NGO Report /JAPAN

For the 15th session of the UN Committee on Enforced Disappearances (CED) in review of the initial report of JAPAN

October 10, 2018

Japan's Military Sexual Slavery Issue

(The so-called 'comfort women' issue)

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Introduction

- 1. The Women's Active Museum on War and Peace (WAM) was established in August 2005 with donations from people in Japan and abroad. WAM is the main project of the Women's Fund for Peace and Human Rights, a non-profit organization authorized by the Tokyo Metropolitan Government in 2003. 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. WAM has submitted alternative reports on Japan's military sexual slavery system to various UN human rights bodies, such as ICCPR, CESCR, CEDAW, CAT, CERD and UPR of the Human Rights Council.
- 2. WAM welcomes the opportunity to submit the first alternative report on Japan's compliance with the International Convention for the Protection of All Persons from Enforced Disappearance.

1. The reference in the report and replies by the State party

- 3. The first report by the State party (CED/C/JPN/1, dated 25 August 2016), does not contain any reference on the so-called "comfort women."
- 4. The list of issues compiled by the CED (CED/C/JPN/Q/1) requested the State party to provide information on the "comfort women" in paragraph 5 of the general information as follows (underline added by WAM):
 - 5. Please provide updated statistical data, disaggregated by sex, age and nationality, on the number of disappeared persons under the control of the State party, indicating the number of cases that would constitute enforced disappearance, that is, criminal conduct that comprises all three constitutive elements of an enforced disappearance as defined in article 2 of the Convention. In this respect, please also indicate the number of so-called comfort women that are still disappeared, disaggregated by nationality, and clarify whether any complaints of enforced disappearance have been submitted to the State party in this regard (arts. 1, 2 and 12).
- 5. The Replies of the Government of Japan (GoJ) to the list of issues (CED/C/JPN/Q/1/Add.1) dated September 28, 2018, states as follows:
 - 8. Since the Convention on Enforced Disappearance does not apply retroactively to any issues that occurred prior to its entry into force (2010), GoJ considers that it is not appropriate to take up the comfort women

issue in the examination of the Government Report regarding the state of implementation of the Convention.

- 9. Having said that, no "complaint" pursuant to Article 12 of the Convention, including the comfort women issue, has been raised to date against GoJ.
- 6. WAM takes this opportunity to provide alternative information on Japan's military sexual slavery, (euphemistically called "comfort women"), focusing on the Committee's concerns stipulated in the List of Themes (CED/C/JPN/Q/1, para. 5) as well as related issues on the right to truth and reparations.

2. The number of "comfort women" who remain as disappeared (arts. 1-2)

- 7. The State party has never conducted any holistic fact-finding research into Japan's military sexual slavery system, and there is no reliable information available in regard to the number of "comfort women" who remain as disappeared.
- 8. The practice of Japanese military sexual slavery was widespread. WAM conducted research in 2008 as to the locations of the "comfort stations" based on official documents as well as the testimonies of survivors, former soldiers and witnesses. The Japanese military established "comfort stations" wherever it invaded throughout the Asia-Pacific region. Those women and girls who were sexually enslaved came not only from the Korean Peninsula, Taiwan and Japan, but also from the local communities in which Japanese military were stationed (Please see appendix 1).
- 9. In the early 1990's, women from across the Asia-Pacific region broke their silence and testified about their horrific experiences as sexual slaves of the Japanese military. The survivors from the Republic of Korea (ROK), the Democratic People's Republic of Korea (DPRK), China, Taiwan, the Philippines, Malaysia, Indonesia, East Timor, Papua New Guinea and Japan, had come forward. Myanmar, Thailand, Vietnam, Cambodia, Singapore, India, Guam, Solomon Islands, Palau, and other Southern Islands are also countries/regions where the existence of "comfort stations" has been identified, although survivors have not come forward. The estimated total number of the victims of Japan's military sexual slavery system varies from tens of thousands to hundreds of thousands, according to the historians and scholars specializing on the issue¹.
- 10. The State party is still presumed to hold voluminous related records. Independent scholars have identified these to include: police records; colonial records of the Department of Overseas Affairs and the Home Ministry; a huge collection of diaries held by the Defense

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¹ In calculating these estimations, scholars have used figures such as the total numbers of soldiers stationed overseas during the relevant period and various official military records which indicate the ratio, for example, of the numbers of "comfort women" required for certain numbers of soldiers.

Ministry that were kept by officials and personnel who accompanied the military; materials relating to the war crimes trials held by the Justice Ministry; and Welfare Ministry documents relating to repatriation and war victim relief. Although the Japanese government and military officials were ordered to destroy all incriminating official documents at the end of the WWII, scholars assume that the State party still holds many documents housed by the ministries referred to above.

3. Complaints of enforced disappearance (art. 12)

- 11. Groups that support the survivors of Japan's military sexual slavery have to date focused on these surviving women. Therefore further work is required to look once more at existing testimonies from the perspective of enforced disappearance.
- 12. There is one complaint of this nature made by a survivor from East Timor.

Ines Magalhaes, an East Timorese survivor of Japan's military sexual slavery, gave birth in a "comfort station" during the Japanese occupation in the 1940's. She named her new-born girl "Kaibuti" The baby, however, was taken away by a Japanese soldier three months later and Ines Magalhaes has never seen her child again. During a meeting with the Ministry of Foreign Affairs held on November 7, 2016 in Tokyo, Ines Magalhases inquired about the whereabouts of her baby. She has never received any reply².

13. According to Japanese scholars who have researched and interviewed victims of Japan's military sexual slavery in South Sulawesi, Indonesia, there are cases of enforced disappearances³.

Suniati was taken to a "comfort station" during the Japanese occupation in the 1940's with her older sister, Mariyama. Japanese soldiers broke into their house in Sungguminasa while they were sleeping at night and took the sisters to a "comfort station" in Makassar. Suniati was 15 and Mariyama was 18 years old. Both were raped by the Japanese soldiers at the same "comfort station." Suniati was able to escape after two months and, with great difficulty, found her way home. She never saw her sister Mariyama again.

Lahami was taken to a "comfort station" during the Japanese occupation in the 1940's with her older sister, Riki. Lahami was 16 years old. Japanese soldiers broke into her house in Bere and took the two girls to a "comfort station" in Lura. Lahari was able to escape a month later. However, her sister Riki was afraid of being killed if she attempted to escape. Lahari has never seen her sister Riki again.

² The testimony as well as information on the complaint, was provided by the Asosiasaun HAK, a human rights NGO in East Timor.

³ Both interviews were conducted by the South Sulawesi Research Group on November 1, 2015.

14. There will be many other cases of enforced disappearances from regions colonized by Japan. Please refer to the alternative report to be submitted by the Korean Council for Justice and Remembrance for cases related to the Republic of Korea (ROK).

4, Rejection against criminal investigation (arts. 3-12)

Complaints by the survivors rejected

15. Due to the lack of efforts by the State party, on February 7th, 1994, twenty-seven Korean "comfort woman" survivors and their supporting group, the Korean Council for the Women Drafted for Military Sexual Slavery by Japan, tried to submit criminal complaints to the Tokyo District Public Prosecutors Office in order to have that Office initiate a criminal investigation into and prosecution for the "comfort women" system. The Prosecutors Office refused to accept these complaints on the following technical legal grounds: 1. the statute of limitation had expired; 2. the names of the perpetrators were not identified; 3. the facts of the damage incurred were not identified; and 4. the penalty articles were inadequate⁴.

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

- 16. The post-war trials, including the International Military Tribunal for the Far East (IMTFE) held in Tokyo, did not adequately prosecute perpetrators of the sexual slavery system or the enforced disappearances instigated by the Japanese Imperial Army in order to operate the system. This was possibly due to a lack of gender sensitivity among legal professionals at the time. No high-ranking commander was tried for planning or setting up Japan's military sexual slavery system.
- 17. Unlike post-war Germany, where those individuals who committed crimes against humanity during WWII were prosecuted, the State party to date has never itself attempted to bring to justice any individual who committed atrocities in its war of aggression. The State party has never tried any individual for the commission of war crimes. Crimes related to Japan's military sexual slavery are no exception.

5, Objections to the right to truth and reparations (art. 24)

18. The right to truth and reparations on the part of the women who suffered and survived enforced disappearances are not fully protected by the State party.

Denials of Events

19. The State party has not accepted the fact that the "comfort women" system was a system of military sexual slavery. It has yet to acknowledge that the system was a grave human rights violation. The State party continues to refuse to acknowledge the crimes it committed and

⁴ TOTSUKA, Etsuro, "Nihon ga shiranai sensō sekinin" (War responsibility that Japan does not know), Hōgaku Seminar (Legal seminars), No. 472, 1994, pp 104-105

has never, neither at the time nor in the present, admitted its responsibility under international law.

20. Since 2007, the State party has officially denied the "forcible taking away of women by military or government personnel", a position that is based solely on its findings from military and government records. There are existing testimonies made by victims/survivors who were taken away by military personnel against their will or by force, especially in territories occupied during the war by the Japanese Imperial Army such as the Philippines, China, and the Dutch East Indies. The State party, however, refuses to accept these testimonies as evidence.

Concrete examples of denial by Cabinet members and government officials

21. Official denials of events have continued, even after the December, 2015, bilateral "announcement" on the "comfort women" issue made by the Ministers of Foreign Affairs in Japan and the ROK. In January 2016, when both Prime Minister ABE and then Foreign Minister KISHIDA were asked about the meaning of the "announcement" during a Diet session in Japan, they made the following statements:

Foreign Minister KISHIDA: "Expressions such as sex slaves are against the facts and should not be used; such is the understanding of the Japanese government.⁵"

Prime Minister ABE: "This agreement does not mean that [we/the Japanese government] 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 [the western media/the world] has showered [us/Japan] with this criticism. In response [i.e. to this criticism] the government would like to firmly make clear that there is no factual basis to these claims. In 2007, at the time of the first Abe Cabinet, the government made a Cabinet Decision as the official reply to the parliamentary enquiry submitted in writing by MP Kiyomi Tsujimoto. This reply adopted the position that no reference was found then, among the materials discovered by the government, that directly suggested the so-called forcible taking away by military or government personnel. I would like to state anew that there has been no change whatsoever to this position [on the part of the Japanese government]."

22. On February 16, 2016, at the consideration of the 7th and 8th periodic reports of Japan at CEDAW, Shinsuke SUGIYAMA, Deputy Minister for Foreign Affairs stated the following:

"[F]orceful 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 in this study.

I would also like to point out that the expression "sex slaves" contradicts the facts.

 $^{^{5}\,}$ At House of Councilors Budget Committee, 15 January 2016

⁶ At House of Councilors Budget Committee, 18 January 2016

The truth is that the figure "200,000 persons" as the number of comfort women also lacks concrete evidence.⁷

- 23. At a meeting of the House of Representatives Committee on Foreign Affairs held on March 28, 2018, a government official confirmed that the above statement made at the CEDAW on February 2016 by Shinsuke SUGIYAMA is the official position of the Japanese government. The statement was translated into English, Korean and Chinese and uploaded onto the website of the Ministry of Foreign Affairs.
- 24. Denying and obscuring these events causes tremendous suffering and agony to the survivors. For over 25 years, survivors have refused to accept any so-called "apology" by the State party as a genuine apology. The reason for this is precisely because the State party has never made clear the specific nature of the acts for which it is offering an "apology."

Objections to Memorials:

25. The State party has repeatedly stated that any memorials, including the "comfort women" statues erected overseas, are "not in line with Japan's position". The "position" of the Japanese government is, as far as we have seen from its remarks and actions, to erase the memory and history of Japan's military sexual slavery in Japan as well as overseas. This attitude itself is a defamation against the victims/survivors who courageously testified in public about their horrific experiences as Japan's military sexual slaves.

[ROK]

26. The Japanese government continues to demand the removal of the "girl statue for peace" that stands in front of the Embassy of Japan in Seoul. This statue was put in place on December 14, 2011, by citizens including "comfort women" survivors themselves. The memorial was erected on the day of the 1000th demonstration of protest that has been held there by survivors every Wednesday since 1992. In response to the erection of this statue, the Japanese government made official requests to the ROK for its removal, claiming that the monument negatively affects the "dignity of diplomatic establishments abroad" and that it is in violation of the Vienna Treaties concerning consolatory relations. When another girl statue was built by citizens on December 30, 2016, in front of the Consulate-General of Japan in Busan, ROK, the Japanese government demanded the removal also of this second statue and, in protest, summoned back Japan's ambassador to the ROK.

[USA]

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⁷ See the website of Ministry of Foreign Affairs: https://www.mofa.go.jp/mofaj/files/000140100.pdf

⁸ The "Wednesday Demonstration" started on January 8, 1992 in front of the Japanese Embassy in Seoul. Korean survivors of Japan's military sexual slavery and their supporters have continued to stand in front of the Embassy every Wednesday at noon calling for the restoration of their honor and dignity. The Wednesday Demonstrations have been carried out regardless o the weather with two exceptions. These were the Wednesdays just after the 1995 Great Hanshin Earthquake and the 2011 Great East Japan Earthquake and Tsunami. On December 14, 2011, at the 1000th demonstration, the "girl statue for peace" was erected.

At the press conference held on February 17, 2017, Foreign Minister Kishida stated that he made the request again to the Foreign Minister of the ROK "in a strong manner," reported on the website of Ministry of Foreign Affairs. http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4_000458.html#topic1

- 27. On February 22, 2017, the Japanese government filed an *amicus curiae* brief to the U.S. Supreme Court (in *Gingery et al. v. City of Glendale*) in support of the revisionist plaintiffs who sued the city of Glendale to demand the removal of a "comfort women" memorial that the city erected in July 2013. In this document the Japanese government argues that the girl statue "presents a significant impediment to Japan's diplomatic efforts" as it is "not in line" with the "spirit" of the bilateral agreement of 2015. The Japanese government also "strongly disagrees that the inscription on the Glendale monument accurately describes the historical record, which Japan has studied at length." When the U.S. Supreme Court dismissed the case on March 27, 2017, Chief Cabinet Secretary Yoshihiro SUGA again stated that setting up comfort women statues is "irreconcilable" with Japan's stance and "extremely regrettable". SUGA also claimed that the Japanese government continues to promote an "accurate understanding" of its basic stance and activities relating to this issue. 11
- 28. On June 30, 2017, a girl statue was erected in a Brookhaven park in Atlanta, USA. Prior to the installation, Takashi SHINOZUKA, the consul general of Japan in Atlanta, stated the following on June 16, 2017, in an attempt to block this installation:

No evidence has been found about [this issue]. So first of all, this is [a] fact of history. Not 200,000, not sex slaves and not taken by force. Maybe you know that in Asian culture, in some countries, we have girls who decide to take this job to help their family. [abbr.] The memorial which the city of Brookhaven would like to have is not a simple art object but a political tool which has many controversial implications. As you can see, this has been [a] symbol of hatred and resentment against Japanese.¹²

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

[Germany]

29. On March 8, 2017, a "girl statue" was erected by a private entity on private premises in Bavaria, Germany. The State party again showed resentment and demanded its removal. At a press conference on March 10, 2016, Foreign Minister KISHIDA noted that "the recent developments centering round comfort women statues are extremely regrettable. We will continue to make every effort to explain the position of our country." At the end of April, due to persistent meddling by the Japanese government, the owner removed the plaque from the statue base which had provided an historical explanation of the "comfort women" issue.

[The Philippines]

30. On December 8, 2017, a statue was erected on Roxas Boulevard in Metro Manila, the Philippines, in memory of the suffering of the women sexually abused by the Japanese

 $^{^{10}\ \} The\ website\ of\ Ministry\ of\ Foreign\ affairs,\ http://www.mofa.go.jp/mofaj/files/000231732.pdf$

¹¹ "US comfort woman statue: CCS calls for understanding of Japanese government's position", NHK, 28 March 2017. http://www3.nhk.or.jp/news/html/20170328/k10010927181000.html

¹² Website of Reporter Newspapers on June 20, 2017

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

The website of Ministry of Foreign affairs, http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4_000467.html#topic2

military during WWII. The Statue was proposed by a civil society organization in the Philippines, authorized by the National Historical Commission of the Philippines, and handed over to Manila City on December 8, 2017.¹⁴ On December 12, Chief Cabinet Secretary SUGA said in a press conference that "erecting the comfort women statue abroad is not consistent with the position of Japanese government and extremely regrettable".¹⁵ In February 2018, when Japan's Minister for Internal Affairs and Communication, Seiko NODA, visited Manila, she again expressed regret about the erection of the "comfort women" statue.¹⁶ Although at first, the Philippines president, Rodrigo Duterte, stated that the statue was a symbol of "freedom of expression",¹⁷ during the night of April 27, 2018, the statue was demolished by the government of the Philippines. Estelita Dy, a victim/survivor who was sexually enslaved by Japan's military at the age of 13 in 1945, stated to the media that "it's a personal insult to us comfort women," "the world needs to know that here in the Philippines, there are comfort women, too…it's like they want to erase our existence and for the world to forget about the crimes that the Japanese soldiers committed."¹⁸

Modified references in history textbooks

31. Most victims hope that, in order to prevent recurrences, history will be told accurately to future generations. However, although all history textbooks used in compulsory education between 1997 and 2001 in Japan included some reference to the "comfort women" issue, the number of such textbooks decreased between 2002 and 2006. In 2012, the term "comfort women" was erased from all compulsory education textbooks. In 2016, a reference to "comfort women" appeared in one history textbook only among books produced by 8 publishers. This reference, however, was largely modified under the scrutiny of a committee set up by the government to approve textbooks for use in compulsory schooling (see Appendix B).

Objections to Museums

- 32. As the "comfort women" issue did not appear in textbooks in mandatory education until 1997, most adults have not had a chance to learn about this issue. Thus, it is important to provide other means of educating people about "comfort women". However, neither the National Museum of Japanese History nor any other national museum related to the history of WWII explains the facts regarding Japan's military sexual slavery.
- 33. Furthermore, the State party objected to and harshly criticized the establishment of museums focusing on the "comfort women" issue in the ROK, China and Taiwan. For example, when then President Ma of Taiwan expressed interest in setting up a memorial museum on "comfort women," Chief Cabinet Secretary SUGA said: "This is of course in conflict with Japan's position"; "If such efforts seem likely to be formalized, then we intend to explain our

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 $^{^{14}\,\,}$ The Daily Manila Shimbun, December 11, 2017

Asahi Shimbun, December 12, 2107

¹⁶ The Daily Manila Shimbun, January 10, 2018

¹⁷ The Daily Manila Shimbun, January 18, 2018

¹⁸ Philippine Star, May 20, 2018

position [to the government of Taiwan] through a variety of channels and thrash it out [with them] so that the plan is cancelled." ¹⁹

Objections to safeguarding the documents: UNESCO Memory of the World (MoW)

- 34. The State party is openly against the civil society's initiative to register documents related to Japan's military sexual slavery with the UNESCO Memory of the World (hereafter, MoW). On May 15, 2015, Prime Minister ABE noted "with emphasis" to members of his Liberal Democratic Party, including the head of the party's Foreign Affairs Division: "It is important to start making all-out efforts now so as not to have [the materials concerning "comfort women"] registered [with MoW]". 20
- 35. In May 2016, civil society groups from 8 countries and regions, namely, the Republic of Korea, China, Taiwan, the Philippines, Indonesia, East Timor, the Netherlands, and Japan, together with the Imperial War Museum in the UK, nominated the series of more than 2000 documents on Japan's military sexual slavery to the MoW under the name "the Voices of Comfort Women." For this nomination, national archives in places such as the US, Australia, China, Taiwan, the Republic of Korea and the Netherlands, gave permission for their documents related to the "comfort women" issue to be lodged with the MoW.
- 36. The State party has made all-out efforts to pressure UNESCO not to register "comfort women" documents in the MoW, even suspending its fiscal contribution of US\$34 million to UNESCO. The Register Sub-committee of the MoW notified the nominators by letter that the "Voices of Comfort Women" documents are "unique and irreversible". In October, 2017, however, the International Advisory Committee of the MoW made a recommendation to the Director General, Irina Bokova, to leave the registration of these documents pending for "dialogue." The Director General accepted this recommendation. Presently, the government of Japan is making another all-out effort to change the rules of the MoW to give relevant governments the right to intervene in decision making processes. This is a threat to the international human rights community which to date has safeguarded documents related to human rights violation by state actors through the UNESCO Memory of the World.

Recommendations

WAM respectfully requests the Committee on Enforced Disappearances:

• To urge the State party to conduct through fact-finding research into Japan's military sexual slavery system with a special focus on those who remain as disappeared, and to also ensure the rights to truth and reparations of the victims/survivors.

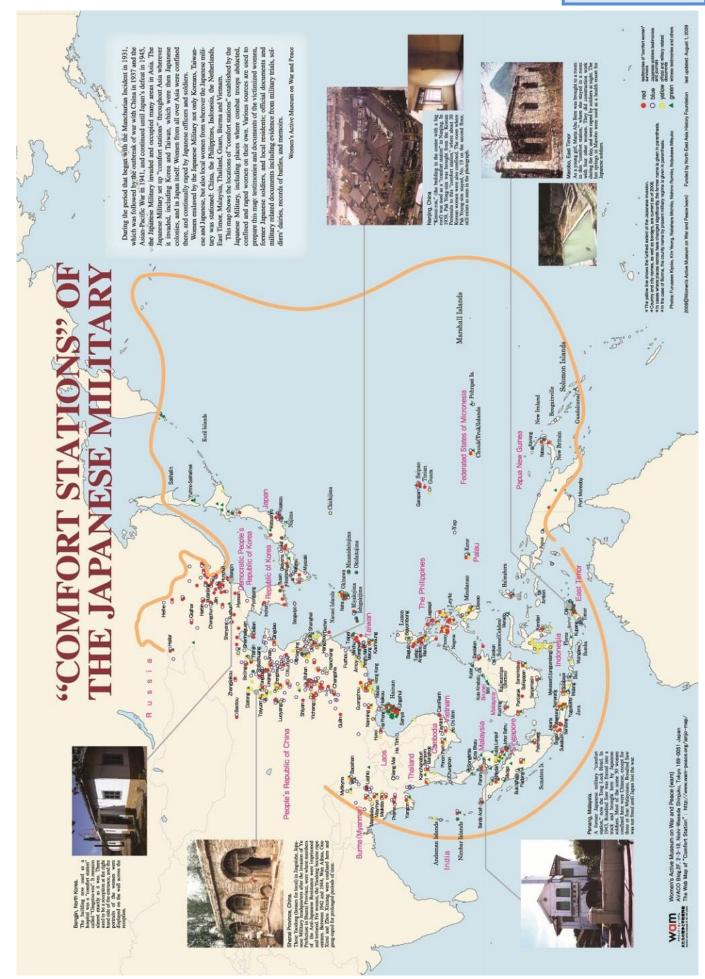
¹⁹ At the Cabinet Secretary's press conference on June 5, 2015

²⁰ "PM Abe: Memory of the World 'requires close examination': efforts for 'comfort women' non-registration", Jiji Wire Service, 15 May 2015. Archived at:http://archive.fo/nArGp

²¹ Sankei Newspaper, May7, 2017.

²² https://en.unesco.org/news/international-advisory-committee-recommends-78-new-nominations-unesco-memory-world

²³ Sankei Newspaper, January 3, 2018



受理	里番号	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	指摘	箇所	指牆事項			指摘事由	検定
号	ページ	行	10 16 A. X			18 响 争 四	基準
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 を鎖圧しようとした。			けるおそれのある表現である。 り動き」の鎮圧にいたる経緯)	3- (3)
235	278	1 - 14	林亜金は、海南島(中国)の小さ暮らしていました。・・・多くの 入れられていました。		て調和がとは (辞典類,通	が、具体の事項に偏っており、全体 していない。 史的概説書にもほとんど取り上げ を例であり、生徒が理解・追究でき	られて 2-(5)
236	278	4 - 9	1943年の夏、19歳の林亜金が稲 手伝っていたとき、突然、日本兵 て、いっしょにいた3人ととも 駐屯地に連行されました。かち 小屋に別々に入れられ、日本兵	たが現れ に、軍の やぶきの	0)育成について必要な配慮を欠いて こついての具体的な記述)	1-(5)
			暴行を受けました。少しでも と、なぐられたり蹴られたり、大 火を押しつけられたりしました 後も、島内各地の駐屯地で、大 の相手をさせられました。	きばこの き。その		3	-
237	278		海南島には、4カ所以上の軍の 所」がつくられ、多くの女性が れていました。			るおそれのある表現である。 ~12行目及び279ページ図4との関	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 と日本の戦争】の「一方、朝鮮 の若い女性たちのなかには、「鬼 として戦地に送り込まれた人だ	・台湾 対安婦」	0	な見解に基づいた記述がされてい に関する政府見解)	aない 固有 2-(4)
			た。女性たちは、日本軍ととも させられて、自分の意思で行動 かった。」も同様)				

Explanation from WAM:

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

*English translations are in gray.

	¥
Flagged Items	Explanation
LIN Yajin was living in a small village in	The choice of subject matter is slanted to
Hainan(China) many women were kept inside then	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	Lacks necessary consideration of healthy
helping with the rice harvest when a group of Japanes	
soldiers suddenly appeared and abducted her and thre	
others girls. They were taken to an army barracks and	
placed separately in small rooms with thatched roofs	(concrete description with regard to
where they were violated by the soldiers. If they	"violent acts")
showed the least resistance, they were beaten, kicked	
and burned with cigarettes. In the period that followed	1,
they were forced to lie with countless soldiers in	
outposts scattered about the island.	
At least four military "comfort stations" were built on	An expression liable to be misunderstood by
Hainan Island with numerous women kept inside ther	, i
*	same page and to Illustration No. 4 on page
	279)
The Testimony of Kim Hak-Sun (whole)	Lacking description of unified
Same for the column on page 237, [Japan's War and t	
People of Korea and Taiwan] "In addition, some your	
women from Korea and Taiwan were sent to the	(Sovermment view on comfort women)
battlefield as "comfort women." The women were	
transported with Japanese troops and were unable to a	ct
of their own will."	

BEFORE

Explanation from WAM:

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

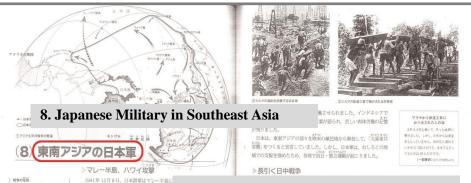
9. Reconsidering the Postwar Born and Raised on Hainan Island

LIN Yajin was living in a small village in Hainan (China) when Japanese troops occupied the island in 1939 and began developing mines and constructing airfields. LIN Yajin had a dream that one day she would meet the right man, have children and continue her life farming in the village. In the summer of 1943 at the age of 19, she was helping with the rice harvest when a group of Japanese soldiers suddenly appeared and abducted her and three 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

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

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

*AV232 金学順に続いて名乗り出る女性たちが次々と現れ、日本政府に、御



[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.



The Testimony of Kim Hak-Sun

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

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

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

本軍は、東南アジア各地から人びとを労務者として集め、飛 以降、タイからピルマに向かう鉄道を建設するため、ピルマ 。 万人、タイから3万人。マラヤとジャワ島から8万人など多く)ジャングル地帯の建設現場に送り込みました。

Locations where "Comfort Stations" were established.

2年になると、日本軍はマレー半島で

対しているとみなした中国系住民を集合

南アジア全域と香港を支配しました。

鉱山を接収して、重要な資源を獲得!

あまりの突貫工事で、鉄道は完成させましたが、重労働で多く

が過労や病気で倒れ。多数の死者を出しました。この工事では、

"He's taking me

away," a painting by

Korean former "comfort

woman" Kim Soon-duk

マトラ・ビルマでは油田を接収し

などの肉体労働にかり立て主した

油も、鉄も、人間も

Shows only places confirmed through existing public documents. Produced with cooperation from WAM.

本軍の最大勢力員回 罪と補償を求めました。日本政府も「監安所」の 設置や運営に軍が関与していたことを認め、お詫 設置や選性に重か関与していたことを認め、お眠 びと反音の意を表しました。一方で政府は、戦争 についての管理は国家間で解決済みであり、個 人への補償は行わないとしています。そのため、 1995年、「女性のためのアジア平和国民基金」を発足さ 国民の募金による「僕い金」をわたし、政府の出資により医療・福祉 を支援する事業を始めました。これに対して、国家の責任をあいまい にしているとして、受け取りを拒否する女性も出ました。 「慰安婦」制度の問題は、国連の人権委員会やアメリカ議会などでも 取り上げられ、戦争中の女性への暴力の責任が問われるようになってい 日前条件母子 (2002年 >問い直される人権の侵害 1990年代、世界では、戦時下や植民地支配下での人権侵害を問い直 す動きがすすみました。2001年に南アフリカで開かれた、国産主傷の 会談で、奴隷貿易や奴隷制度、植民地支配の責任が初めて問われました。 アメリカ政府とカナダ政府は、第二次世界大戦中に日系アメリカ人 を強制収容所に入れたことを謝罪し、被害者に補償を行いました。イ ギリス政府は、植民地だったケニアで、独立を求める人びとを収容所 に入れ拷問などの虐待をした問題で、2013年、被害者へ補償を ことを表明しました。 (戦争被害への個人補償)

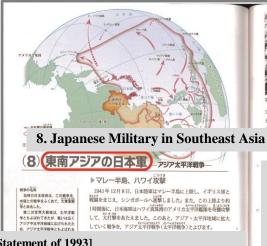
12

scattered about the island. The war ended two years later and LIN Yajin

海南島に生まれ育って 939年に島を占領し、鉱山の開発や飛行場の建設を始めました 林亜金は、好きな人と出会い子どもを産み、村で農業を続けるとい Kono Statement 本兵たちの暴行を受けました。少しでも抵抗すると、なぐられたり誰 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。 **河南北洋安保县安设**县 2年後に戦争は終わり、林亜金は村に帰りました。村は焼きつくされ、 父母も兄も死んでいました。体を壊した林亜金は、姉の家に引き取られましたが、「人生のすべてが狂わされた」と嘆き続けました。 (かたり) 海南島には、4カ所以上の軍の「慰安所」がつくられ、多くの女性が 入れられていました。 1990年、日本の政府は、国会での質問に対して、「慰安婦」は民間業 者が連れ歩いたものだと答え、韓国でも報道されました。これを知っ た金学順(当時67歳)は、「生き証人がここにいる」と名乗り出て、軍 とは難しかった。帰随者たちは、個人として国 帰国者の生活を支援する新しい制度をつくった

AFTER

WAM: The sentences below highlighted in red by WAM were inserted after the government screening. The first sentence suggests that the "comfort women" issue applies only to Korea. The second summarizes the current 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
- •The recruitment, transfer, etc. from Korean Peninsula were conducted generally against their will.
- •[This was an act] with the involvement of the military authorities of the day, that severely injured the honor and dignity of many women. The Government of Japan would like to extend its sincere apologies and remorse to all those, irrespective of place of origin, who suffered immeasurable pain and incurable physical and psychological wounds [as comfort women].
- •We shall face squarely the historical facts, and reiterate our firm determination never to repeat the same mistake by forever engraving such issues in our memories through the study and teaching of history. [excerpt]
- *Presently, the government of Japan expresses the view that no documents have been found that directly indicate any so-called forceful abduction by the military or government authority.

Explanation from WAM:

Survivor testimonies as well as their actions demanding the right to reparations have completely disappeared. As for visuals, paintings by "comfort women" survivors and a 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.



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

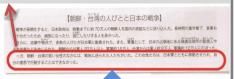
シンガポールとマラヤ(マレーシア)を占領しました。日本軍はシン

ガポールの中国系住民を何カ所かに集合させて、日本に敵対している

日本軍は、さらにフィリピン・インドネシア・ビルマ (ミャンマー)

**・ を処刑しました。

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: The phrase "comfort women" was erased after the screening.

WAM: Although the paragraph mentions Kim Hak-sun, the first "comfort women" victim come forward, the phrase "comfort women" is omitted. The responsibility of the Japanese government has been rendered so vague as to be almost impossible to understand.

[Reconsidering Human Rights Violations]

Spurred by the testimony of Kim Hak-sun in 1991, the Japanese government undertook an investigation of violence against women and violations of human rights during wartime. In 1993, the government issued its opinion, extending apologies and feelings of remorse. The movement to readdress human rights violations during wartime 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

Updated: October 2018

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	Mr. Zaid Ra'ad Al Hussein, the UN High Commissioner for Human Rights, 10 March, 2016

Prepared by: Women's Active Museum on War and Peace (WAM) 2-3-18, Nishi-Waseda, Shinjuku, Tokyo 169-0051 Japan t+81-(0)3-3202-4633 f+81-(0)3-3202-4634 wam@wam-peace.org URL:www.wam-peace.org



I. Concluding Observations by Treaty Bodies [on Japan]

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

Year	Document	Excerpt
	Number	

1. Human Rights Committee (CCPR)

1. 1141	Tan Kights	Committee (CCPR)		
2008	CCPR/C/J	22. The Committee notes with concern that the State party has still not accepted its		
	PN/CO/5	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)		
		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.		
2014	CCPR/C/J	Sexual slavery practices against "comfort women"		
	PN/CO/6	14. The Committee is concerned by the State party's contradictory position that the		
		"comfort women" were not "forcibly deported» by Japanese military during wartime but		
		that the "recruitment, transportation and management" of these women in comfort stations		
		was done in many cases generally against their will through coercion and intimidation by		
		the military or entities acting on behalf of the military. The Committee considers that any		
		such acts carried out against the will of the victims are sufficient to consider them as human		
		rights violations involving the direct legal responsibility of the State party.		
		The Committee is also concerned about re-victimization of the former comfort women by		
		attacks on their reputations, including some by public officials and some that are encouraged		
		by the State party's equivocal position. The Committee further takes into account,		
		information that all claims for reparation brought by victims before Japanese courts have		
		been dismissed, and all complaints to seek criminal investigation and prosecution against		
		perpetrators have been rejected on the ground of the statute of limitations. The Committee		
		considers that this situation reflects ongoing violations of the victims' human rights, as well		
		as a lack of effective remedies available to them as victims of past human rights violations		
		(arts.2,7 and 8).		
		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.

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

2001	E/C.12/1/	26. The Committee expresses its concern that the compensation offered to wartime "comfort
	Add.67	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.
		E. Suggestions and recommendations
		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.
2013	E/C.12/J	26. The Committee is concerned about the lasting negative effects of the exploitation to
	PN/CO/3	which 'comfort women' were subjected on their enjoyment of economic, social and cultural
		rights and their entitlement to reparation. (art. 11, 3)
		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.

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

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.			
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".			
2009	CEDAW/	37. The Committee notes that some steps were taken by the State party to address the			

	C/JPN/C	situation of "comfort women" but regrets the State party's failure to find a lasting solution
	O/6	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.
2016	CEDAW/	"Comfort women"
	C/JPN/C	28. The Committee recalls its previous concluding observations (CEDAW/C/JPN/CO/6,
	O/7-8	paras. 37 and 38) and also refers to numerous recommendations on the unresolved issue of
		"comfort women" made by other United Nations human rights mechanisms such as the
		Committee on the Elimination of Racial Discrimination (CERD/C/JPN/CO/7-9), the Human
		Rights Committee (CCPR/C/JPN/CO/6), the Committee Against Torture
		(CAT/C/JPN/CO/2), the Committee on Economic, Social and Cultural Rights
		(E/C.12/JPN/CO/3), several United Nations special procedures mandate holders of the
		Human Rights Council and the universal periodic review (A/HRC/22/14/Add.1, for
		example, paras. 147-145). While noting the efforts by the State party to attempt to resolve
		the issue of "comfort women", most recently through the bilateral agreement between the
		State party and the Republic of Korea announced on 28 December 2015, the Committee
		regrets that the State party has not implemented the aforementioned recommendations and
		that its position on the issue of "comfort women" does not fall within the mandate of the
		Committee since the alleged violations occurred prior to the entry into force of the
		Convention by the State party in 1985. The Committee further regrets:
		(a) That, recently, there has been an increase in the number of statements from
		public officials and leaders regarding the State party's responsibility for violations
		committed against "comfort women"; and the announcement of the bilateral
		agreement with the Republic of Korea, which asserts that the "comfort women"
		issue "is resolved finally and irreversibly" and did not fully adopt a victim-centred
		approach;
		(b) That some "comfort women" have died without obtaining an official
		unequivocal recognition of responsibility by the State party for the serious human
		rights violations that they suffered;
		(c) That the State party has not addressed its obligations under international human
		rights law towards "comfort women" victims in other concerned countries;
		(d) That the State party deleted references to the issue of "comfort women" in
		textbooks.
		29. The Committee reiterates its previous recommendations (CEDAW/C/JPN/CO/6,
		paras. 37 and 38) and observes that the issue of "comfort women" gives rise to serious
		violations that have a continuing effect on the rights of victims/survivors of those
		violations that were perpetrated by the State party's military during the Second World
		War, given the continued lack of effective remedies for those victims. The Committee,
		therefore, considers that it is not precluded ratione temporis from addressing such
		violations and urges the State party:
	1	1 mus as Day and Same Lay of s

(a)To ensure that its leaders and public officials desist from making disparaging statements regarding responsibility, which have the effect of retraumatizing victims;
(b)To recognize the right of victims to a remedy, and accordingly provide full

(b)To recognize the right of victims to a remedy, and accordingly provide full and effective redress and reparation, including compensation, satisfaction, official apologies and rehabilitative services;

(c) To ensure that, in the implementation of the bilateral agreement announced jointly with the Republic of Korea in December 2015, the State party takes due account of the views of the victims/survivors and ensures their rights to truth, justice and reparations;

(d)To adequately integrate the issue of "comfort women" in textbooks and ensure that historical facts are objectively presented to students and the general public;

(e)To provide information in its next periodic report on the extent of consultations and other measures taken to ensure the rights of victims/survivors to truth, justice and reparations.

4. Committee against Torture (CAT)

	and the second	2010010 (0111)
2007	CAT/C/I	Statute of limitati

PN/CO/1

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.

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.

Compensation and rehabilitation

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.

The Committee considers that both education (article 10 of the Convention) and remedial measures (article 14 of the Convention) are themselves a means of

	Т	
		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.
2013	CAT/C/J	Victims of military sexual slavery
	PN/CO/2	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
		breaches of the Convention, as illustrated, inter alia, by a decrease in references to this
		issue in school history textbooks;
		(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/2, para.36), and gayard gracial procedures?
		and Cultural Rights (E/C.12/JPN/CO/3, para.26) and several special procedures'
		mandate-holders of the Human Rights Council.
		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:
		(a) Publicly acknowledge legal responsibility for the crimes of sexual slavery, and
		prosecute and punish perpetrators with appropriate penalties;
		(b) Refute attempts to deny the facts by the government authorities and public
		figures and to re-traumatize the victims through such repeated denials;
		(c) Disclose related materials, and investigate the facts thoroughly;

(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;					

(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.

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

5. Coi	5. Committee on the Elimination of Racial Discrimination (CERD)				
2014	CERD/C/	Comfort women			
	JPN/CO/	18. The Committee notes information provided by the delegation of the State party about			
	7-9	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).			
		The Committee urges that the State party take immediate action to:			
		(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;			
		(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;			
		(c) Condemn any attempts at defamation or denial of such events.			
2018	CERD/C/	Comfort women			
	JPN/CO/	27. While noting information provided by the State party on the efforts to resolve the issue			
	10-11	of "comfort women", including the recent agreement with the Republic of Korea in 2015,			
		the Committee is concerned at reports that these efforts do not take a fully victim-centred			
		approach, that the surviving comfort women were not adequately consulted and that this			
		solution did not acknowledge unequivocal responsibility for the human rights violations			
		committed against these women by the Japanese military before and during the Second			
		World War. The Committee is also concerned by statements of some public officials,			
		minimizing the responsibility of the Government with respect to comfort women, and their			
		potential negative impact on survivors.			
		28. The Committee recommends that the State party ensure a lasting solution to			
		the issue of comfort women with a victim-centred approach, inclusive of comfort			
		women of all nationalities, accepting responsibility for its role in the violation of the			
		human rights of these women. The Committee requests detailed information in its			
		next periodic report on efforts to resolve the issue of comfort women, including			
		adequate measures addressing surviving comfort women and their families.			

II. Concluding Observations by Treaty Bodies [on Republic of Korea]

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

2018	CEDAW/	"Comfort women"
	C/KOR/C	26. The Committee recalls its concluding observations concerning Japan
	O/8	(CEDAW/C/JPN/CO/6, paras. 37 and 38, and CEDAW/C/JPN/CO/7-8, paras. 28 and 29)
		and welcomes the additional steps taken by the State party since the publication, on 27
		December 2017, of the results of the review of the bilateral agreement between the State
		party and Japan of 28 December 2015. It further notes the State party's intention to
		implement follow-up measures based on a victim-centred approach, and the opposition of
		victims/survivors and their families to the Reconciliation and Healing Foundation
		established under the bilateral agreement to distribute 1 billion yen received from Japan.
		27. The Committee recommends that the State party:
		(a) Ensure that, in the implementation of the bilateral agreement announced jointly
		with Japan in December 2015, the State party takes due account of the views of the
		victims/survivors and their families;
		(b) Ensure that the rights to truth, justice and redress of the victims/survivors and
		their families are fully upheld, including rehabilitation and fair and adequate
		compensation to be afforded without delay.

2. Committee against Torture (CAT)

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

III. Statement by then 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.

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

• Mr. Zaid Ra'ad Al Hussein, the High Commissioner for Human Rights

The following is the excerpt from the statement made on March 10, 2016, during the 31st session of Human Rights Council.

Last year I highlighted the unresolved suffering, and search for justice, of the women who survived sexual slavery by Japanese military forces during World War II. Since then, in December 2015, the Governments of Japan and the Republic of Korea have announced a bilateral agreement to address the issue. Its terms have been questioned by various UN human rights mechanisms, and most importantly by the survivors themselves. It is fundamentally important that the relevant authorities reach out to these courageous and dignified women; ultimately only they can judge whether they have received genuine redress.²

 $^{^2\} URL: http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=17200\&LangID=E$