page 15-16)** for details.
- The GOJ has never done a “full-scale” fact-finding study. Their study is basically limited to the archival research done from December 1991 to August 1993. After 1993, for more than 20 years, scholars and civil society have researched the archives in Japan and abroad, including the national archives in the Netherlands, Australia, UK, USA, China, Taiwan, and Thailand. More than 500 official documents were identified relating to Japan’s military sexual slavery. These documents were submitted to the GOJ in June 2014. However, the GOJ refuses to even review these documents even today. Significant parts of the official archives including police documents and repatriation documents that independent scholars have been requesting for disclosure remain closed to the public; nor has the government announced any study results about them to date/
- The GOJ constantly ignores the testimony of the survivors. In July 1993, the GOJ held official hearings of 16 South Korean victims of Japan’s military sexual slavery system. This is the only time that the GOJ officially heard the testimony of any survivor. However, these testimonies are not referred to in the present reply from the GOJ. Since it is quite unlikely that the Japanese military documents would include records of abduction, a crime even then, the survivor testimony is very important and indispensable in clarifying how women were taken to and treated in “comfort stations”.
- The GOJ has never made any victim-based fact-finding efforts on this matter. They conducted no official hearing of the women who came forward except for those 16 South Korean women mentioned above. There is no research on victim women, including those whom the GOJ failed to repatriate after the war and whether or not they still want to go back to their original country or region.

Please ask:

- **What is the definition of “forceful taking away” of women? What is the difference between this definition and the “taking away against their will” stated in the Kono statement?**
- **What did the survivors say in the official hearings conducted in 1993? Did you consider testimonies as evidence and include in your full-scale study?**

The GOJ says:

Regarding the question “whether the State party intends to take compensatory measures on behalf of ‘comfort women’ in countries other than those covered by the Asian Women’s Fund, including in China and Timor-Leste, and prosecute the perpetrators”: The GOJ does not have such intention of doing so.

- This is clear evidence that the GOJ sees Japan’s military sexual slavery as a political and diplomatic matter rather than a human rights or a women’s rights issue. The victim women have the right to remedy for the grave human rights violation they suffered as sex slaves during the war regardless of where they live.
- Even if the victims’ governments do not exercise the right to diplomatic protection, the GOJ is obligated under international law to look into the matter and give reparations to the individual victim. Many victims who came forward in 1990s have already passed away including both in China and Timor-Leste. Time is very limited.
- **Please see the attached ‘map of comfort stations’** which shows the wide-spread existence of the sexual slavery system prior to and during the WWII, based on the identified official documents as well as testimonies of victims, former soldiers and other witnesses.

The GOJ says:

Regarding the question “whether the State party intends to reintegrate into school textbooks references to the issue of ‘comfort women’, and raise awareness among the population of the issue”:

The GOJ is not in a position to answer the question on the specific contents which are taken up in school textbooks and how these contents are described, since the GOJ does not adopt a government-designated textbook system.

- The textbook system in Japan is a “government-controlled” system through a governmental screening process. Lawyers and teachers have criticized regularly the screening system. The Education and Science Ministry determines and writes the national curriculum for compulsory education. Neither the criteria nor the procedures how the members of the screening committees are appointed have been fully disclosed.
- The attached chart shows that references to the issue of “comfort women” appeared in all middle school textbooks screened in 1996 and used during 1997-2000. This is precisely due to the fact that the GOJ in 1993 acknowledged the military involvement and the forceful nature in “comfort stations” and declared that “we hereby 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.”
- However, the reference to the “comfort women” issue declined dramatically from the next screening in 2000. All the references to the “comfort women” issue in all the textbooks used in Japan’s middle school (the final stage of compulsory education) were gone by 2012.
- In February 2004, Nariaki Nakayama, then-Minister of Education, Culture, Sports, Science and Technology stated “It is wonderful that words like ‘military comfort women’ and ‘forced recruitment’ no longer appear in most textbooks”.

- For the 2015 screening, a group of concerned former and current history teachers wrote a history textbook and established their own publisher to publish it. References to “comfort women” were included with testimony excerpts and paintings by survivors of Japan’s military sexual slavery. However, the references were taken out as the screening committee found them to be “deficits”. **Please see Appendix C (page 17-21)** for the translation of the deleted references and why the screening committee found them as “deficits”.
- Please also refer to the JNNC report as well for other information on education.

Please ask:

Why is it that the reference to the issue of “comfort women” has been decreased in these 20 years, even though it has become clearer that it is important for children to know the history of women’s suffering in war and conflicts?

Sample Recommendations:

The State party should take immediate and effective legislative and administrative measures to find victim-centered resolution for the issue of Japan’s military sexual slavery with consultation with the victim/survivors and supporters in all the affected areas, particularly by:

- (a) Publicly acknowledge legal responsibility for the crimes of sexual slavery, and prosecute and punish perpetrators with appropriate penalties;
- (b) Recognize 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;
- (c) Disclose related materials, and investigate the facts thoroughly;
- (d) Refute attempts to deny the facts of Japan’s military sexual slavery made by government personnel and public figures to stop such repeated denials re-traumatize the victims;
- (e) Educate the general public about the issue and include the events in all history textbooks as well as the education curriculum for its Self-Defense Force personnel as a means of preventing further violations of the State party’s obligations under the Convention.



Prepared by: Women's Active Museum on War and Peace(WAM)

Avaco Bldg2F, 2-3-18, Nishi-Waseda, Shinjuku, Tokyo 169-0051 Japan

Tel: +81-(0)3-3202-4633 wam@wam-peace.org

URL: www.wam-peace.org

Japan's Military Sexual Slavery

Why the Japan-ROK "agreement" is rejected by the victims/survivors ?

1. The "agreement" was concluded without consultation with the survivors.

On December 28, the Foreign Ministers of the ROK and Japan appeared on TV for a press conference and announced that "the issue of the comfort women was resolved finally and irreversibly" without any consultation with the survivors. Therefore, the "agreement" between the governments cannot be final and irreversible

⇒Please see the voices of the survivors on page 8.

2. No written documents exist that the survivors can approve or sign on.

The "agreement" was just an "announcement" in front of the media, as well as a 15-minute "telephone talk" between Prime Minister Abe and President Park. There is no agreed document and it is still unclear what the two governments did agree upon. Further, the contents and wording of the announcement on the websites of each government are different.

⇒Please see the chart on page9-12.

3. What responsibility is Japan "aware" of? Denial Continues.

The GOJ's website says that the Japanese government is "aware of responsibility" (note: the English translation by the Japanese government does not use the word "acknowledge" while the Korean government does). However, what responsibility is the Japanese government "aware of"? After the "landmark agreement", both Prime Minister(PM) Abe and Foreign Minister(FM) Kishida continue to deny historical facts in the present Diet session in Japan as follows.

FM Kishida: "**The expressions such as sex slaves are against facts** and should not be used; such is the understanding of the Government of Japan."²

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."³

The Prime Minister as well as the Foreign Minister still denies the historical facts of Japan's military sexual slavery even after the "agreement". The reason why the GOJ's "apology" such as in this "agreement" has not been accepted by the survivors as a genuine apology for over 20 years is precisely because the GOJ has never made clear for which acts the GOJ is offering the particular "apology". The GOJ still refuses to face up with

² At House of Councilors Budget Committee, 15 January 2016

³ At House of Councilors Budget Committee, 18 January 2016

the history and never admits its responsibility under international law either at the time or present.

4. Did Japan “apologize”?

Has Prime Minister Abe apologized? Nobody heard him “apologize”. On December 28, 2015, FM Kishida spoke for PM Abe in front of media that Abe offered apology. According to PM Abe, he apologized to President Park on the phone. But the survivors never heard him apologize to them even on TV.

PM Abe continues to refuse to enunciate an apology even in the parliamentary session in Japan. He was pressed several times by parliamentarians to repeat publicly the apology he gave to President Park..He, however, refused⁴. Although PM Abe says that he “feels pain” for the “comfort women”, he has never apologized to them for the grave human rights violation they suffered as Japan’s military sex slaves.

5. Objection to memory/non-repetition

Nothing was mentioned in the agreement about further fact-finding or the transmission of historical facts through education in order to assure non-repetition. Moreover, the GOJ requested the removal of the “peace monument” in front of the Embassy of Japan in Seoul built by the citizens including “comfort women” survivors themselves. This attitude was found most offensive by the survivors in this political agreement. In the present Diet session in Japan, FM Kishida made it clear that they objected to memorials being built in “third party countries”, suggesting the USA, Australia and others. He also made it clear that the GOJ is against the initiative to register the documents related to Japan’s military sexual slavery in the UNESCO Memory of the World program.

FM Kishida: “[I/We/Japan] raised a concern about the erection of statues and memorials in relation to comfort women in third party countries. In response to this, the ROK side showed their understanding that the government of the ROK would provide no support to these movements.”⁵

FM Kishida: “As for the problem/issue of the UNESCO Memory of the World registration concerning comfort women, taking into account the purpose of the agreement, I understand that the ROK government will take no part in the nomination efforts.”⁶

6. What is the character of ¥1 billion payment? No Reparation

The character of the promised payment is very important. The survivors have been demanding proper government legal compensation from the state of Japan based on Japan’s acknowledgement of its wrongdoings in the past. However, Foreign Minister Kishida stated right after the “landmark agreement” that:

FM Kishida: “This foundation is for ROK and Japan to cooperate and carry out projects; [the ¥1 billion payment] is no reparation.”⁷

⁴ [Question from MP Rintaro Ogata, House of Representatives: PM Abe, why will you not speak with your own words [of apology] just for once?”]

PM Abe: “As I have already said [the words of apology] to President Gunhe Park, if I need to say the same thing after this whenever I am requested, for instance after two years, three years from now, then the issue is not resolved finally and irreversibly. The important thing is to put an end [to the issue] there, to put things into practice with responsibility and put an end there.” “I did convey [the message] to President Park in my own words, as the representative of the country, as the Prime Minister.”

[MP Ogata: “I have now been confirmed that you have no will to speak [the words of apology] in foreign relations.”] (House of Representative Budget Committee, 12 January 2016)

⁵ At House of Representative Budget Committee, 8 January 2016

⁶ At Press conference with Japanese reporters pursuant to the announcement of the agreement, 28 Dec 2015

⁷ At the Press conference with Japanese reporters pursuant to the announcement of the agreement, 28 Dec 2015

6. What do the victim/survivors want? The answer is already written and submitted

A recommendation to the government of Japan for the resolution of Japan's Military Sexual Slavery Issue was adopted on June 2, 2014 at the occasion of the "12th Asian Solidarity Conference on the Issue of Military Sexual Slavery by Japan". The Asian Solidarity Conference started in 1992 with the survivors and supporters in victimized countries and Japan to share the situation surrounding the survivors and adapt action plans for the resolution of the issue. This recommendation was adopted with participation of survivors and supporters from eight countries/regions: Republic of Korea, Taiwan, Philippines, China, Indonesia, East Timor, Netherlands and Japan.

⇒Please see the recommendation on page 13-14.

What the Victims of Japan’s military Sexual Slavery Say about the Japan-ROK “agreement”⁸



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.”

⁸ These comments of the survivors above were from the report to the CEDAW by the Korean Council for the Women Drafted for Military Sexual Slavery by Japan. Source: INT_CEDAW_NGO_JPN_22816_E (3)

ROK-JAPAN “agreement” on the issue of “comfort women” (Dec.28, 2015) Content and wording differences between ROK/GOJ official websites

Summary:

- The ROK-JAPAN “agreement” consists of the announcement to the media by the Foreign Ministers and the “telephone talk” between the leaders on December 28, 2015. Since there is no document signed by both parties, we have compared the texts translated into English on the website of each government.
- The biggest difference is concerning responsibility. While the ROK government uses the phrase “painfully acknowledges its responsibility”, Japanese government uses “is painfully aware of responsibilities”. The wording by Japan is weaker and more ambiguous.
- On the contrary, regarding the “peace memorial” in front of Japanese Embassy in Seoul, Japanese government uses the phrase the ROK “acknowledged” Japan’s concern, whereas the ROK says they are “aware of” Japan’s concern.
- The ROK Website says “Prime Minister Abe, then, explained that his government would faithfully carry out the programs to help restore the honor and dignity of the comfort women victims and heal their wounds”. This comment, however, is missing from Japan’s website. Instead, Prime Minister Abe stated that the issue of claims were settled in the ROK-JAPAN treaty in 1965., There is no mention of this statement on the ROK website.
- As such, the “agreement” is unclear. The survivors had not been informed of the concrete content or meaning of the “agreement” in advance, which is supposed to be “final and irreversible”.

1, The announcement to the media by the Foreign Ministers of ROK and JAPAN

Japan	Republic of Korea(ROK)
Source: the website of the MOFA of Japan http://www.mofa.go.jp/mofaj/a_o/na/kr/page4_001667.html	Source: the website of the MOFA of the ROK file:///C:/Users/main1/Dropbox/Remarks%20at%20the%20Joint%20Press%20Availability_1%20(1).pdf
Format: The remarks are edited for the written format.	Format : Direct translation of the remarks at the Joint Press conference
(1) Foreign Minister Kishida announced as follows. The Government of Japan and the Government of the Republic of Korea (ROK) have intensively discussed the issue of comfort women between Japan and the ROK at bilateral meetings including the Director-General consultations. Based on the result of such discussions, I, on behalf of the Government of Japan, state the following:	Minister Kishida: The issue of “comfort women” has been intensively discussed so far between Japan and Korea, including through the Director-General level meetings. Based on those outcomes, the Government of Japan states the following.
(i) The issue of comfort women, with an involvement of the Japanese military authorities at that time , was a grave affront to the honor and dignity of large numbers of women, and the Government of Japan is painfully aware of responsibilities from this perspective. As Prime Minister of Japan, Prime Minister Abe expresses anew his most sincere apologies and remorse to all the women who underwent immeasurable and painful experiences and suffered incurable physical and psychological wounds as comfort women.	The issue of “comfort women” was a matter which, with the involvement of the military authorities of the day , severely injured the honor and dignity of many women. In this regard, the Government of Japan painfully acknowledges its responsibility. Prime Minister Abe, in his capacity as Prime Minister of Japan, expresses anew sincere apologies and remorse from the bottom of his heart to all those who suffered immeasurable pain and incurable physical and psychological wounds as “comfort women.”

<p>(ii) The Government of Japan has been sincerely dealing with this issue. Building on such experience, the Government of Japan will now take measures to heal psychological wounds of all former comfort women through its budget. To be more specific, it has been decided that the Government of the ROK establish a foundation for the purpose of providing support for the former comfort women, that its funds be contributed by the Government of Japan as a one-time contribution through its budget, and that projects for recovering the honor and dignity and healing the psychological wounds of all former comfort women be carried out under the cooperation between the Government of Japan and the Government of the ROK.</p> <p>(iii) While stating the above, the Government of Japan confirms that this issue is resolved finally and irreversibly with this announcement, on the premise that the Government will steadily implement the measures specified in (ii) above.</p> <p>In addition, together with the Government of the ROK, the Government of Japan will refrain from accusing or criticizing each other regarding this issue in the international community, including at the United Nations.</p>	<p>The Government of Japan has been seriously dealing with this issue, and on the basis of such experience, will take measures with its own budget to heal the psychological wounds of all the former “comfort women.” More specifically, the Government of the Republic of Korea will establish a foundation for the purpose of providing assistance to the former “comfort women.” The Government of Japan will contribute from its budget a lump sum funding to this foundation. The Governments of Korea and Japan will cooperate to implement programs to restore the honor and dignity and to heal the psychological wounds of all the former “comfort women.”</p> <p>Along with what was stated above, the Government of Japan confirms that through today’s statement, this issue will be finally and irreversibly resolved on the condition that the above-mentioned measures are faithfully implemented.</p> <p>Also, the Government of Japan, along with the Government of the Republic of Korea, will refrain from mutual reprobation and criticism in international forums, including at the United Nations in the future.</p> <p>Regarding the above-mentioned budgetary measure, the expected amount will be around 1 billion Yen. What I have stated is the outcome of consultations held under the instruction of the leaders of both countries, and I am confident that Japan-Korea relations will thereby enter a new era.</p>
<p>(2) Foreign Minister Yun announced as follows. The Government of the Republic of Korea (ROK) and the Government of Japan have intensively discussed the issue of comfort women between the ROK and Japan at bilateral meetings including the Director-General consultations. Based on the result of such discussions, I, on behalf of the Government of the ROK, state the following:</p> <p>(i) The Government of the ROK values the GOJ’s announcement and efforts made by the Government of Japan in the lead-up to the issuance of the announcement and confirms, together with the GOJ, that the issue is resolved finally and irreversibly with this announcement, on the premise that the Government of Japan will steadily implement the measures specified in 1. (1) (ii)above. The Government of the ROK will cooperate in the implementation of the Government of Japan’s measures.</p>	<p>Minister Yun: Now, I would like to state the position of the Government of the Republic of Korea on today’s agreement.</p> <p>The issue of “comfort women” has been intensively discussed so far between Korea and Japan, including through the Director-General level meetings. Based on those outcomes, the Government of Korea states the following.</p> <p>The Government of the Republic of Korea takes note of the statement by the Government of Japan and the measures leading up to the statement, and, along with the Government of Japan, confirms that through today’s statement, this issue will be finally and irreversibly resolved on the condition that the above-mentioned measures stated by the Government of Japan are faithfully implemented. The Government of the Republic of Korea will cooperate in the measures to be taken by the Government of Japan.</p>

<p>(ii) The Government of the ROK acknowledges the fact that the Government of Japan is concerned about the statue built in front of the Embassy of Japan in Seoul from the viewpoint of preventing any disturbance of the peace of the mission or impairment of its dignity, and will strive to solve this issue in an appropriate manner through taking measures such as consulting with related organizations about possible ways of addressing this issue.</p> <p>(iii) The Government of the ROK, together with the Government of Japan, will refrain from accusing or criticizing each other regarding this issue in the international community, including at the United Nations, on the premise that the Government of Japan will steadily implement the measures it announced.</p> <p>2. Furthermore, Foreign Minister Kishida announced that the amount of budget contributed to the foundation would be approximately one billion yen.</p> <p>3. In addition, both sides exchanged views briefly about the Japan-ROK cooperation in the fields of security and other various issues between the two countries.</p>	<p>The Government of the Republic of Korea is aware of the concern of the Government of Japan over the memorial statue placed in front of the Embassy of Japan in Seoul with respect to the maintenance of the peacefulness and respectability of its mission, and will make efforts to appropriately address the concern, including through consultations with relevant groups on possible responses.</p> <p>The Government of the Republic of Korea, along with the Government of Japan, will refrain from mutual reprobaton and criticism in international forums, including at the United Nations in the future, on the condition that the measures stated by the Government of Japan are faithfully implemented.</p> <p>This concludes the position of the Government of the Republic of Korea.</p> <p>I am very pleased to announce here today that, working together, Minister Kishida and I have finally wound up the long and difficult negotiations on this issue before the end of this year, the 50th anniversary of the normalization of diplomatic ties between Korea and Japan.</p> <p>I sincerely hope that the measures to follow up on today's agreement will be faithfully implemented and thereby restore the honor and dignity and heal the psychological wounds of the victims who have had to endure so many years of agony.</p> <p>It is also my sincere desire that, with the conclusion of the negotiations on the "comfort women" issue, the most challenging and difficult issue over history between Korea and Japan, we will be able to open a new chapter in the Korea-Japan relations in the new year with a new spirit of cooperation.</p>
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2, The telephone talk between the Prime Minister ABE and President Park Geun-hye

<p>Source: http://www.mofa.go.jp/a_o/na/kr/page4e_000366.html</p>	<p>Source:http://english1.president.go.kr/activity/briefing.php?srh%5Bboard_no%5D=21&srh%5Bview_mode%5D=detail&srh%5Bseq%5D=13605&srh%5Bdetail_no%5D=448</p>
<p>On December 28, commencing at 17:48 for approximately 15 minutes, Mr. Shinzo Abe, Prime Minister of Japan, held talks by telephone with Ms. Park Geun-hye, President of the Republic of Korea. The overview of the conversation is as follows. (In addition to the two leaders, Mr. Yoshihide Suga, Chief Cabinet Secretary, Mr. Koichi Hagiuda, Deputy Chief Cabinet Secretary, Mr. Hiroshige Seko, Deputy Chief</p>	

Cabinet Secretary, Shotaro Yachi, Secretary General of the National Security Secretariat(NSS), Eiichi Hasegawa, the Special Advisor to the Prime Minister, Akitaka Saiki, Vice Minister for Foreign Affairs sat in from the Japan side during the telephone call.)

1. The two leaders confirmed and appreciated the fact that their governments had reached agreement regarding the issue of comfort women, after having accelerated consultations following the Japan-ROK summit meeting which was held on the occasion of the Japan-China-ROK summit in November.

2.

(1) As Prime Minister of Japan, Prime Minister Abe expressed anew his most sincere apologies and remorse to all the women who underwent immeasurable and painful experiences and suffered incurable physical and psychological wounds as comfort women.

While stating that Japan continued to hold the position that issues relating to property and claims between Japan and the ROK, including the issue of comfort women, had been settled completely and finally by the Japan-ROK Claims Settlement and Economic Cooperation Agreement of 1965, Prime Minister Abe welcomed the fact that the issue of comfort women is resolved “finally and irreversibly” with this agreement.

(2) President Park appreciated the fact that final agreement regarding the issue of comfort women had been achieved in the foreign ministers’ meeting and stated that she looked forward to both sides working to build a new ROK-Japan relations.

(3)The two leaders confirmed that they would take responsibility as leaders to implement this agreement, and that they would deal with various issues based on the spirit of this agreement.

3. The two leaders confirmed the importance of moving forward in Japan-ROK relations by strengthening cooperation between the two countries in various fields such as security, human exchanges and the economy.

President Park Geun-hye received a telephone call from Prime Minister of Japan Shinzo Abe today. They exchanged views on the just-concluded negotiations on the issue of comfort women, who were forced to work as sex slaves by the Japanese military during World War II.

Prime Minister Abe expressed his heartfelt apologies and remorse to all those who suffered immeasurable pain and unbearable physical and psychological wounds as comfort women.

Prime Minister Abe, then, explained that his government would faithfully carry out the programs to help restore the honor and dignity of the comfort women victims and heal their wounds. He also confirmed that the issue of comfort women would be finally and irreversibly resolved through the agreement reached this time.

President Park remarked that this agreement should be made into an invaluable opportunity to restore the honor and dignity of the comfort women victims and mend the wounds rankling in their hearts.

Noting the difficult process the two governments went through to reach the agreement, the President expressed the hope that the two countries would continue to consult closely with each other in order to build trust and open a new chapter in bilateral relations, based on what was agreed upon this time.

Recommendations

to the Government of JAPAN

For Resolution of the Japanese Military Sexual Slavery Issue (the issue of “Comfort Women”)

June 2, 2014

12th Asian Solidarity Conference on the Issue of Military Sexual Slavery by Japan

Adopted with participation by survivors and supporters from eight countries/regions:
Republic of Korea, Taiwan, Philippines, China, Indonesia, East Timor, Netherlands and Japan

The international community is now urging the Japanese government to resolve the Japanese military “comfort women” issue, a grave violation of human rights against women. Resolution of this issue is the first step towards normalization of relations with neighboring countries, and a necessary foundation in order to contribute to world peace. Furthermore, the first step towards “resolution” can only be taken after presentation of a proposal which can be accepted by the survivors themselves.

What then, would be an acceptable proposal to the survivors? An apology is one of the important elements of the resolution sought by the survivors. The key issue here is for the perpetrating country to accurately recognize who conducted which kind of violating acts, to acknowledge responsibility, to clearly and unambiguously express this apology both domestically and internationally, and take continuing measures to make it credible and sincere. Only then will the survivors be able to accept it as a genuine apology.

Now that the survivors, who have been forced to continue to suffer both physically and mentally in the post-war period without recovery, are becoming older, the time remaining for Japan to resolve this issue is short. We, the victims and supporters who participated in the 12th Asian Solidarity Conference, demand that the Japanese government preserve and further develop the “Kono Statement” and, upon recognizing the following points, take the necessary measures.

In order to resolve the Japanese military sexual slavery issue, the Japanese Government should:

Recognize the following facts and responsibilities:

- That the Japanese Government and Military proposed, established, managed and controlled military facilities known as “comfort stations”.
- That the women were forced to become “comfort women” or sexual slaves against their will, and were kept in coercive circumstances in the “comfort stations” etc.
- That there were various forms of victimization of women from the colonies, occupied areas and Japan who suffered sexual violence by the Japanese military, that the scale of victimization was extensive, and that the suffering continues today.
- That it was a serious violation of human rights which contravened a variety of both domestic Japanese as well as international laws of the time.

Take the following measures for reparation:

- Apologize to the individual victims in a manner that is clear, official, and cannot be overturned.
- Make compensation to victims as proof of apology
- Accounting of the truth:
 - ✓ full disclosure of all documents possessed by the Japanese Government
 - ✓ further investigation of documents within Japan and internationally
 - ✓ hearings of survivors and other related persons within Japan and internationally
- Measures to prevent further occurrence:
 - ✓ Implementation of school and social education including references in textbooks used in compulsory education
 - ✓ Implement commemorative activities
 - ✓ Prohibit statements by public figures based on incorrect historical recognition, and clearly and officially rebut similar kinds of statements etc.

Participating organizations:

Korean Council for the Women Drafted for Military Sexual Slavery by Japan [South Korea]
Tague Citizen's Association of Those who acts with Halmoni [South Korea]
Taipei Women's Rescue Foundation [Taiwan]
Lila Pilipina [The Philippines]
East Timor Human Rights Association (HAK) [East Timor]
The Foundation of Japanese Honorary Debt [The Netherlands]
Japan Action for Resolution of the 'Comfort Women' Issue [Japan]

The Fallacy of the Japanese Government's Response to Question 9

Japan All Solidarity Network for the Settlement of the “Comfort Women” Issue⁹

On January 29, 2016 the Japanese government submitted “Responses to the List of Issues and Questions with regard to the consideration of the Seventh and Eighth Periodic Reports” to the committee.

2 (1) of its response to Question 9, is a complete fallacy.

1, In the government's report, it states that “The Government of Japan has conducted a full-scale fact-finding study on the 'comfort women' issue since the early 1990s”, however “‘forceful taking away' of comfort women by the military and government authorities could not be confirmed in any of the documents the Government of Japan was able to identify in the above mentioned study.”

This Government report is based on a statement included in a response issued by the first Abe Cabinet in March 2007, to a question posed by a Member of Parliament. The statement claims that during the government investigation from December 1991 to August 1993, “(The) ‘forceful taking away’ of comfort women by the military and government authorities could not be confirmed in any of the documents that the government of Japan was able to identify”.

2, However, this is utterly false. The Ministry of Justice at that time was in possession of a record from the Extraordinary Court-Martial in Batavia, Indonesia. An overview of this record was submitted to the investigative body charged with researching the "comfort women" issue by August 1993. The overview of the record describes how during a postwar session of the Batavia Extraordinary Court-Martial, military personnel including senior officers of the Japanese Imperial Army forcibly relocated Dutch women being held in internment camps to comfort stations, in order to force them into prostitution. These acts were judged as war crimes, and records show that several guilty verdicts, some of which were death sentences, were issued in response. Surely, this is an account of the military removed women forcibly. Despite being in possession of this document in 1993, the Government of Japan still gave a false response by stating that there was 'no evidence of the military forcibly removing them.' The government has been unable to explain why this is the case despite repeated questioning on this point in the National Diet, and has not responded to calls to correct its official findings to the investigation. Furthermore, this response forms the official position of the Government.

3, The statement in the 2007 response, which outlines the Government's position on this issue is based on the following three limited conditions: (1) No documentation which directly states that the army or government

⁹ Co-representatives : OMORI Noriko (Lawyer, Chief Representative of the `Chinese “Comfort Women” Trial Legal Council”) /NOHIRA Shinsaku (Peace Boat, Co-representative)/ MOCHIHASHI Tamon (All Japan Shipbuilding and Engineering Union, Kanto Area, Post War Legal Compensation)/Secretary-general : TSUBOKAWA Hiroko
Contact : Tel +81-3-3363-8047 (Peace Boat, Nohira) Email : all.rentai.net@gmail.com

authorities forcefully took away women was found (2) included in documentation uncovered by the Government (3) before August 1993. However, the following problems arise as a result. Firstly, the fallacy related to point (3) has already been outlined above. Furthermore the current government report, by misrepresenting this date, maintains to this very day the lie that no proof of forcibly seizing women has been discovered.

Regarding point (2), until the present day, a large amount of documentation has been uncovered by researchers in the private sector, without limiting this remit solely to the Government. However, the Government shows no intention to acknowledge any of this documentation.

In May 2015, following requests from Member's of Parliament and citizens, the Government of Japan finally included in its "comfort women" documentation the "Report on forced prostitution in Borneo" that was submitted as evidence at the "The International Military Tribunal for the Far East" as documentation of the military using force to remove women. Furthermore, this is not the only record of the Japanese military removed people forcibly, with many other documents also in existence. Numerous pieces of documented proof of the Japanese military removed local women or girls by force and forcing them into prostitution exist from the many international trials of Japanese war criminals that were held all over Asia by the Allied Nations, such as "The International Military Tribunal for the Far East". Moreover concrete details of the military and government authorities removing people forcibly are recorded in the report that was sent from the Dutch Government to the Government of Japan. However the Government of Japan continues to state that there "is no documentation that proves that there were cases of forcible removal".

Regarding (1) the state has supervisory responsibility as it asked contractors to capture and recruit women. In addition to abduction, cases where deception or human trafficking were employed also constitute forcible removal. The essence of the "comfort women" issue is that the honour and dignity of the women involved were deeply damaged when they were enslaved in comfort stations and forced to perform sexual acts with military personnel. However, Prime Minister Abe takes the position that the Government of Japan bears no responsibility unless forced capture took place in the form of military or government personnel "forcing their way into houses and abducting". He is spreading the above lie inside and outside Japan.

4, Furthermore, Junior High School textbooks officially approved by the Japanese Ministry of Education state that "the Government of Japan's official view is that no evidence has been found of forceful taking away". The Government of Japan added to the screening of textbooks the criteria that all content should be "in line with the official view of the Government of Japan", which has resulted in the above false views being included in textbooks.

5, The Government of Japan reported to CEDAW that it agreed on a solution with the Korean Government on December 28, last year. In this agreement Prime Minister Abe states that he "is acutely aware of the responsibility of the Government of Japan" and "expresses a heartfelt apology and regret". However, the refusal to acknowledge the truth set out in this government report and submission of a false response to the United Nations, brings into question the sincerity of this Japan-Korea agreement.

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, and finally in 2012, the reference to 'comfort women' despaired. In 2015, one text book publisher tried to include some reference. Please see detailed information in the following pages.

	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) A former comfort woman seeking for compensation and the citizen's group in support. *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)Former Korean comfort women march in protest seeking for postwar compensation from the government of Japan(Tokyo, 1994). *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) Ms. Kim Haksun appeals: Ms. Kim Haksun brought a court case seeking apologies and compensation from the Government of Japan (1991).	(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)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). *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

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	林亜金は、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歳の林亜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。その後も、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方所以上の軍の「慰安所」がつくられ、多くの女性が入られていました。	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ページ図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」として戦地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)	政府の統一的な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, 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.	Lacks necessary consideration of healthy emotional development. (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.”	Lacking description of unified government viewpoint. (Government view on “comfort women”)

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.

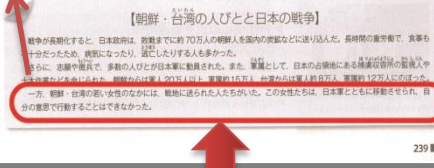


[Kono Statement of 1993]

- 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.
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.
Presently, the government of Japan expresses the view that no documents have been found that directly indicate any so-called forcible abduction by the military or government authority.

[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.



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.

Collage of Japanese newspaper clippings and documents. Includes a photo of Kim Hak-sun, a map of comfort stations, and various articles with red annotations and boxes highlighting specific text.

[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.

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

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 UN High Commissioner for Human Rights Navi Pillay, 6 August 2014

I. Concluding Observations by Treaty Bodies

The following table contains excerpts of relevant clauses pertaining to the “Comfort Women” issue from aforementioned UN human rights treaty bodies’ documents.

Year	Document Number	Excerpt
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1. Human Rights Committee (CCPR)

2014		<p>Sexual slavery practices against “comfort women”</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</p>
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		<p>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>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.</p>
2008	CCPR/C/J PN/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>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.</p>

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

2013	E/C.12/J PN/CO/3	<p>C. Principal subjects of concern and recommendations</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>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.</p>
2001	E/C.12/1/ Add.67	<p>C. Principal subjects of concern</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>E. Suggestions and recommendations</p>

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

2009	CEDAW/ C/JPN/C O/6	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. 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.
2003	A/58/38	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. 362. [abbr.]...The Committee recommends that the State party endeavour to find a lasting solution for the matter of “wartime comfort women”.
1994	A/50/38	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. 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.

4. Committee against Torture (CAT)

2013	CAT/C/J PN/CO/2	C. Principal subjects of concern and recommendations Victims of military sexual slavery 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) (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; (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; (c) Concealment or failure to disclose related facts and materials; (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; (e) The failure to carry out effective educational measures to prevent gender-based
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		<p>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>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:</p> <p>(a) Publicly acknowledge legal responsibility for the crimes of sexual slavery, and prosecute and punish perpetrators with appropriate penalties;</p> <p>(b) Refute attempts to deny the facts by the government authorities and public figures and to re-traumatize the victims through such repeated denials;</p> <p>(c) Disclose related materials, and investigate the facts thoroughly;</p> <p>(d) 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;</p> <p>(e) 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.</p>
2007	CAT/C/JPN/CO/1	<p>Statute of limitations</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>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.</p> <p>Compensation and rehabilitation</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>The Committee considers that both education (article 10 of the Convention) and</p>

		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.
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5. Committee on the Elimination of Racial Discrimination (CERD)

2014	CERD/C/ JPN/CO/ 7-9	<p>Comfort women</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> <p>(a) Conclude investigations on violations of the rights of comfort women by the Japanese military, and bring to justice those responsible for human rights violations;</p> <p>(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;</p> <p>(c) Condemn any attempts at defamation or denial of such events.</p>
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II. Universal Periodic Review (UPR) of Human Rights Council

*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
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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.

III. Statement by the UN High Commissioner for Human Rights

Japan's approach to the issue of "comfort women" causing further violations of victims' human rights¹

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.

ENDS

¹ Source: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14920&LangID=E>