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and Protection of Human Rights
Fifty-fifth session
Item 6 of the agenda

SPECIFIC HUMAN RIGHTS ISSUES

Written statement* submitted by Japan Fellowship of Reconciliation, non-
governmental organizations in special consultative status

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[24 July 2003]

*This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

“Comfort Women”: Systematic rape, sexual slavery and slavery-like practices

JFOR, in cooperation with many Japanese National Diet Members, wishes to draw the attention of the High Commissioner for Human Rights and the Sub-Commission to the following information.

Members of the House of Councilors of the Japanese National Diet, Ms. OKAZAKI, Tomiko; Ms. MADOKA, Yoriko; Ms. CHIBA, Keiko; Ms. KAWAHASHI, Yukiko; Ms. YOSHIKAWA, Haruko; Ms. HATTA, Hiroko; Mr. YOSHIOKA, Yoshinori; Ms. OWAKI, Masako; Ms. FUKUSHIMA, Mizuho; Mr. KUROIWA Takahiro; Mr. SHIMABUKURO Soko; Ms. TAJIMA, Yoko; and Ms. TAKAHASHI, Kiseko with support of other 73 Members of the House, on 31 January 2003, re-introduced a Bill, “Promotion of Resolution for Issues concerning Victims of Wartime Sexual Coersion Act” to the House at the 2003 Ordinary Diet Session. The Bill is the same as the previous bill¹, which was abolished at the end of the last Diet session in December 2002.

Many observers argued that no action could bring about a true reconciliation between Japan and many Asian nations, whatever actions were taken by Japan, because of the enormously deep scars inflicted on the victims. The typical example was the failure to obtain support of the victims as a whole, when the Japanese government pushed the policies to set up a private foundation, the Asian Women Fund for the women drafted for sexual slavery by Japan.

This Bill, if enacted, the first ever significant landmark, however, which could make a symbolical opportunity for a major reconciliation over the 15 years war that was waged in 1931 by Japan.

The efforts for a legislative solution of the issue of “comfort women” made by the Japanese public servants, namely Diet Members were, for the first time, obtained sincere welcome from virtually all of the NGOs and supporters of the victims in victimized Asian nations.

The National Diet of the Republic of Korea, a major victimized nation, made the following significant resolution that guaranteed success of the Bill mentioned above on 26 February 2003 at the opening of President ROH Moo-hyn’s Era.

Resolution to urge the enactment by Japan of the “Promotion of Resolution for Issues concerning Victims of Wartime Sexual Coercion Act (Bill)”²

Proposal Date: Feb.18th 2003

Adopted Date: Feb.26th 2003

Proposed by Chairperson of Women’s Committee

In view of the fact that the National Assembly of the Republic of Korea confirms that all human beings are entitled to enjoy freedom and rights regardless of race, sex, language, religion, nationality, political opinion, and social status, and that any type of violence to block these basic human rights are against the Universal Declaration of Human Rights,

Supporting the adoptions of UN Commission on Human Rights reports in 1996 and 1998 concluding that the Japanese government is liable for the restoration of the dignity and for legal reparation for the victims of “comfort women” who were made sex slaves for the Japanese military either mobilized by force or kidnapped from many Asian nations during the World War II, whose number is estimated as many as 200,000 and includes many Korean women.

We consider it a big progress was made towards the settlement of the wartime sexual coercion victims issue that the Promotion of Resolution for Issues concerning Victims of Wartime Sexual Coercion Act (Bill), which clearly states the legal and other liabilities of the Japanese government has been submitted to the Japanese Diet by the lawmakers of the Democratic Party, Communist Party, and Socio-Democratic Party of Japan on Jan. 31, 2003.

Considering, however, the current situation that after more than 50 years since the end of World War II, many of the victims died from old age without seeing their disgraced dignity restored, it is urgent to take measures needed to investigate the facts and to restore their dignity.

Calling for an immediate consideration of the Bill for the restoration of human dignity and disgraced reputation of the victims of wartime sex slavery for the Japanese military, and also for the advancement of friendly relationship between Korea and Japan, the National Assembly of the Republic of Korea hereby resolves as follows.

1. The National Assembly of the Republic of Korea urges the Japanese Diet to promptly consider and enact the Promotion of Resolution for Issues concerning Victims of Wartime Sexual Coercion Act (Bill), which mainly deals with the investigation into the facts and the disclosure of the related data, necessary measures for the restoration of disgraced dignity of the victims such as offering an official apology and reparation .
2. The National Assembly of the Republic of Korea urges the Japanese government to acknowledge that the issue of military comfort women is an inhumane crime by the international law, and thus, faithfully display the truth of the military comfort women victims’ issue in the school curricula so that the next generation Japanese may know the historical truth, and realize the true solidarity with Asian people.

Rationale for Proposal

For the period from the annexation of Korea to Japan on Aug. 29, 1910 to the day, Aug. 15, 1945, when the World War II ended, Japanese imperial government intentionally

maltreated and massacred many Chosun civilians for reasons of different race, nationality and political views, by mobilizing its military forces. The historical fact, in particular, that some 200,000 young Chosun women had been deceived and mobilized in force to serve as sexual slaves for the Japanese troops on battlefield, has been a hot international human right issue over the past 50 years, and also an important pending diplomatic issue between Korea and Japan.

The 1994 report of the International Commission of Jurists clearly stated its view that ‘the Korea-Japan Treaty’ in 1965 concerns only with the compensations between the governments, and does not include the claim rights of inflicted individuals. A report for the 52nd UN Commission on Human Rights in 1996 emphasized that ‘San Francisco Peace Treaty’ and any bilateral treaties do not deal with the reparation claim raised by the sexual slaves, and therefore the Japanese government should be still accountable for the legal violation of the international humanitarian law. Again in August 1998, a report by the special rapporteur was adopted, which mainly focused on the legal responsibility for reparation of the Japanese government and punishment of the responsible persons concerned.

However, the Japanese government has maintained that her accountability has been completed by ‘San Francisco Peace Treaty’ and ‘the Korea-Japan Treaty’, turning her back to the international demand for an apology and legal reparation for the Japanese military comfort women victims.

At this point in time, as the Promotion of Resolution for Issues concerning Victims of Wartime Sexual Coercion Act (Bill) was jointly proposed and tabled at the Diet by the lawmakers of Democratic Party, Communist Party, and Social-Democratic Party, and the National Assembly of the Republic of Korea, urges an prompt enactment of the Bill for an early settlement of the military comfort women victims and to rectify the history of Korea and Japan

¹ See: E/CN.4/Sub.2/2001/NGO/24 and E/CN.4/Sub.2/2002/NGO/23

² This resolution was originally translated by Ms. Jean Chung and some amendment was made by Mr. Etsuro Totsuka.