
Korean Women's Association United

1st FL, 190-10 Chungjeong-ro 2ga
Seodaemun-Gu, Seoul 120-012, Korea
Tel : +82-2-313-1632
Fax : +82-2-313-1649
E-mail : kwau@women21.or.kr

MINBYUN-Lawyers for a Democratic Society

5F, Shinjeong B/D, 1555-3, Seocho-dong, Seocho-gu,
Seoul, Republic of Korea
Tel : +82-2-522-7284
Fax : +82-2-522-7285
E-mail : m321@chol.com

**People's Solidarity for Participatory
Democracy**

132 Tongin-Dong, Jongno-gu, Seoul,
110-043. Korea
Tel : +82-2-723-5300
Fax : +82-2-6919-2004
E-mail : pspdint@pspd.org

**The Korean Council for the Women Drafted
for Military Sexual Slavery by Japan**

CISJD Bldg., 3rd fl., #35 Chungjeongro 2-ga,
Seodemun-gu, Seoul, 120-012, Korea
Tel : +82-2-365-4016
Fax : +82-2-365-4017
E-mail : war_women@naver.com

January 25, 2008

To: Ms. Louise Arbour
The High Commissioner for Human Rights
OHCHR Civil Society Unit
Fax : +41 22 917 9011
E-mail: UPRsubmissions@ohchr.org

Dear Ms. Louise Arbour,

Re: We ask the Japanese Government to restore human rights of the victims of Japanese military sexual slavery. We ask the United Nations Human Rights Council to advise the Japanese government to accept the demands of the victims who for the past 17 years have been asking for a formal apology and a legal reparation.

Regarding the human rights situation in Japan, a UN Human Rights Council member, we would like to accuse the Japanese government of human rights violations for still refusing to accept the recommendations from the international community regarding the Japanese military sexual slavery system during World War II.

1. Human Rights of the Victims of the Japanese Military Sexual Slavery System

From the early 1930s while invading Asia-Pacific areas during the war, Japan systematically and methodically committed inhumane crimes, such as sexual slavery, rape, battery, murder, massacre, and oppression, against the women from Korea and other Asia Pacific regions. Even at the end of the war, the victims were not able to exercise their rights; many were killed or abandoned at the battlefields. After the war, Japan concealed their crimes and the victims and their families stayed in silence due to the patriarchal society that considered them shameful. These crimes came to be only revealed after half a century. The victims' psychological and physical traumas have been worsening as time went by.

Especially because the Japanese government did not perform proper legal responsibility for the 'comfort

women' victims, denying of the crime and false witnessing of history from the Japanese government and Japanese politicians continued and this kind of behaviors became secondary, tertiary violation of the victims' rights. We believe we cannot wait longer to restore the victims the rights.

We share the urgency of this issue from the survivors' point of view. In the case of South Korea, 13 victims passed away in the year 2007 alone. In the past 17 years, out of 234 publicized victims, 125 passed away and only 109 are still alive. Most of the survivors are in their 80s and 90s and are physically very weak.

The victims, even in their old ages, still attend weekly Wednesday demonstration in front of the Japanese embassy in Seoul in hopes of receiving proper apology and reparation from the Japanese government. While the Korean government and the NGOs have provided care services to these victims, the victims have not received an apology and reparation, the most essential problem, and their pain is worsening. The victims ask how much longer they have to wait until the international community calls for the Japanese government to apologize and assume their legal responsibility. All they want is for this problem to be solved before they die. By doing so, the victims want justice to be restored, to give hope to victims of wartime sexual crimes, and to be a firm lesson to the offenders who are still committing similar crimes.

We ask the UN Human Rights Council to play an important role in achieving that goal.

2. UN and ILO's Effort for the victims of the Japanese Military Sexual Slavery

In August 1992, Japanese military 'comfort women' survivor Geum-Ju Hwang witnessed for the first time at the UN Sub-Commission on the Promotion and Protection of Human Rights about her indignant experience as a Japanese military sexual slave. Accompanied by continued inhumane crimes against women at the time, like the systematic raping of Bosnian women, the Japanese military 'comfort women' issue gained solidarity and support from the international women's right activists and became widely known in the international community.

In 1995, Ms. Radhika Coomaraswamy, the Special Rapporteur on Violence against Women, visited South Korean and Japan, received information from North Korea, and submitted a report on the Japanese military sexual slavery system to the UN Commission on Human Rights. Coomaraswamy found that Japanese military 'comfort women' were subjected to rapes, as both war crimes and crimes against humanity, and asked the Japanese government to acknowledge their legal responsibilities.

With the information provided by the Working Group on Contemporary Forms of Slavery, the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities appointed in 1993 a Special Rapporteur regarding systematic rape, sexual slavery, and slavery-like practices during armed conflict. Special Rapporteur Gay McDougall, appointed in 1997, dealt in detail with the Japanese military 'comfort women' issue on the appendix of the final report.

In 1994, the Commission on the Elimination of All Forms of Discrimination against Women (CEDAW), while examining Japan's 2nd and 3rd National Report, dealt specifically with this issue, and recommended the Japanese government to take 'specific and practical measure' on this issue. Also in 2003, at the hearing of the 4th and 5th report, CEDAW advised to try to find a lasting solution for the Japanese military 'comfort women' issue.

According to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted without voting at the UN General Assembly 61st session on December 20, 2006, Japanese military sexual slavery system suites the Convention's definitions of enforced disappearance: 1) deprivation of the victim's liberty against her will, 2) indirect participation of the government officials through tacit consent, and 3) state officials denying the fact or hiding the death or whereabouts

of the victims. The Japanese government should be responsible for enforced disappearances of victims of the Japanese military sexual slavery. UN Human Rights Council would actively support the victims of the Japanese military sexual slavery so they can be protected under the Convention and their rights can be restored.

The Committee of Experts on the Application of Conventions and Recommendation of ILO concluded, in its report to the International Labour Conference in 1996, the war-time comfort women constituted a violation of the Convention 29 by Japan, and called on the Government of Japan to take action to remedy the violation in a manner acceptable to the victims. Since the first ever observation of the matter by the Committee, it has continued to reflect on the issue, in 1996, 1997, 1999, 2001, 2002, 2003, 2005 and 2007.

3. Adoption of Resolutions in Many Countries.

In 2007, the voice for restoration of human rights and justice for the Japanese military sexual slavery victims from all over the world was eminent. On July 30, the US House of Representatives unanimously approved the resolution that demands the Japanese government to give a formal and public apology and educate children of the history. On November 20, the Dutch Parliament unanimously accepted the resolution that urges an apology and compensation from the Japanese government and on November 28, the Canadian Parliament unanimously passed the resolution that demands Japanese government to apologize and take complete responsibility on the damage done to the women.

Moreover, on December 13, the European Union adopted the resolution that urges the Japanese government to formally admit and apology forcing young women into sexual slavery during WW II, to take historical and legal responsibility and through administrative measure compensate to all surviving 'comfort women' victims and their families in clear and distinct manner. (*Cf. Appendix 1*)

In addition, the adoption of the resolution in the United Kingdom, Germany, Australia, Korea, and the Philippines are on their way.

4. Demands from Other Countries

In addition to Asian countries that were directly affected by the Japanese military 'comfort women' system, other countries are also demanding the Japanese government to take responsible actions.

On March 27, 2007, US State Department spokesman Tom Casey urged Japanese government to admit the gravity of the Japanese military 'comfort women' issue and to face the problem in an honest and responsible manner. On March 16, the American ambassador in Japan also stated, "Comfort women forced by Japanese military existed and it is clear that they were coerced into prostitution," and pointed out, "it was a regretful and tragic event."

On March 13, Australian Prime Minister John Howard while visiting Japan warned Japanese Prime Minister Abe regarding the 'comfort women' issue and said, "One cannot justify one's self for something that happened in the past," and added, "The claim that there was no forced mobilization of 'comfort women' is a claim that I or other allied countries cannot accept."

Dutch Prime Minister Jan Peter Balkenede, on March 16, criticized the Japanese announcement that there is no evidence of forced mobilization during WW II as both "disturbing and surprising." Likewise, voices that demand restoration of human rights for the victims of Japanese military sexual slavery is spreading all over the world.

5. Continued Denial of Coercion, Distortion of Truth, and Avoidance of Responsibility by the Japanese Government.

Yet the Japanese government is still not accepting the demands of the victims and of the international community. Instead, they continue to deny the forcedness of the 'comfort women' and avoid admitting their crime. On March 1, 2007, Former Japanese Prime Minister Abe Shinzo stated that "there are no evidence proving forced recruitment of comfort women", and on March 21, at the Japanese Cabinet Meeting, the Japanese government took it as its official stand that "Information regarding forcedness in the recruitment of the comfort women cannot be found". In order to support the position of the Japanese government, on June 15, 45 Japanese Liberal Democrat congressmen along with other professors and journalists spent \$130,000 putting up an advertisement on Washington Post denying the forced recruitment under the title 'FACTS'. (*Cf. Appendix 2*) In this advertisement, Japanese politicians claimed that there were no forced recruitment of military 'comfort women' by the Japanese military, that 'comfort women' were licensed for prostitution, and that it is wrong for it to be seen as 'sexual slavery.'

The Committee of Experts on the Application of Conventions and Recommendations of ILO also decided Japanese military 'comfort women' as a form of sexual slavery in violation of ILO Convention No. 29. The 1994 International Commission of Jurists Report, the Decision of 2000 the Women's International War Crimes Tribunal Against the Japanese Military Sexual Slavery, the 2005 Amnesty International Report, and other International NGO's consider the Japanese military 'comfort women' issue as Japanese military sexual slavery, and violation of human rights against women. The UN Human Rights Council must point out the inhumane actions of Japanese government that denies and refutes the advices and recommendations from various international organizations, such as the UN Commission on Human Rights and the ILO, and must urge them for a solution of this issue.

6. International Women's Human Rights Campaign that Works for Restoration of Human Rights of the Japanese Military Sexual Slavery Victims.

The campaign that has been going on for the past 17 years by the victims have become a campaign of the international community. In 2007, on the 62nd anniversary of the second world war, activists from the Netherlands, Canada, Germany, Australia, South Africa, USA, Taiwan, the Philippines, Korea, and Japan decided on an "International solidarity for resolution of the Japanese military 'comfort women' issue day" and organized demonstrations, photo exhibitions, and film festivals demanding restoration and justice to 'comfort women' victims. Global media is also treating the Japanese military 'comfort women' issue as in important problem. (*Cf. Appendix 3*)

In 2005, Amnesty International, in its report on Japanese military 'comfort women,' advised Japanese government to give a formal apology and legal compensation to the victims. (*Cf. Appendix 4*) Since then, Amnesty has been leading the campaigns for adoptions of resolutions in various countries.

Asian women continue to hold solidarity conferences and urge the Japanese government to execute the advice given by the international community. On May 21 and 22, 2007, the 8th Asia Solidarity Conference was held in Seoul with the participants from 11 countries. (*Cf. Appendix 5*) At the Japanese military 'comfort women' World Conference held in Los Angeles, the USA, from October 3 to 6, the demands were high for the Japanese government to restore the victims' human rights, and it was decided to strengthen the international solidarity in order to achieve this. (*Cf. Appendix 6*)

The victims of violence against women from Africa and Afghanistan are closely observing the campaign for the resolution of Japanese military sexual slavery because it can be a good example for

them. International women's human rights campaigns for the Japanese military 'comfort women' will continue until Japanese government accepts the demands of the victims and of the international community.

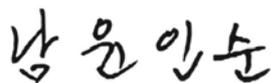
7. Wishing the UN Human Rights Council will be the hope that restores rights to the victims of the Japanese military sexual slavery in 2008

Through the Commission on Human Rights, the predecessor of the UN Human Rights Council, we were able to publicize the Japanese military sexual slavery issue and appeal to the world on the actuality of the victim's rights. The Commission has helped a lot on restoration of the rights of the victims through various mechanisms such as special rapporteurs on violence against women and wartime sexual slavery,

The Japanese military sexual slavery issue is not a matter of the past but becomes a today's problem of the international politics and NGO's. As the time passes, the voice of women and the international community is rising and their demands for justice is affecting their governments to have a say against the Japanese military sexual slavery. Victims of the Japanese military sexual slavery who said, "I want to get an apology and compensation from the Japanese government while I am still alive. Please I can achieve that before I die," unfortunately are passing away before their wishes are fulfilled.

We think it is time for the UN Human Rights Council to respond to the international community that is working for the fulfillment of the wishes of the survivors. In 2008, we ask you, the UN High Commissioner for Human Rights, to play an active role for the Human Rights Council to help make progress in the Japanese military sexual slavery issue.

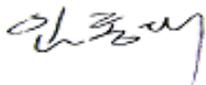
Sincerely Yours,



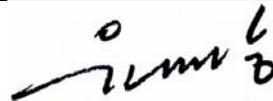
Nam, In-Soon
Stand- Representative
 Korean Women's Association United



Han, Taek-Keun
General Secretary
 MINBYUN-Lawyers for a Democratic Society



Lim, Jong-Dae
Representative
 People's Solidarity for Participatory Democracy



Yoon, Mee-Hyang
Executive Director
 The Korean Council for the Women Drafted for Military Sexual Slavery by Japan