

JAPAN ACTION NETWORK FOR THE MILITARY SEXUAL SLAVERY ISSUE

Hyakunin-cho 2-23-25, Shinjuku-ku, Tokyo, Japan

U.N. High Commissioner for Human Rights

United Nation

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NGO REPORT for Universal Periodical Review of Japan

1. Japan Action Network for the Military Sexual Slavery Issue is a national network of many citizens' groups who support and cooperate with survivors of military sexual slavery in different countries including South Korea, Taiwan, Philippine, China, East Timor, the Netherland and others for the settlement.
2. Our report is about the facts and developments associated with the issue of Japan's military sexual slavery including the Japanese Government's actions, its inadequacies, present conditions of survivors, recent developments in the international communities and increasing harassment to human rights defenders.
3. We request the Human Rights Council to adopt a resolution or make a strong recommendation to the Japanese Government, urging them 1. To resolve the matter urgently, 2. To take serious measures to stop or prevent ultra nationalists from harassing human rights defenders by their derogatory remarks about the issue.
4. Moreover, we hope that a representative of the Council may visit Japan to discuss the matter with the government officials, urging them to settle the issue.

I. The Government of Japan

5. Starting with CEDAW/C/1994/L.1/Add.122 back in February1994, which encourages the Government to take specific and effective measures to address these current issues as well as war-related crimes, the Government of Japan remained unconcerned with the recommendations from reputable international organization on the matter.
6. Especially we refer to In-depth study on all forms of violence against women-Report of the Secretary-General (A/61/122/Add.1)and , and Resolution (AS/RES/61/143) adopted by the General Assembly, Intensification of efforts to eliminate all forms of violence against women, to which the Government shows little respect except for the part associated with current issues of domestic violence and trafficking. We sometimes wonder if the Japanese Government really did their fair share of its responsibility to be a respectable member of the United Nations.

7. We call your attention to the resolutions on the military sexual slavery of Japan at the U.S. House-of-Representatives, the Canada House of Commons, and the Dutch House of Representatives, and the European Parliament last year, in which the Japanese Government is requested to formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Forces' coercion of young women into sexual slavery. We hope that the Human Rights Council passes resolution urging the Japanese government to be aware of urgent nature of the issue.

8. We list up the developments associated with the “comfort women” issue as well as violence against women at the United Nations, ILO and other international organizations since 2004.

2004: * 7th recommendation to take appropriate measures for the survivors by the Committee of Experts on Application of Conventions and Recommendation (CEACR) of ILO¹

2005 * 8th recommendation repeating the above by ILO CEACR²

2006 * Mr. Doudou Diene of Senegal, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, made an official visit to Japan in May 13 through 18, 2006 and he recommended that school textbooks should include the facts about “comfort women” in Japan.

* The Secretary-General’s in-depth study on violence against women, mandated by General Assembly resolution 58/185 (A/61/122/Add.1), deals with the violence against women and identified ways and means to ensure more sustained and effective implementation of State obligations to address all forms of violence against women, and to increase State accountability.

* At the 81st Plenary Meeting of 61st Session of General Assembly on December 19, 2006, a resolution was adopted to intensify efforts to eliminate all forms of violence against women, and to end impunity for violence against women, by prosecuting and punishing all perpetrators(,A/RES/61/143).

It also urges the Government to protect human rights of women and girls as follows; “Stresses further that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls ...”

* 9th recommendation from ILO CEACR³

* The Committee against Torture recommends the prosecution of perpetrator and redress to the victims of the military sex slavery. (CAT/C/JPN/CO/1 dated Aug.27, 2007)

* Four resolutions were adopted in the U.S. House of Representatives, the Canadian

¹ See the attached ILO document 1

² See the attached ILO document 2

³ See the attached ILO document 3

House of Commons, the Dutch House of Representatives, and the EU Parliament, all of which request official apology, among others, by the Japanese government.⁴

9. Furthermore, none of the once removed accounts of "“comfort women”" in 2001 have been reinstated in the current textbooks yet.

II. Continued Refusal of Japanese Government to Make Official Apology and Compensation

10. The Japanese government has repeatedly claimed that the Government of Japan settled the post-war issues legally and properly by the San Francisco Peace Treaty, other bilateral peace treaties and other international instruments and that Japan acted sincerely by setting up the Asian Women's Fund for distribution of atonement money.⁵

11. However, (1) Asian Women's Fund's money is not reparation by the state. (2) Many victims have refused to accept the money. Many victims are excluded from the benefits, such as those in China, North Korea, and East Timor and more. (3) Prime minister's letters of apology were sent only to those victims who agreed to accept the money from Asian Women's Fund. Many others have never received the letter of apology. Besides, the fund was disbanded in March, 2007. Moreover, one of the directors of the "Asian Women's Fund" has been repeatedly accusing a major Korean support group of being anti-Japanese nationalists through media and his writings and books. Also, taking into consideration the numerous statements repeated by cabinet members and diet members of the ruling party and the fact that the Government is not ready to put back the accounts of perpetration in textbooks, it is hard for us to believe that those apology letters of Prime Ministers including former Prime Minister Murayama are sincere.⁶

12. In regard to the legal difficulties, we point out that two of bright Special Rapporteur at the Commission on Human Rights, namely Ms. Radhika Coomaraswamy and Ms. Gay McDougal concluded "“ The Special Rapporteur is of the view that neither the San Francisco Peace Treaty nor the bilateral treaties were concerned with human rights violations in general or military sexual slavery in particular and that the Government of Japan remains legally responsible for the consequent violations of international humanitarian law(E/CN.4/1996/Add.1, E/CN.4/Sub.2/1998/13)

13. In addition, in most of the "“comfort women”" law suits, the Supreme Court dismissed the demands of victims while some courts suggested that the Japanese government settle the matter by legislative- administrative measures. However, the Japanese government did not pay any attention to proposed relief measures.

⁴ See the attached resolutions 4

⁵ See the attached document of the Foreign Ministry

⁶ See the attached text of IADL oral intervention at UN

III. Aging of former “comfort women”

14. As the time went by, victims are getting old and weak. We hear the news of victims' death one after another without the satisfaction of having their dignity and honor recovered and the damage compensated by official apology and legislation. Whenever we hear the passing of survivors, our heart breaks. The Japanese government needs to apologize and take appropriate measures in good faith while some are still alive.

And it is painful for us to observe aging weak women travelling to various countries in their efforts to appeal and get support after 60 years or more passed since the end of the war.

16. We received the following information about the number of deceased victims from support groups in South Korea, Taiwan, China, and the Philippines during the past four years. We note that these figures show only fractions of the reality.

South Korea: 47 died during the past 4 years. Originally 234 were registered. So far 126 died. There are 108 survivors still alive.

China: 17 deceased during the past 4 years.

Philippines: 16 deceased during the last four years. Originally 173 were registered while 56 died during the past 15 years. (Lila Pilipina Inc.)

Taiwan: 11 deceased during the past 4 years. 24 are still alive.

IV. PTSD continued to give pains to victims for over 60 years.

17. Victims are suffering not only from wounds of the wartime physical violence but also psychological damage and pain, economic destitute and socio-cultural prejudice against them till today. We believe that Japanese government is partly responsible for their sufferings because of its reluctance to take appropriate measures. The Japanese Government has obligation to free the victims from such pains and burdens immediately.

V. Harassments to Human Rights Defenders

18. Whenever activists and supporters rally, or demonstrate in town for the cause of “comfort women”, men of extreme views came around, trying to disturb the meetings. These incidents started in 2000 when International Women's War Crime Tribunal was held in Tokyo. Last year in 2007, the number of harassments increased and became more aggressive probably because they became aware of the resolutions abroad.

19. Only a few days ago, on January 26, 2008, a group of 20 or more men barged into the "Women's Active Museum on War and Peace", and made rude and abusive remarks about

“comfort women” and foreigners. They also make extremely discriminatory and ugly remarks about Korean, Chinese and other foreign residents in Japan. Besides, a group which support husbands who were arrested because of their violence to wives, joined them, making abusive language about the human rights of women. They are obviously opposed to the Japanese Government's possible apology and compensation to the former sexual slaves on the ground of their racism, sexism and discrimination of every kind and these incidents are hurting aged victims as secondary damage to the victim.

20. Their behavior is absolutely against the principle of recent United Nations General Assembly resolution that declares that the government has obligation to protect and support victims of violence against women.

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Attachments: 5 documents