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(CEDAW)**

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Japan

Comfort Women

**for Japanese Army at the wartime
and**

for Allied Army of Occupation of Japan after The War

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Comfort Women for Japanese Army at the wartime and for Allied Army of Occupation of Japan after The War

1, List of issues in relation to the combined seventh and eighth periodic reports of Japan (CEDAW/C/JPN/Q/7-8, 30 July 2015) and summary of Periodic Report of Japan (CADEW/C/JPN/7-8 ,16 September 2014)

The paragraph No. 9 of the list of issues (CEDAW/C/JPN/Q/7-8, 30 July 2015) states as follows:

“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.”

Prime Minister of Japan, Mr. Abe explained about “ Involvement of The Army “ in the Diet. (at The Budget Committee of The House of Councilors on January 18, 2016) Mr. Abe stated, “There is no evidence proving sex slaves or taken away by The Army. The comfort stations were run by private owners under the request of The Army. As for the involvement of The Army, The Army was directly or indirectly involved in establishment and management of the comfort station including hygiene, and transference of comfort women to places”.

The summary of Report of Japan states as follows.

The Government of Japan holds that it is not appropriate for the so-called comfort women issue to be brought up in the review of the country report for the Treaty signed in 1985 long after the incidents took place.

Nevertheless, to express their sincere apologies and remorse to the former comfort women 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.

At the same time, the Government of Japan expresses that the comfort women issue

has existed throughout history in the world. **(CADEW/C/JPN/7-8)**

On the other hand, the delegation of Japan stated it is not appropriate that comfort women depict sex slaves. The comfort women issue is not one which the Government of Japan recognizes as a slavery issue in the prevailing convention at that time. The delegation stated that comfort women do not conform the slaves definition contained in The Slaves Treaty of 1926. **(CCPR held in Geneva, 16 July 2014)**

2, Comfort Women

The term of “Comfort Women” is a euphemistic expression of legal state-regulated prostitutes (*1) for Japanese Army at the wartime. They were mainly composed of Japanese women, followed by women of occupied territories and Korean women (*2), recruited by private brokers from around 1931 to 1945. They were generally well-paid (*3). Some were voluntary for high remuneration; others were against their will for payment of the debt which their parents borrowed for their family or for some reasons. As it was state-regulated prostitution and Japan was a state member of 1921 Convention (Suppression of the Traffic in Women and Children), Japanese Army took some measures to observe The Convention and Japanese regulations, such as periodic health examination, safe transference to places and check of the age and the will (*4) of comfort women.

After the war, for some reasons (*5) as well as by request of GHQ (General Head Quarter) Army of Occupation of Japan (mainly composed of USA Army), comfort women station for Allied Army in Japan continued to exist for a certain period under the name of Recreation and Amusement Association (RAA) (*6).

3, No evidence of institutionalized forcible taken away by Japanese Army

No evidence of forcible taken away or of institutionalized forcible prostitution by Japanese army has discovered neither in Japan (*7) nor in ROK (*7) nor in USA (*8). No evidence has been accompanied by allegations of ex-comfort women.

No witness related to forcible taken away by Japanese army has come forward.

Contrary, not a few articles are found, in Korean newspapers of those days, having reported crimes (forcible taken away, abduction etc.) in Korean Peninsula (annexed to Japan at that time) committed by Korean private brokers and we can read how the Japanese authorities were striving hard to crack down on the crime (*9). Furthermore, official documents show the Army and the Police were directing the supervision of procurement and brothel owners to ensure legal recruitment (*10).

4, Many evidences explaining that comfort women were well-paid prostitutes.

At least three subsidiary bodies of Allied Army (*11) of which the main body at the Pacific War was USA Army issued interrogation reports of Japanese war prisoners and of Korean comfort women , bulletins and research reports (*12) from 1942 to 1945 at the wartime. All these reports explain that comfort women were well paid prostitutes (*13).

These bodies took role of propaganda against their enemy, Japan (*14). Therefore the investigation of comfort women could have been intended to be used as propaganda against Japan to diminish morale of Japanese soldiers or to disseminate Japanese war crimes to the world if comfort women system had been war crime such as forcible sex servitude.

Since these reports were real primary source and were made by Allied Army which was the enemy of Japan, they are very reliable.

On the other hand, not a few advertisements for recruitment of comfort women in newspaper of the time in Korea are found having offered high remuneration (*15).

5, Measures taken by Japanese Army for the health and the dignity of comfort women as well as for Japanese soldiers, good manners and order needed

One of the subsidiary bodies above-mentioned, Allied Translator and Interpreter Section South West Pacific Area (ATIS) (*11) issued research reports including Brothel section where a regulation concerning comfort station in Manila, Philippine issued by Japanese Army is translated.

Some examples of contents of the regulation are the following:

Personal history of comfort women written therein about the age and the work history must be submitted.

Strict and detailed hygiene management in comfort station was strongly requested to prevent infection. Periodic health examination for comfort women and other employees was obliged.

Medical expense for illness arising from overwork is met 70 % by the managers and 30 % by the comfort women.

Soldier's good manners are needed. No action unbecoming a soldier is countenanced. Speaking or singing loudly is forbidden. Drunken or intoxicated persons are not allowed to enter.

One holiday a month may be given to employees.

And etc.

ATIS comes to the conclusion that "The establishment of brothels under strict

regulation is sanctioned by military authorities in any areas where there are large numbers of troops”. Therefore it means that not only in Manila but anywhere in Philippine, similar regulations for health and dignity of comfort women were implemented.

As a matter of fact, a similar regulation had been already issued on April 1, 1932 by Japanese army in Shanghai, China (*16).

6, Comfort women for Allied Army at the time of occupation of Japan after The War

After the war, for some reasons (*5) as well as by request of GHQ (General Head Quarter) Army of Occupation of Japan (mainly composed of USA Army), comfort women station for Allied Army in Japan continued to exist for a certain period under the name of Recreation and Amusement Association (RAA) (*6).

RAA for Allied Army was established and managed by Japanese government just as for Japanese army at the wartime.

Therefore if comfort women had been so called sex slaves, Allied Army could have been accomplice of war crimes.

7, Comfort Women Issue as a tool of anti-Japan propaganda violating human rights of Japanese nation

Comfort Women Issue has become moreover a political and diplomatic matter rather than a human rights issue after Japan-ROK Foreign Ministers’ Meeting at the end of 2015 (*17).

From the beginning, the Japanese government has never considered Japanese former comfort women who were the largest number in reality. This means that The Comfort Women Issue has not been a women’s human rights issue but a political and diplomatic issue between Japan and Korea putting aside the results of serious researches that there was no evidence proving taken away and putting aside also historical evidences that Japanese Army took measures for the health and the dignity of comfort women.

If The Committee continues to bring up The Issue as women’s human rights, The Committee should recognize that the comfort women issue has existed throughout history in the world as The Japanese Government indicates in CADEW/C/JPN/7-8 aforementioned.

If The Committee brings up only Japanese case, The Committee would promote anti-Japan propaganda leading to violation of human rights of Japanese nation. Actually, many cases of violation of human rights of Japanese residents abroad have been

reported (*18). Ironically the objectives of The Committee, strengthening promotion and protection of human rights are adversely accomplished by The Committee itself. That is to say, The Committee violates human rights.

Many Japanese are seriously concerned, with a kind of annoyance, to this grave situation which causes the committees of human rights to lose its authority and the trust of Japanese nation in The United Nations.

8, Our conclusions (Our suggestions to The Committee)

As above mentioned, as far as our research about primary sources and archives of USA and of Japan is concerned, we have come to the conclusions that comfort women were well paid and that Japanese Army regulated comfort stations for the health, the security and the dignity of comfort women as well as for soldiers.

Also, Prime Minister, Mr. Abe stated explicitly, “There is no evidence proving sex slaves or taken away by The Army. The comfort stations were run by private owners under the request of The Army. As for the involvement of The Army, The Army was directly or indirectly involved in establishment and management of the comfort station including hygiene, and transference of comfort women to places.” (aforementioned in 1)

The meaning of “Involvement of The Army” has become clear.

It does not mean at all involvement in sex slave and taken away.

Nevertheless The Japanese Government including Prime Ministers themselves, reiterates to express “immeasurable pain and suffering beyond description of comfort women” or “affront to the honor and dignity of a large number of women”.

On the other hand The Japanese Government has also expressed that Comfort Women Issue is a worldwide problem existed in every country.

Therefore there remains to know what it means and why it is reiterated.

We suggest that The Committee should ask Japanese government or confirm its statements as follows.

- 1) What does it exactly mean and indicate “involvement of Japanese Army”?
- 2) What are evidences of “immeasurable pain and suffering beyond description of comfort women” or “affront to the honor and dignity of a large number of women” ? And why is this expression reiterated?

End

(*1) Ordinance of No. 295 issued in 1872 of The Grand Council of State (Dajokan), “Ordinance of

Liberation of Prostitutes” (1872年太政官達295号 (「娼妓解放令」)、Decree of No. 145 issued in 1873 of Tokyo, “Decree related to Prostitution” (1873年東京府令第145号「貸座敷渡世・娼妓・芸妓規則」), Ordinance of No. 44 of The Home Department issued in 1900, “Regulations in relation with Prostitution” (1900年内務省令第44号 (「娼妓取締規則」)

These regulations oblige persons planning to work as prostitute to submit in person, certain documents proving their will and to get permission to work.

(*2) Page 407-410 of “Comfort Women and The Sex at the war” by Ikuhiko Hata

(*3) Japanese Prisoners of War Interrogation Report No. 49 in 1944 issued by United States Office of War Information and other reports of Allied Army explain that Comfort women were well paid prostitutes.

(*4) The 1921 Convention prohibits any prostitution of women under the age of 21 and permits prostitution of women over 21 years of age on the condition of their free will of prostitution.

Japan reserved the implementation of The Convention in Korea annexed to Japan as UK reserved in their colonies. Therefore the range of requested age of comfort women for recruitment by middlemen, written in advertisements was from 17 to 30 years. However, actual age of Korean comfort women employed under check of the Army would have been more than 20 years, taken into account of the ages which were more than 20 years except for 19 years of one girl in the interrogation report of US Army No.49 about 20 Korean comfort women (above-mentioned (*3)).

The Japanese regulations obliged to express the will of prostitution as above-mentioned (*1)

(*5) There happened tremendous rapes and violent taking by American soldiers especially at the beginning of occupation of Japan. (Report of The Home Department “Crimes committed by The Army of Occupation from August 30 to October 4,1945”, “List of Crimes committed by The Army of Occupation to October 30, 1945 from the beginning of occupation) by Yoshiko Kitabayashi, etc.)

The Japanese government was obliged to continue comfort women station for GHQ as a measure against these crimes.

(*6) Recreation and Amusement Association (RAA) was established by Decree of Director General of Police and Security Bureau of The Home Affairs Ministry, “Decree in relation with establishment of Comfort Women Station for The Army of Occupation” issued on Aug. 18, 1945 (昭和二十年八月十八日付「外国軍駐屯地における慰安施設設置に関する内務省警保局長通牒」) and The Official Letter from Director of Public Security Direction of The Home Affairs Ministry to Director of Special High Police Direction of The Metropolitan Police and of Osaka Police, “Concerning datum for measures against crimes committed by US Army” issued on Sep. 4, 1945 (昭和二十年九月四日付「米兵の不法行為対策資料に関する件」(内務省保安課長から警視庁特高部長、大阪治安部長宛) .

(*7) Serious joint research by Japanese government and Korean government over two years from 1991 to 1993 did not find any single piece of evidence about institutionalized coercion or abduction or taking away or forcible prostitution by Japanese Army except for some individual war crimes cases which had

already been submitted to War Crimes Tribunal.

(*8) Research, over nearly seven years with many dozens of staff pouring through US archives and with consumption of 30 million dollars, found nothing for evidence on Comfort Women allegations. IWG submitted Final Report to The United States Congress issued in April 2007.

(*9) “Toa Nippo”, Dec. 4, 1938, “Osaka Asahi Shinbun Nansen Edition”, March 24, 1939 etc. There remain many recruitment advertisements in Newspaper of those days.

(*10) Army Memorandum 2197, issued on March 4, 1938, explicitly prohibits recruiting methods that fraudulently employ in the army’s name or that can be classified as abduction, warning that those employing such methods would be punished.

· A Home Affairs Ministry Directive (number 77) issued on February 18, 1938, states that the recruitment of "comfort women" must be in compliance with international law and prohibits the enslavement or abduction of women.

· A Directive (number 136) issued on November 8, 1938, moreover, orders that only women who are 21 years old or over and are already professionally engaged in the trade may be recruited as "comfort women." It also requires the approval of the woman’s family or relatives.

(*11) Allied Translator and Interpreter Section South West Pacific Area (ATIS)

South East Asia Translator and Interrogation Center (SEATIC)

United States Office of War Information (USOWI)

(*12) These subsidiary bodies issued interrogation reports of 27 Japanese war prisoners, of one Malaysian and of one Chinese, one interrogation report of 20 Korean comfort women and of two owners of comfort station, one bulletin, one current translations and two research reports.

(*13) Including interrogated Korean comfort women, Japanese war prisoners gave information about prices which were very high.

(*14) As the name of bulletin (psychological warfare bulletin) shows or the name of body (office of war information) shows, these bodies were involved in propaganda.

(*15) Advertisement in Keijo journal on July 26, 1944 (京城日報 1944 年 7 月 26 日 広告), Advertisement in Korean Government General Bulletin ” Daily Report” on Oct. 27, 1944 (朝鮮総督府機関紙「毎日日報」1944年10月27日), etc.

(*16) Regulation of Comfort Station for The Army on April 1, 1932 and

Measures to prevent venereal disease issued on April 1, 1932

(軍娯楽場取締規則、花柳病予防方策、昭和7、4、1)

(*17) On December 28, commencing from around 2:00 p.m. to 3:20 p.m., Mr Fumio Kishida, Minister for Foreign Affairs of Japan, held a Japan-ROK Foreign Ministers’ Meeting with Mr Yun Byung-se, Minister of Foreign Affairs of the Republic of Korea (ROK), and announced about the issue of comfort women at the press occasion held after the Foreign Ministers’ Meeting as follows. (from net bulletin of The Ministry of Foreign Affairs of Japan)

(*18) Page 106-116 written by Prof. Shiro Takahash, Myojo University, of Report of Independent Verification Committee on “News in relation with Comfort Women” of Asahi Journal issued on Feb. 9, 2015. (朝日新聞「慰安婦報道」に対する独立検証委員会報告書P 1 0 6 ～ 1 1 6 高橋史朗明星大学教授)

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