



**NGO Submission to the 4th cycle of UN Universal Periodic Review
Country: JAPAN**

Theme: Japan's military sexual slavery issue

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Submitted by:

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About Organization:

- The Women's Active Museum on War and Peace (WAM), established in August 2005, focuses on violence against women in war and conflict situations, particularly the issue of Japan's military sexual slavery, or the so-called "comfort women" issue. WAM holds exhibitions and educational events, conducts fact-finding projects, archives testimonies in order to prevent recurrence of these atrocities.
- WAM have submitted alternative reports on Japan's military sexual slavery system to various UN human rights bodies, including ICCPR, CESCR, CEDAW, CAT, CERD, CED, CRC and UPR of the Human Rights Council over 15 years.
- WAM is the main project of the Women's Fund for Peace and Human Rights (WFPHR), a non-profit organization authorized by the Tokyo Metropolitan Government in 2003. WFPHR holds the ECOSOC Special Consultative Status since August 2019.

I. Introduction

1. In the frame of the fourth Universal Periodic Review of Japan by the UN Human Rights Council, WAM provides information on the issue of Japan's military sexual slavery, of euphemistically called "comfort women."
2. Japan's military sexual slavery system was a grave violation of human rights exercised against women and girls throughout the Asia-Pacific region during World War II. Tens of thousands of women and girls were illicitly recruited, often by deception or sometimes by the outright use of force, and forced to serve as sex slaves to the Japanese military.
3. The victims/survivors who have testified come from many different countries and regions, including the Republic of Korea (ROK), the Democratic People's Republic of Korea (DPRK), China, Taiwan, the Philippines, Malaysia, Indonesia, the Netherlands, East Timor, Papua New Guinea and Japan. In addition to the above areas, where "comfort station" sites have been identified from witnesses or documents include Myanmar, Thailand, Vietnam, Cambodia, Singapore, India, Guam, Palau and other Southern Islands.
4. Japan has yet to discharge its responsibility under international law for the sexual slavery system that the Japanese military exercised.

II. In the third cycle of the UPR

5. In the previous cycle of the UPR in November 2017, Japan received recommendations on the issue of "comfort women" as follows¹:

161.87 Thoroughly accept legal state responsibility for and take sincere measures to address its past crimes against humanity, including sexual slavery (Democratic People's Republic of Korea);

161.88 Face up to and reflect on history, sincerely apologize on the issue of "comfort women", make compensations to the victims, and ensure the right of the public to information in this regard (China);

161.89 Make efforts to ensure that the future generations learn the truth of history, including the issue of so-called "comfort women" (Republic of Korea);

6. However, Japan again refused to include the "comfort women" issue among the issues to be followed up and made the following comments²:

161.87. Not accept.

Japan's position is stated in the interactive dialogue as recorded in the Draft Report of the Working Group on the Universal Periodic Review (paras. 157–159).

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Japan's position is stated in the interactive dialogue as recorded in the Draft Report of the Working Group on the Universal Periodic Review (paras. 154, 157–159).

161.89. Note. See 161.88.

Japan has no intention to treat the so-called comfort woman issue in the National Curriculum Standards, which are general standards for schools to formulate their own curricula rather than indicating specifics contents.

With regard to history education, Japan's position is stated in the addendum of the

report of the Working Group on the 2nd UPR of Japan (A/HRC/22/14/Add.1) (para. 147.158. b).

7. The issue of Japan's military sexual slavery has been raised ever since the first cycle of the UPR of Japan. Japan, however, has never accepted these recommendations to be followed up and none of them has yet been implemented.

III. Recommendations from WAM

8. Japan should:
 - (a) Publicly acknowledge legal responsibility for the crimes of sexual slavery, and prosecute and punish perpetrators with appropriate penalties;
 - (b) Refute and sanction any attempts to deny the facts by the government authorities and public figures and to re-traumatize the victims through such repeated denials;
 - (c) Disclose related materials, and investigate the facts thoroughly;
 - (d) Recognize the victim's right to redress, and accordingly provide them full and effective redress and reparation, including compensation, satisfaction and the means for as full rehabilitation as possible, to the victim/survivors throughout the Asia-Pacific region;
 - (e) Educate the general public about the issue and discontinue the control of contents in history textbooks;
 - (f) Respect the initiatives by the civil society organizations to erect memorials and statues in order to remember the victims of Japan's military sexual slavery system and to prevent recurrence.

IV. Factual and background information

9. As WAM has been submitting information since the first cycle of the UPR of Japan, this report covers the events occurred after November 2017.
10. Japan remains in violation of the rights of victims/survivors of Japan's military sexual slavery system in the Asia-Pacific region, due to its failure to provide remedial measures in accordance with international human rights standards as well as recommendations adopted by numerous treaty bodies since 1994, including ICCPR, CESCR, CEDAW, CAT, CERD and CED (Please see Appendix).
11. An example of the Japanese government's negative attitude towards the rights of the victimized women was observed when the Seoul District Court of ROK found on December 8, 2021, that the mobilization of "comfort women" were "criminal acts against humanity,"³ and granted the "comfort women" survivor plaintiffs compensation from the government of Japan. In Japan, both then Prime Minister Yoshihide SUGA and then Chief Cabinet Secretary Katsunobu KATO noted that the judgment was "absolutely unacceptable" on the very same day.⁴ The judgement became final since Japan did not even appeal against it.⁵
12. Further, of special note in these five years is the strengthened denials by the Japanese government itself of the historical facts of Japan's military sexual slavery system, added to its constant rejection of its legal responsibility regarding the wrongdoing. Japan keeps asserting

that “‘forcible taking away’ of comfort women by the Japanese military and government authorities could not be confirmed in any way,” or simply denying, without providing reasons, that what was done to the women amounts to sexual slavery, even on its official website and in diplomatic settings.⁶

13. In the following are only some of the most noteworthy events regarding education and memory.

History textbooks issue

14. Japan noted as follows in the comments it made for the second UPR of Japan:

(b) Our official Courses of Study, which sets standards for educational courses, stipulates “to foster an ability and attitude to consider from a multilateral and multifaceted perspective and judge fairly historical events by using of a wide range of materials and express them appropriately” Each school offers instruction based on this stipulation in order to enable students to consider historical events from various perspectives and judge them fairly rather than to apprehend them from a one-sided perspective. (A/HRC/22/14/Add.1) (para. 147.158. b)

15. Japan does not admit that it has “censored” textbook contents. However, it has pressured textbook publishers and writers to change references concerning the “comfort women” issue in textbooks through its screening system.

16. In January 2014, the Guidelines for the Screening of Textbook Examination Standards was amended, adding the following new clause concerning social studies subjects in middle schools and geography, history and civics in high schools.

That references are made based on the unified understanding of the government expressed through Cabinet Decisions or other such means, or the precedents of the Supreme Court, in cases where they exist⁷.

17. In April 2021, the Japanese government made a Cabinet Decision that it is appropriate to use the term *ianfu* (comfort women), but not the term *jugun-ianfu* (military comfort women, or military- accompanying/embedded comfort women)⁸. On May 12, 2021, Koichi HAGIUDA, then Minister of Education, Culture, Sports, Science and Technology (MEXT) stated in the concerning Diet committee that “such terms (including *jugun-ianfu*) will be found inappropriate from now on [in the screening process]”. The government further explained in the same session that the Minister of MEXT has a capacity to make a recommendation to a publisher regarding a correction of erroneous references in a textbook by the publisher according to the regulations for the implementation of textbooks screenings.⁹

18. On May 18, 2021, the Japanese government held an extraordinary online meeting with textbook publishers to explain how to apply for corrections. “I took it as an instruction to correct [the terms],” said a publisher, for a meeting by the Ministry solely to explain the correction application processes was unheard of.¹⁰ About 20 publishers and editors attended the online meeting, one of whom noted as feeling “the pressure to apply for corrections.”¹¹ In the end, the word “*jugun*”(military-accompanying/embedded) was deleted from many textbooks through this correction procedure.¹²

19. It is inappropriate that the government decide the “correct” term to be used in history

textbooks, unconnected to the results of academic research by historians and other scholars.¹³

“Comfort women” memorials and statues

20. Japan has repeatedly stated that the “comfort women” memorials are “inconsistent with Japan’s position,” without explaining the reason why erecting them is inconsistent with the “position” of the Japanese government. Nevertheless, Japan has requested through diplomatic channels that the statues and memorials erected overseas be removed. At least nine cases are reported concerning the erection of, or erection plans of, “comfort women” memorials in five different countries and regions, against which the Japanese government has objected since November 2017 (as of July 12, 2022).¹⁴ Some of these cases are described below.

[The Philippines]

21. On December 8, 2017, a statue was erected on Roxas Boulevard in Metro Manila, the Philippines, in memory of the suffering of the women sexually abused by the Japanese military during WWII. The Statue had been proposed by a local citizen organization, authorized by the National Historical Commission of the Philippines, and was handed over to Manila City that day.¹⁵

22. On December 12, then Chief Cabinet Secretary SUGA said in a press conference that “erecting a comfort women statue abroad is inconsistent with the position of the Japanese government and extremely disappointing”.¹⁶ In February 2018, when Japan’s then Minister for Internal Affairs and Communication, Seiko NODA, visited Manila, she again expressed disappointment about the erection of the “comfort women” statue.¹⁷

23. Although then Philippines president, Rodrigo DUTERTE, at first stated that the statue was a symbol of “freedom of expression”,¹⁸ during the night of April 27, 2018, the statue was demolished by the government of the Philippines.¹⁹ Estelita Dy, a victim/survivor who was sexually enslaved by Japan’s military at the age of 13 in 1945, stated to the media that “it’s a personal insult to us comfort women,” “the world needs to know that here in the Philippines, there are comfort women, too...it’s like they want to erase our existence and for the world to forget about the crimes that the Japanese soldiers committed.”²⁰

24. The Japanese embassy in the Philippines has protested to at least two other “comfort women” memorials erected in the country. One of the statue erected in San Pedro, Province of Laguna, on December 28, 2019, was removed within two days from the erection.²¹

[The USA]

25. On September 22, 2017, memorial statues were erected in San Francisco by local civil society initiatives, and approved by the San Francisco city council.²² On November 21, then Prime Minister Shinzo ABE stated in the Diet session that “[I/we] believe that [the erection of the memorial] is inconsistent with our government’s position and find the matter extremely regrettable. The government has made a request to the Mayor of San Francisco that he exercise his veto by the 24th [of this month]”.²³

[Taiwan]

26. On August 14, 2018, a “comfort women” statue was erected by civil society initiatives in Tainan city. Next day, on August 15, then Chief Cabinet Secretary SUGA stated that “the

erection [of comfort women memorials] is inconsistent with our government's position and its activities so far, and it is extremely disappointing". He also disclosed the fact that the government had made a request [concerning the statue] through the Japan-Taiwan Exchange Association, the contact organization for Japan regarding Taiwan.²⁴

[Germany]

27. On September 28, 2020, a "comfort women" statue was erected in a public space in Mitte District, Berlin, by civil society initiatives. In the following October, then Foreign Minister Toshimitsu MOTEGI asked Germany's Minister of Foreign Affairs Heiko MAAS through remote conference that the statue be removed.²⁵ Although the statue remains in the same place due to the decision made by the Mitte District assembly, it has been under constant pressure for removal. On April 28, 2022, Prime Minister Fumio KISHIDA renewed Japan's request for removal to Germany's Prime Minister.²⁶
28. At the *Japanisches Palais*, a part of the Dresden State Art Collections, the exhibition entitled "Wordlessness. Falling Silent Loudly" was held from April 15 to August 1, 2021, which included two pieces of "comfort women" statues as exhibits. On April 16, then Chief Cabinet Secretary KATO stated at a press conference that "exhibiting 'comfort women' statues is inconsistent with our government's position and its activities so far and is extremely disappointing. The government is in the process of making efforts toward the removal [of the statue], including approaching a variety of persons involved, and providing governmental explanations."²⁷
29. While not all the memorials were removed, thanks to the efforts of the local residents and activists, each of these denials itself re-victimizes the victims/survivors who suffered as Japan's military sexual slaves, including many of whom have courageously testified about their ordeal.

¹ Report of the Working Group on the Universal Periodic Review: Japan (A/HRC/37/15)

² Report of the Working Group on the Universal Periodic Review: Japan Addendum (A/HRC/37/15/Add.1)

³ The Tokyo Shimbun, January 9, 2021.

⁴ Reuters, January 8, 2021.

⁵ The Nihon Keizai Shimbun, January 23, 2021

⁶ Official website of the Ministry of Foreign Affairs, Japan
(https://www.mofa.go.jp/policy/postwar/page22e_000883.html)

⁷ Official website of the Minister of Education, Culture, Sports, Science and Technology, Japan
(https://www.mext.go.jp/a_menu/shotou/kyoukasho/kentei/1411168.htm.)

⁸ The cabinet's written response on April 27, 2021, to the parliamentary enquiry of April 16, 2021, submitted by MP Nobuyuki BABA

⁹ At the Committee on Education, Culture, Sports, Science and Technology, House of Representatives, May 12, 2021

¹⁰ The Asahi Shimbun, May 18, 2021

¹¹ The Kanagawa Shimbun, June 20, 2021

¹² The Asahi Shimbun, October 30, 2021

¹³ See, for example, "The Emergency Statement by Japan-based Researchers and Activists Criticizing a New Form of Denialist Discourse on Japanese Imperial Military 'Comfort Women'" by the Historical Science Society of Japan and others. (<http://rekiken.jp/english/appeals/2021-2/>)

¹⁴ The cases not described in this report are found in the following media outlets: Colorado Times, June 8, 2021, referred to by PYON Jin-il, June 21, 2021, on <https://news.yahoo.co.jp/byline/pyonjiniru/20210617-00243445>; NHK (the national broadcaster of Japan), July 22, 2021; Yomiuri Shimbun, December 13, 2021; Sankei Shimbun, August 15, 2018.

¹⁵ The Daily Manila Shimbun, December 11, 2017

¹⁶ The Asahi Shimbun, December 12, 2017

¹⁷ The Daily Manila Shimbun, January 10, 2018

¹⁸ The Daily Manila Shimbun, January 18, 2018

¹⁹ The Daily Manila Shimbun, April 29, 2018

²⁰ The Philippine Star, May 20, 2018

²¹ The Daily Manila Shimbun, January 19, 2019, and Manila Shimbun, February 7, 2019

²² “San Francisco accepts ‘comfort women’ statue”, BBC, November 23, 2017.

(<https://www.bbc.com/news/world-asia-42092477>)

²³ At the plenary session, House of Representatives, November 21, 2017

²⁴ The Sankei Shimbun, August 15, 2018

²⁵ The Sankei Shimbun, October 1, 2020.

²⁶ The Mainichi Shimbun, May 11, 2022.

²⁷ Official video recording of Chief Cabinet Secretary Kato’s press conference on April 16, 2021, at the *Kantei* (Prime Minister’s Office of Japan) website. (https://www.kantei.go.jp/jp/tyoukanpress/202104/16_p.html).