

Preface

In July 2015 a Japanese group attended a pre-session held by the Committee on the Elimination of Discrimination against Women (the “CEDAW”) within the United Nations in Geneva.

Ms. SUGITA Mio, a former Japanese congresswoman, and Ms. YAMAMOTO Yumiko, President of Nadeshiko Action, made a two minute presentation respectively. Ms. Yamamoto sent a letter to the pre-session members before she visited the committee.

After the presentations made by the above two persons, the following responses were made.

Ms Dalia Leinarte (Lithuania)

I apologize I did not understand which Japanese NGO talked regarding to comfort women. But I would like to address to the one that gave us a little bit opposite opinion regarding comfort women that we used to know from global mass media meaning that comfort women, they did not face forced prostitution in terms of serving to Japanese soldiers.

My question here is, on what evidence is based this opinion?

Have there been researched them or (--- inaudible) taken?

Please give us more details on this different opinion regarding comfort women.

Ms. Ismat Jahan (Bangladesh)

I will request responses from NGOs on the specific issue that have been raised.

Yes it has been true that we heard two different points of view on the issue of comfort women whether they were forced into or not.

So Madam Leinarte raised the question whether there have been enough research to back such assertions on either side.

Subsequently, a List of Issues (the “LOI”) was released on July 30, 2015 as follows.

The LOI in relation to the combined seventh and eighth periodic reports of Japan
CEDAW/C/JPN/Q/7-8

http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/JPN/CEDAW_C_JPN_Q_7-8_21250_E.doc

An important excerpt from the LOI is cited below.

9. The Committee is informed of recent public statements that “there was no evidence that proved the forcible taken away [of “comfort women”]”. Please comment this information. Please also indicate whether the State party intends: (a) taking compensatory measures for “comfort women” in other countries than the ones covered by the Asian Women’s Fund (AWF), including in China and East Timor; and (b) prosecuting perpetrators. Please indicate whether the State party intends reintegrating in school textbooks references to the issue of “comfort women”, and raising awareness among the population on this issue.

For references, so far there were opinions exchanged between the CEDAW and the Japanese government as follows.

➤ **Comments of CEDAW sent to the Japanese government – August 7, 2009**

URL:

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsryr9E9fM8JLxSfpAS5QTBBz5jY6hFKQ6AwNjTm0MlgpR7ywQYJ5T2kPUfuy35iKn%2frBfsG6iOEorImorpsTUIJ553hL9aZHcPikJ0182M%2f>

37. The Committee notes that some steps were taken by the State party to address the situation of “comfort women” but regrets the State party’s failure to find a lasting solution 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.

➤ **Response from the Japanese government to CEDAW – September, 2014**

URL:

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsryr9E9fM8JLxSfpAS5QTBBz5jY6hFKQ6AwNjTm0MlgpR7ywQYJ5T2kPUfuy35iKn%2frBfsG6iOEorImorpsTUIJ553hL9aZHcPikJ0182M%2f>

97. As this Convention does not apply to any issues that occurred prior to Japan’s conclusion thereof (1985), the Government of Japan considers that it is not appropriate for this report to take up the comfort women issue in terms of the implementation of State Party’s duties regarding the Convention. However, considering the reference to the “comfort women” issue during the deliberations at the 44th Committee meeting in July 2009 and the Committee’s Concluding Observations concerning Japan’s report, we would like to explain what efforts Japan has thus far made on this issue.

98. During a certain period in the past, Japan caused tremendous damage and suffering to people of many countries, particularly to those in Asian countries. Squarely facing these historical facts, the Government of Japan has repeatedly expressed its feelings of deep remorse and heartfelt apology, and expressed feelings of sincere mourning for all victims of the war both in Japan and abroad.

99. With regard to the comfort women issue, Prime Minister Abe, in the same manner as the Prime Ministers who proceeded him, is deeply pained to think of the comfort women who experienced immeasurable pain and suffering beyond description, which had been repeatedly expressed.

100. The Government of Japan has sincerely dealt with issues of compensation as well as property and claims pertaining to the Second World War, including the comfort women issue, under the San Francisco Peace Treaty, which the Government of Japan concluded with 45 countries, including the United States, United Kingdom and France, and through

bilateral treaties, agreements and instruments. The issues of claims of individuals, including former comfort women, have been legally settled with the parties to these treaties, agreements and instruments. In particular, the Agreement on the Settlement of Problems Concerning Property and Claims and on Economic Co-operation between Japan and the Republic of Korea stipulates that “problems concerning property, rights, and interests of the two Contracting Parties and their nationals (including juridical persons) and concerning claims between the Contracting Parties and their nationals ... have been settled completely and finally.” (Article II (paragraph 1)).

101. Nevertheless, recognizing that the comfort women issue was a grave affront to the honour and dignity of a large number of women, the Government of Japan, together with the people of Japan, seriously discussed what could be done to express their sincere apologies and remorse to the former comfort women. As a result, the people and the Government of Japan cooperated and together established the Asian Women’s Fund (AWF) on July 19, 1995 to extend atonement from the Japanese people to the former comfort women. To be specific, the AWF provided “atonement money” (2 million yen per person) to former comfort women in the Republic of Korea, the Philippines and Taiwan who were identified by their governments and other bodies and wished to receive it. Moreover, the AWF provided funds for medical and welfare support in those countries, financial support for building new elder care facilities in Indonesia, and financial support for a welfare project which helps to enhance the living conditions of those who suffered incurable physical and psychological wounds during World War II in the Netherlands. The Government provided a total of 4.8 billion yen for programs of the fund and offered the utmost cooperation for support programs for comfort women, such as programs to offer medical care and welfare support (a total of 1.122 billion yen) and a program to offer atonement money from donations of the people of Japan. In addition, when the atonement money was provided, the then-Prime Minister (namely PM Ryutaro Hashimoto, PM Keizo Obuchi, PM Yoshiro Mori and PM Junichiro Koizumi), on behalf of the Government, sent a signed letter expressing apologies and remorse directly to each former comfort woman. While the AWF was disbanded in March 2007 with the termination of the project in Indonesia, the Government of Japan has continued to implement follow-up activities of the fund.

102. Throughout history, women’s dignity and basic human rights have often been infringed upon during the many wars and conflicts of the past. The Government of Japan places paramount importance on and is committed to doing its utmost to ensure that the 21st century is free from further violations of women’s dignity and basic human rights.

Under the circumstances, the Japanese government is advised to respond to the request made on July 30, 2015 by the CEDAW, “The Committee is informed of recent public statements that “there was no evidence that proved the forcible taken away [of ‘comfort women’]. Please comment this information” as in the cited paragraph in Preface.

Response to the CEDAW by the Japanese Government (draft)

In short, the United Nations Commission on Human Rights is advised to understand that comfort women were not forcibly recruited by the Japanese Army through studying facts thoroughly on the issue as well as the Committee should not cling on to the Coomaraswamy Report and the Kono Statement, the reasons being that;

I. San Francisco Peace Treaty

From: <http://www.jpri.org/publications/workingpapers/wp78.html>

On **September 4, 1951**, delegates from over fifty countries gathered at the San Francisco Opera House to discuss the making of a peace treaty with Japan. Signed by forty-eight countries four days later, on September 8, the San Francisco Peace Treaty (SFPT), as it is better known, contained seven chapters and a preamble. **It marked the end of hostilities between the signatories, provided for the termination of the occupation, and specified the details of the settlement of war-related issues.**

<snip>

The United States did want to invite the South Korean regime led by Syngman Rhee in order to bolster its legitimacy and had so indicated to the South Korean government. However, in a last minute reversal, the United States government decided to disinvite the South Koreans. On July 9, Dulles met with the South Korean ambassador to the United States, Yang Yu Chan, to inform him that the South Korean government would not be permitted to be a signatory to the peace treaty since "only those nations in a state of war with Japan and which were signatories of the United Nations Declaration of 1942 would sign the treaty" (FRUS, 1951, Vol. VI Part 1, pp. 1182-83).

This fact proves that the United States regarded that Korea and Japan were not enemies during the war time, because Korea was annexed to Japan under the Japan–Korea Annexation Treaty, made on August 22, 1910.

II. The Treaty on Basic Relations between Japan and the Republic of Korea

As Korea was not a signatory state of the Treaty of San Francisco, while wanting to receive money from Japan as a victim country during the war time arising from the annexation of Korea to Japan, in **1965** the Treaty on Basic Relations between Japan and South Korea was made, declaring that all treaties or agreements concluded between

Japan and Korea on or before August 22, 1910 had become null and void and that **all issues between the two countries had been settled.**

In the agreement Japan agreed monetary support to South Korea in the amount of US\$800 million, which was paid to South Korea after the agreement was signed.

With this agreement, all issues between Japan and South Korea during the wartime were settled including compensations for comfort women. However, the South Korean government used most of the money granted to South Korea by Japan for infrastructural developments, thereby having failed to provide adequate amount of money to former comfort women. This is how POSCO, the Gyeongbu Expressway, and the Soyang Dam were built in addition to free technical supports from Japan.

SATO Eisaku, former Prime Minister of Japan, explicitly mentioned at the **1974** Nobel Peace Prize lecture with regard to the treaty on Basic Relations between Japan and South Korea, "the guiding spirit of equality and mutual advantage and the realistic approach of seeking to establish friendship with close neighbors" as significant aspects of the extended negotiations which produced this bilateral agreement.

Ref: https://en.wikipedia.org/wiki/Treaty_on_Basic_Relations_between_Japan_and_the_Republic_of_Korea

III. What Were Comfort Women?

We have a common understanding that the main point in the comfort women issue exists in an argument of **whether or not the Japanese military authorities recruited comfort women forcibly.** In fact **there is no official document found to prove that such act was practiced by the Japanese Army.** During the Tokyo Tribunals conducted by the Allied Powers, no such argument was made by any country.

A report made by the US Army in Burma points out clearly that the comfort women were prostitutes and camp followers.

“Report No. 49: Japanese Prisoners of War Interrogation on Prostitution” was made by the United States Office of War Information (Psychological Warfare Team Attached to U.S. Army Forces India-Burma Theater APO 689.

Place interrogated: Ledo Stockade
Date Interrogated: Aug. 20 - Sept. 10, 1944
Date of Report: October 1, 1944
By: T/3 Alex Yorichi

Prisoners: 20 Korean Comfort Girls
Date of Capture: August 10, 1944
Date of Arrival: August 15, 1944
at Stockade

This report states the conclusion in the first page as follows.

“A ‘comfort girl’ is nothing more than a prostitute or “professional camp follower” attached to the Japanese Army for the benefit of the soldiers.”

“The inducement used by these agents was plenty of money, an opportunity to pay off the family debts, easy work, and the prospect of a new life in a new land, Singapore. On the basis of these false representations many girls enlisted for overseas duty and were rewarded with an advance of a few hundred yen.”

In page 2 of the report, its payment system is written as follows.

The conditions under which they transacted business were regulated by the Army, and in congested areas regulations were strictly enforced. The Army found it necessary in congested areas to install a system of prices, priorities, and schedules for the various units operating in a particular areas. According to interrogations the average system was as follows:

1. Soldiers	10 AM to 5 PM	1.50 yen	20 to 30 minutes
2. NCOs	5 PM to 9 PM	3.00 yen	30 to 40 minutes
3. Officers	9 PM to 12 PM	5.00 yen	30 to 40 minutes

These facts show that those comfort women were earning money several tens of times larger than the incomes which average Japanese soldiers were receiving. As documented above by the US Armed Forces, comfort women were not sex slaves at all.

The Japanese military personnel managed the lodges to take care of comfort women from the standpoint of sanitary and health. Military doctors were also in charge of taking care of them. Therefore, the Japanese military people didn’t hurt the dignity of many women. On the contrary, the Japanese military people protected them from the standpoint of healthcare, thereby also protecting their honor.

As documented above by the US Armed Forces, comfort women should not be described as sex slaves.

IV. *Nenki Boko* Job System for Comfort Women

This job system is important for us to understand how comfort women applied for prostitution jobs. *Nenki Boko* is a Japanese term, which means as follows.

“Japanese local troops had comfort stations which were taken care by the Japanese Army. Comfort stations and brothel owners or pimps had contracts. The brothel owners, then, had contracts with many brokers. This is the structure of comfort women business during the war time. In this structure, brokers or brothel owners offered advanced payments to applicants for the jobs. In return for such money, comfort women had an obligation to work until the advanced money is earned and repaid to the brokers or brothel owners. Afterwards, the comfort women had the right to return to their homes. So this is purely a business procedure during those days. Since the war ended, *Nenki Boko* has become obsolete.”

A prostitute means that she receives money in return for her sex service. In fact comfort

women in question were not slaves at all. They were paid well as can be seen in the report made by the US Army as cited above. Therefore, the Japanese Army never committed human trafficking because the Japanese government prohibited such inhuman activity strictly and severely.

V. How Did Comfort Women Issue Come Out?

As already mentioned in I) and II) above, with the San Francisco Peace Treaty of 1951 and the Treaty on Basic Relations between Japan and the Republic of Korea of 1965 resolved all issues between Japan and South Korea. Nevertheless the so called the comfort women issue came out all of a sudden.

It is imperative for all of us concerned on this issue to know that it was fabricated originally by YOSHIDA Seiji, a Japanese fiction story writer, who wrote a book titled "My War Crimes", which was published by San-ichi Publishing Company in 1983. In the book Yoshida mentioned that he recruited around 200 Korean Comfort Women forcibly in Cheju Island, Korea under the instruction of the Japanese military. The book was translated into Korean in 1989.

This book set the stage for the so-called "Comfort Women".

However, the Cheju Newspaper (a Korean Newspaper company in Cheju Island) objected to the content of the book when it was published in South Korea in Korean language in 1989. Reporter Kyo Eizen (許榮善) interviewed an eighty-five year old woman living in Cheju Island. The old woman said, "There are only 250 houses in my village. If 15 women had been recruited as comfort women, everybody in the village would certainly have known its big incident, but there was no such a fact". Based on the research, Kyo concluded that the content of the book written by Yoshida was fabricated.

History researcher Kin Hougyoku (金奉玉) in Cheju Island had researched for several years on comfort women since the book "My War Crimes" was published in 1983, consequently having found out that the incident written in the book was not a fact by saying, "This book must have come out as a result of a dirty money making urge of the author." These objections were found only in 1992 at the local library by Japanese history researcher HATA Ikuhiko.

VI. Asahi Shimbun Complicated Comfort Women Issue

Unfortunately, though the content of the book "My War Crimes" was doubtful, the Asahi Newspaper ("Asahi Shimbun") had kept writing in their newspapers that the comfort women in Korea were forcibly recruited by the Japanese Military personnel until 2014 for nearly 25 years since the book was published.

Because of these negative campaigns promoted by Asahi Shimbun, many people including academic researchers, media reporters, politicians, government officials and Korean Japanese believed that the comfort women in Korea were forcibly recruited by the Japanese Army.

VII. Kono Statement

On **August 4, 1993** former Chief Cabinet Secretary KONO Yohei of the Miyazawa Administration (Liberal Democratic Party) delivered a speech known as the “**Kono Statement**”, which admitted that the Korean comfort women were forcibly recruited by the Japanese Army. Surprisingly and many people don’t know that this statement was not approved by the Cabinet. Since then, the Kono Statement has become the prime reason for many people, especially Japan watchers including not only many Koreans but also Japanese and Americans who strongly believed that all articles written by Asahi Shimbun were true, to condemn Japan.

VIII. Asian Women’s Fund

Following the Kono Statement, **the Asian Women's Fund** (the “AWF”) was set up by the Murayama Cabinet on **June 19, 1994** to distribute money to former comfort women in South Korea, the Philippines, Taiwan, the Netherlands, and Indonesia. A letter of apology signed by Prime Minister Murayama was also sent to each survivor. The AWF fund was disbanded on **March 31, 2007**.

The total amount of the fund reached JY 4.8 billion according to the Ministry of Foreign Affairs of Japan. Japanese citizens donated approximately JY600 million to the fund.

IX. Coomaraswamy Report

Encouraged and motivated by these events which negatively accused Japan based on the fabricated storied written by YOSHIDA and Asahi Shimbun, further buoyed by the Kono Statement, Ms. **Radhika Coomaraswamy** filed a report with the United Nations Commission on Human Rights in **1996** to criticize the Japanese Army during the war time for forcible recruitments of comfort women. This is known as the **Coomaraswamy Report**.

X. Sankei Shimbun Raised a Question on the Kono Statement

On **October 16, 2013** Sankei Shimbun reported that the Japanese government conducted research through interviewing 16 would-be former comfort women in South Korea before the Kono Statement was delivered. What were revealed in the article were that the interviewees’ answers were ambiguous that many of their names, birth dates and addresses were incorrect, consequently proving that the interviews conducted by the Japanese government were not worth becoming historical evidence. Therefore, the Kono Statement lost its authenticity.

XI. Asahi Shimbun Admitted Mistakes

On **August 5, 2014**, Asahi Shimbun published an article officially admitting that the articles on the comfort women were written based on Yoshida’s book without checking its content.

Soon afterwards, SUGIURA Nobuyuki, Chief Editor of Asahi Shimbun, said as follows.

"When the comfort women issue was slowly be known in Japan in early 1990's, there wasn't much research on it. We kept writing related articles based on interviewed reports of former comfort women and a limited amount of documents. We came to know that parts of the reports were with incorrect statements. These erroneous write-ups occurred because we didn't grasp the whole picture of this issue. I know that we didn't verify our reports much. "

XII. Japanese Government Started to Take Corrective Action

Finally the Japanese government started to take corrective action on the comfort women issue in this trend where many people realized that the book written by YOSHIDA were not true thanks to the article published by Asahi Shimbun.

Thus, in **2014**, the Japanese government requested the U.N. Commission for Human Rights to revise the Coomaraswamy Report, but the request was flatly rejected.

According to officials of the Ministry of Foreign Affairs of Japan, Kuni Sato, the Foreign Ministry ambassador in charge of human rights and humanitarian issues, met Coomaraswamy in New York on **October 14, 2014**, where he requested her to revise references of forcible recruitments of Korean comfort women in the Yoshida's book.

Chief Cabinet Secretary SUGA Yoshihide of the Abe Administration told at a news conference held on **October 16, 2014** that he requested Radhika Coomaraswamy to revise her report which was filed with the U.N. Commission for Human Rights.

Unfortunately, Coomaraswamy refused to revise it, saying that the references were only a part of evidence, though about 300 words in the report were cited from Yoshida's fabricated book.

It is evident that the Coomarasway Report lost its authenticity. Likewise, the Kono Statement is now in question because his speech was greatly influenced by the fabricated story book written by Yoshida Seiji and Asahi Shimbun's articles.

Additional explanation from the cultural viewpoint:

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Many non-Japanese have a question about the attitude of Japanese people, who don't assert their opinions quickly and confidently when they are accused of what they are not responsible for. This ambiguous behavior is related to Japanese culture, which is very difficult for many non-Japanese people to understand.

Many Japanese are immersed in Japanese culture which has strong influence on the mindsets of Japanese. Among other things, Japanese have a trait to read *Kuuki* to decide what to say, how to behave, etc. *Kuuki* is a Japanese word, meaning an "air", "atmosphere", "aura", "mood", etc. Understanding body language is also influenced by *Kuuki*.

Japanese are always concerned about what kind of *Kuuki* they are in to judge what to say, how to behave, etc. In other words, Japanese want to say something which must accord to the harmony of an entire group in which they are. If a Japanese person who is in a meeting where there are several people senses an uncomfortable *Kuuki*, he or she becomes very careful not to speak out his or her own opinions for fear of disturbing harmony in the meeting.

Maintaining harmony is a virtue for Japanese. Speaking one's own opinions is often taken as a selfish act in Japan. Japanese who are not able to read *Kuuki* correctly are not much welcome. They are called *KY - Kuuki ga Yomenai Hito* – meaning people who can't read *Kuuki*, and *KY* people can easily be outcasts in society. Thus, Japanese always try their best to read *Kuuki* so that they won't become outcasts, while wanting to contribute to the benefit for a group to which they belong.

This cultural trait is also seen in entire society in Japan. If a public opinion on a certain political issue is formed by majority people, the government tends to argue the issue in line with the trend of the public opinion. Academic researchers, media reporters and government officials are also influenced by its *Kuuki*. Japanese read *Kuuki* existing in society and it has strong power to manipulate Japanese.

In the case of the comfort women issue, YOSHIDA Seiji created the first ripples with his fabricated stories, which were doubtful, but Asahi Shimbun, very influential media, started to write many articles on the comfort women issue based on the fabricated story book, "My War Crimes", written by Yoshida without checking the content carefully. Those articles were translated into English and Korean.

Asahi Shimbun's influence was so powerful that many people including Americans, Koreans, U.N. officials, Korean Japanese and Korean Americans believed the articles written by Asahi Shimbun though they didn't check whether such articles were true or not because Asahi Shimbun earned a reputation as a reliable media company throughout the world.

The Internet has been developed quite rapidly since this issue became known worldwide.

Many ordinary Japanese citizens had access to the information on the comfort women issue on the Internet, and they collected and exchanged information, thereby having dug out buried information in books written by academic researchers and public archives in Japan and also the US. No particular persons, groups or organizations guided or manipulated those Japanese citizens.

They were driven by anxieties arising from unilateral accusations made by the South Korean government and anti-Japan people that demanded an astronomical amount of money from the Japanese government on the comfort women issue, though the Treaty in 1965 between Japan and South Korea said clearly that all issues between the two countries had been settled and that the monetary support including compensations for comfort women was made under its Treaty.

Many Japanese came to realize through searching the Internet that the Japanese government stepped up efforts to meet the requests from the South Korean government. While many anti-Japan people hysterically demanded more money on behalf of South Korea from Japan based on false information fabricated by Yoshida and Asahi Shimbun, many ordinary Japanese citizens stood up to protest against those anti-Japan people and the South Korean government.

Asahi Shimbun succumbed to such random mass actions on the Internet taken by ordinary Japanese citizens, whom anti-Japan people call “ultra-rightists”. This labeling is totally unjustifiable.

This movement to protect Japanese and Japan has been becoming much stronger day by day, having created a new *Kuuki* to speak out Japanese own opinions, which has been encouraging the Japanese government to take corrective action on the comfort women issue. (©2015-13358217418)