**NGO Alternative Report /JAPAN**

For the 80th session of the UN Committee on the Rights of the Child (CRC)

in review of the fourth and fifth report of JAPAN

December 13, 2018

THEME

**The Right of the Child to Education**

For learning a balanced and gender-sensitive view

of historical events in the Asia-Pacific region

\*This report will especially focus on the issue of Japan’s military sexual slavery

(euphemistically called the “comfort women” issue)

CONTENTS

1. Introduction………………………………………………………………… p1
2. The reference in the concluding observations and the State party’s report… p1
3. Reference in the history textbooks…….………………………………… p2
4. Objections to Museums………………….………………………………… p3
5. Objections to Memorials………………….………………………………… p4
6. Objections to safeguarding the documents………………………………… p6
7. Recommendation……………………………….…………………………… p7

Appendix

A: Table: The reference to “comfort women” in history textbooks ………… p8

B: Chart: Changes required to the textbook published in 2016 ………………p9

C: Map: “Comfort Stations” ……………….…….………………………… p12

D: List: Recommendations by the UN Human Rights Bodies……………… p13

****Prepared and Submitted by:

**Women's Active Museum on War and Peace (WAM)**

Avaco Bldg. 2F, 2-3-18, Nishi-Waseda, Shinjuku, Tokyo 169-0051 Japan

Tel:+81-3-3202-4633 wam@wam-peace.org URL:www.wam-peace.org

**1, 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, CED and UPR of the Human Rights Council.
2. WAM takes this opportunity to provide alternative information on the right of the child to education (arts. 28, 29 and 31), especially for a balanced and gender-sensitive view of historical events in the Asia-Pacific region. Due to our limited capacity and expertise, we will specifically focus on the issue of Japan’s military sexual slavery system (euphemistically called the “comfort women” issue) and the right of the child of the present and in the future, although many of the victims of Japan’s military sexual slavery were in fact children, as defined by this convention, at the time of their victimization.

**2, The reference in the concluding observations and the State party’s report**

1. The last Concluding Observations by the CRC in 2010 (CRC/C/JPN/CO/3) recommended on the right of child to education, especially on history education, as follows:

74. The Committee is concerned at information that Japanese history textbooks do not enhance the mutual understanding of children from different countries in the region as they represent a Japanese interpretation of historical events only.

**75. The Committee recommends that the State party ensure that officially reviewed textbooks present a balanced view of historical events in the Asia-Pacific region.**

1. In the fourth and fifth report by the State party (CRC/C/JPN/4-5, dated 1 November 2017), it replied as follows: (underline added by WAM)

128. (Concluding observations, paragraphs 74 and 75) Japan has introduced the textbook authorization system for the textbooks used in elementary, middle and high schools, etc. The purpose of the textbook authorization system is not to establish the specific perception of historical events or historical facts by the government, but to identify obvious errors or significant imbalances in the description of textbook produced in the private sector, in light of the results of objective academic achievement and appropriate materials, through authorizations conducted by the Textbook Authorization Research Council, which comprises experts from non-governmental sectors. Such authorizations are conducted in accordance with the Basic Act on Education, which aims to foster an attitude of respect for other countries and a desire to contribute to world peace and the development of the international community, and with the Textbook Authorization Standards, which specify that necessary consideration should be given from the viewpoint of international understanding and cooperation with neighboring Asian countries. Accordingly, the Committee’s concern that “Japanese history textbooks do not enhance the mutual understanding of children from different countries in the region as they represent a Japanese interpretation of historical events only,” misses the point.

The Japanese government has been striving to deepen children’s understanding of Japan and the international community and promote mutual understanding and mutual trust with neighboring countries and other countries through proper history education.

1. As the State reports quoted, the Basic Act on Education stipulates in Art 2(5) that one of the objectives of education is “fostering the value of respect for tradition and culture and love of the country and regions that have nurtured us, as well as the value of respect for other countries and the desire to contribute to world peace and the development of the international community”. The provision in the Textbook Authorization Standards mentioned in the State party’s report is well-known as the “neighboring countries clause”. The fact is, however, that the State party fails to implement even these existing domestic provisions.
2. Therefore, WAM will provide the following facts and information about how the State party has been failing to ensure balanced and accurate educational resources to children especially regarding Japan’s military sexual slavery issue.

**3, Reference in history textbooks**

1. The textbook system in Japan is a “government-controlled” system through a governmental screening process. The Education and Science Ministry determines and writes the national curriculum for compulsory education, and neither the criteria nor the procedures how the members of the screening committees are appointed have been fully disclosed. The screening system itself has been criticized by lawyers, teachers and civil society organizations.
2. The references to the issue of “comfort women” appeared in all middle school textbooks screened in 1996 and used from 1997. This is precisely due to the fact that the government of Japan in 1993 acknowledged the military involvement and the forceful nature in “comfort stations.”[[1]](#footnote-1) The government admits that “comfort stations were operated in response to the request of the military authorities of the day,” “the then Japanese military was, directly or indirectly, involved in the establishment and management of the comfort stations and the transfer of comfort women,” and “the government study has revealed that in many cases they were recruited against their own will, through coaxing, coercion, etc., and that, at times, administrative/military personnel directly took part in the recruitments.” Further the government of Japan 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.”
3. However, the reference to the “comfort women” issue declined dramatically from the next screening, and in the textbooks used in 2006, the phrase “comfort women” was completely gone, and weakened descriptions without meaningful explanation remained in only two textbooks. All the references to the “comfort women” issue were gone by 2012 in all the textbooks used in Japan’s middle school, the final stage of compulsory education. (Please refer to Appendix A).

1. In observing these changes, Nariaki Nakayama, then-Minister of Education, Culture, Sports, Science and Technology stated on November 27, 2004: “It is wonderful that words like ‘military comfort women’ and ‘forced recruitment’ no longer appear in most textbooks” in the public meeting.[[2]](#footnote-2).
2. 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 B for the translation of the deleted references and why the screening committee found them as “deficits”.

**4, Objections to Museums**

1. As the “comfort women” issue did not appear in textbooks in mandatory education, it is important to provide other means of educating children about “comfort women”. However, the National Museum of Japanese History, or history museums run by the State of Japan to pass on the events during WWII, namely the National Showa Memorial Museum or *Shokei-kan*, only depict the suffering of Japanese nationals during and soon after the WWII. No national museum related to the history of WWII explains the facts regarding Japan’s military sexual slavery.
2. Furthermore, the State party objected to 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 position [to the government of Taiwan] through a variety of channels and thrash it out [with them] so that the plan is cancelled.”[[3]](#footnote-3)

**5, Objections to Memorials**

1. The State party has repeatedly stated that the “comfort women” memorials erected overseas are “not in line with Japan’s position”. The State party’s objection to remember the suffering of the victims of its own past wrongdoing is not only violating the right to education of the child in the designated countries but also under its own jurisdiction to learn the values enshrined in the United Nations charter and develop as a responsible citizen in the spirit of understanding, peace, tolerance and friendship among all peoples. The State party’s objection is particularly damaging to the child of ethnic minority under its jurisdiction when coupled with the present hate speech against them.

**[ROK]**

1. 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.[[4]](#footnote-4) 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](https://eow.alc.co.jp/search?q=Consulate&ref=awlj)-[General](https://eow.alc.co.jp/search?q=General&ref=awlj) 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.[[5]](#footnote-5)

**[USA]**

1. 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.”[[6]](#footnote-6) 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.[[7]](#footnote-7)
2. 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.[[8]](#footnote-8)

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

**[Germany]**

1. 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.”[[9]](#footnote-9) 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 a explanation of the “comfort women” statue.

**[The Philippines]**

1. 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 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.[[10]](#footnote-10) On December 12, the State party’s Chief Cabinet Secretary SUGA said in a press conference that “erecting a comfort women statue abroad is not consistent with the position of the Japanese government and extremely regrettable”.[[11]](#footnote-11) 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.[[12]](#footnote-12) Although at first, the Philippines president, Rodrigo Duterte, stated that the statue was a symbol of “freedom of expression”,[[13]](#footnote-13) 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.”[[14]](#footnote-14)

**6, Objections to safeguarding the documents**

1. 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 (MoW). The State party’s objection to safeguarding the historical documents is likely to create a serious obstacle in educating children.
2. 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]”.[[15]](#footnote-15)
3. 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 2,000 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.
4. 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.[[16]](#footnote-16) 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, that the registration of these documents be pended for “dialogue.”[[17]](#footnote-17) 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.[[18]](#footnote-18) 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 the Rights of the Child:

* To recommend that the State party ensure the rights of the child to education, including history of the wrongdoings by their own government and nationals, and ensure the opportunities to learn history from various educational institutions, so as to foster mutual understanding and trust with neighboring countries and other countries through history education.

1. Statement by the Chief Cabinet Secretary Yohei Kono on the result of the study on the issue of “comfort women” on August 4, 1993. For the whole statement, please refer to: https://www.mofa.go.jp/policy/women/fund/state9308.html [↑](#footnote-ref-1)
2. Nihon Keizai Shimbun, November 28, 2004 [↑](#footnote-ref-2)
3. At the Cabinet Secretary’s press conference on June 5, 2015 [↑](#footnote-ref-3)
4. 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. [↑](#footnote-ref-4)
5. 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 [↑](#footnote-ref-5)
6. The website of Ministry of Foreign affairs, http://www.mofa.go.jp/mofaj/files/000231732.pdf [↑](#footnote-ref-6)
7. “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 [↑](#footnote-ref-7)
8. Website of Reporter Newspapers on June 20, 2017 http://www.reporternewspapers.net/2017/06/27/japan-consul-generals-comfort-women-comments-trigger-international-criticism/ [↑](#footnote-ref-8)
9. The website of Ministry of Foreign affairs, http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4\_000467.html#topic2 [↑](#footnote-ref-9)
10. The Daily Manila Shimbun, December 11, 2017 [↑](#footnote-ref-10)
11. Asahi Shimbun, December 12, 2107 [↑](#footnote-ref-11)
12. The Daily Manila Shimbun, January 10, 2018 [↑](#footnote-ref-12)
13. The Daily Manila Shimbun, January 18, 2018 [↑](#footnote-ref-13)
14. Philippine Star, May 20, 2018 [↑](#footnote-ref-14)
15. “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> [↑](#footnote-ref-15)
16. Sankei Newspaper, May7, 2017. [↑](#footnote-ref-16)
17. https://en.unesco.org/news/international-advisory-committee-recommends-78-new-nominations-unesco-memory-world [↑](#footnote-ref-17)
18. Sankei Newspaper, January 3, 2018 [↑](#footnote-ref-18)