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Members of U.N. Human Rights Council  
UPR Document Submission  
United Nations

Re: Japan Stakeholder's Submission for  
28<sup>th</sup> Session (6-17 November 2017)

Dear U.N. Human Rights Council Members:

We are happy to submit our opinion on the Mid-Term Report of the Government of Japan dated January 2017 on the progress made in the implementation of the recommendations issued at the Second Cycle of the Universal Periodic Review. We are pleased to note that the Government of Japan has been making steady progress on the issues presented by a large number of member countries.

The most amazing is the fact that as many as 13 member countries had submitted a recommendations related to "**human trafficking**," "**sexual violence on women and girls**," and "**sexual exploitation of women**." Recommendations Number 127 through 149 are related to these subjects. The following 13 countries have issued those recommendations:

- \*Republic of Moldova
- \*Spain
- \*Turkey
- \*Belarus

**GAHT-US Corporation** is a non-profit public benefit corporation registered with the State of California, being established in February 2014. It has limited core members in California and Japan, and more than 500 affiliated members around the world. Its principal objective is to disseminate true historical knowledge based on actual historical events. GAHT stands for Global Alliance for Historical Truth.

\*Trinidad and Tobago

\*Azerbaijan

\*Cambodia

\*Libyan Arab Jamahiriya

\*Sri Lanka

\*Algeria

\*Costa Rica

\*Thailand

\*Bangladesh

This situation implies that many people in the world consider Japan is one of the principal targets of human trafficking, and many women and girls in Japan are exposed to high risk of sexual violence and exploitation. Being very familiar with the situation in Japan, the members of GAHT-US declare with confidence that the situation described above is far from the real situation in Japan. Japan is one of the safest countries in the world, and is not subjected to any organized human trafficking in recent decades. The only exception has been those abducted by the Government of North Korea some 30 years ago. <sup>i</sup>

We suspect that many people in the world think that Japan has more than insignificant degree of human trafficking, sexual violence and exploitation is associated with the sex-slavery theory of “comfort women” who were associated with Japanese military prior to the end of the World War II. This theory was originally developed in Japan, but has been spread around the world by Korean activists and also by Chinese activists more recently. However, this theory was developed from a fictitious story written by a Japanese writer and was expanded and spread to the world as if the story was based on actual historical events. Below, we shall explain this unfortunate development by following principal events related to the spread of the false story. For more detailed explanations, please refer to Sankei Shimbun (2015), “History Wars”, and Mera (2015) “Comfort Women Not Sex Slaves.”

### **Stage 1: Actual “Comfort Women” System**

The Japanese military allowed and approved the establishment of “comfort stations” near the battlefields during the 1930s for the purpose of avoiding raping by Japanese military of women in and near the battlefields and for protecting soldiers and officers from contacting venereal diseases. The comfort stations were operated by private operators, but the military established strict regulations concerning the operation of the comfort stations such as working hours and the use of condoms. Japanese military doctors inspected the health of comfort women (who provide sexual services) periodically. This was an extension of the prostitution houses legally allowed at that time within Japan proper.

An estimated about 20,000 women above the age of 18 were recruited as comfort women from Japan, Korea and other areas.<sup>ii</sup> They were compensated handsomely. Most comfort women received more than fifty times of income of their customers, Japanese soldiers.

This practice was well known among people in Japan and Korea, but no claim was filed during the International Military Tribunal for the Far East (so-called Tokyo Trial of War Crimes) immediately after the war. Nor was it mentioned during the negotiation between Japan and South Korea for reaching the Basic Treaty of Japan and the Republic of Korea in 1965 with which all claims prior to 1945 between the two countries were settled conclusively.

### **Stage 2: Engineered False Stories**

In 1983, Writer Seiji Yoshida wrote a book entitled “My War Crimes” in Japanese. In the book he described in detail his alleged experience during the war time of abducting Korean women in the island of Cheju south of the Korean Peninsula. He wrote his team collected more than 200 young women in the island. A notable Japanese newspaper Asahi, carried Yoshida’s story as if it was based on the actual historical events in 1992 and thereafter. Yoshida’s book was translated into the Korean and published in South Korea.

When the Japanese Prime Minister Miyazawa was about to visit South Korea in 1992, Asahi Newspaper published an article announcing a sudden public appearance of an old Korean

comfort women. Believing the story of Yoshida, Prime Minister Miyazawa repeatedly apologized to his counterpart in South Korea for mobilization of Korean women as comfort women.

The Miyazawa administration tried to resolve this issue of comfort women with South Korea. The South Korean government insisted Japan to apologize for the use of Korean women for comfort women. To calm down the pressure from South Korea, the Kono Statement was issued by the then-Chief Cabinet Secretary Yohei Kono on August 4, 1993. The statement included ambiguous statements related to the recruitment methods of comfort women. To satisfy the demand from South Korea, the statement included passages which might be interpreted as supporting the use of coercive recruitment methods. At the time of press meeting, Mr. Kono admitted verbally the use of coercive recruitment methods by the military. Since then, the theory of comfort women sex-slave theory spread many parts of the world.

In 1996, United Nations special rapporteur Radhika Coomaraswamy revealed her report, *Report of the Special Rapporteur on Violence against Women, its Causes and Consequences*. With this report, many people started to regard comfort women as sex-slaves. The 2007 U.S. House of Representatives Resolution 121 played a significant role in spreading the sex-slave theory of comfort women in the United States.

### **Stage 3: Installations of the False Memorials – “Comfort Women Statues”**

Korean groups around the world started building comfort women statues in various countries. The first was in 2012 at Seoul across the street from Japanese Embassy in Seoul. Korean groups in the U.S. started building plaques memorizing comfort women. The Palisades Park in New Jersey was the first. There was a drawing of a Japanese soldier and a Korean woman, but no statue. Within New York metropolitan areas, several memorials similar to the one in Palisades Park were built. Then, the city of Glendale in California built a statue with a plaque in July 2013. A Japanese group filed a lawsuit against the City of Glendale in February 2014, requesting its removal. There were many opposition speakers when the City organized a public hearing on July 9, 2013.

The Japanese government started a serious review of the Kono Statement in the first half of 2014, and concluded that the Statement was a political act of Miyazawa Administration with the

hope of silencing Korean government, but without the effect. Immediately after the announcement of the government review, Asahi Newspaper which kept reporting Yoshida's stories as true, disclosed that these articles were not based on fact, and withdrew many articles on Yoshida over 32 years in August 2014. This was a pivotal event in Japan concerning comfort women. The credibility of Asahi Newspaper declined significantly.

United Nations Human Rights Council meetings were held for reviewing the human rights situation in Japan at Geneva in July 2014. One of the topics was comfort women. Council members argued that they were sex-slaves. To this argument, the representative of the Government of Japan clearly declared that their description as "sex-slaves" was inappropriate.<sup>iii</sup> The position of the Government of Japan has not changed since then. The most recent statement was made by the Representative of the Japanese Delegation on February 22, 2016 at Geneva at the U.N. Convention on the Elimination of All Forms of Discrimination against Women, Committee on the Elimination of Discrimination against Women, 63<sup>rd</sup> Session. At that occasion, the Japanese Representative stated that the number was much less than 200,000, they were not coercively recruited, and were not sex-slaves.<sup>iv</sup>

Although more than 50 comfort women statues have been built within South Korea, no comfort women statue were built in public places in the United States up to this point since the one in Glendale, California. The ongoing lawsuit appears to have prevented further building of comfort women statue in the U.S. There was an attempt to build one in Germany in 2016, but an explicit opposition from a Japanese sister city prevented its building.

On the academic side, a group of U.S. scholars issued a statement supporting the sex-slave theory in 2014. But, a group of Japanese scholars fought back. These exchanges have been going on for some time. Now, it appears that the American scholars ceased to fight back. It has been known that there is a detailed study by the U.S. military intelligence group of Korean comfort women through interviews in Burma in 1944.<sup>v</sup> This study clearly shows that they were not sex-slaves. Rather, they were friendly companions to Japanese soldiers, and were able to afford expensive accessories and dresses. This finding was reconfirmed by a more recent study of comfort women which were made available in 2007 by the U.S. Interagency Work Group.<sup>vi</sup>

The lawsuit filed by a Japanese group in California argued that the issue of comfort women is an international and diplomatic issue, and thus the City of Glendale should not express its views because the foreign affairs is an exclusive domain of the Federal Government. However, the plaintiffs have lost in the Federal as well as State Courts up to the Courts of Appeal. The case is now at the U.S. Federal Supreme Court which will announce its views shortly. To this lawsuit, the Government of Japan filed an Amicus Curiae brief in February 2017, supporting the position of the plaintiffs for the removal of the comfort women statue in Glendale.

#### **Stage 4: Now and the Future, HRC should address current existing discriminations**

In December 2015, the Government of Japan and the Republic of Korea formally agreed to end the age-old dispute ultimately and irreversibly by not attacking or criticizing the other in international arenas. When each country follows this agreement strictly, the issue of comfort women disappears. The Japanese side is willing to follow this agreement, but the Korean private organizations are insisting that they are free from the agreement. On top of this, Chinese groups are now joining Korean groups in blaming the Japanese by using the sex-slave story of comfort women. The comfort women issue is simply used by Chinese group for downgrading the Japanese and for breaking the strong tie between the United States and Japan.

The question now open to the United Nations concerning the comfort women issue is the following:

Is U.N. willing to continue to pressure Japan with the comfort women issue which took place more than 70 years ago, even if the issue was real, at the risk of destabilizing the political situation of Northeast Asia?

The alternative is : Granting that the comfort women issue was fictitious and granting the Japan-S. Korea agreement of 2015 as an important starting point, the U.N. would endeavor to improve the currently existing discrimination of persons in the present social situation of State parties.

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- <sup>i</sup> The Government of Japan officially recognizes 17 persons of Japanese nationals abducted by North Korean agents during the 1970s and 1980s. Of these persons, 5 persons returned home after the Government of North Korea officially admitted they did abduction of Japanese nationals in 2002.
- <sup>ii</sup> Hata (1999), p. 406.
- <sup>iii</sup> See Mera (2015), pp. 93-95.
- <sup>iv</sup> See <http://www.mofa.go.jp/files/000140100.pdf> which is posted within the website of the Japan Ministry of Foreign Affairs.
- <sup>v</sup> See United States Office of War Information (1944).
- <sup>vi</sup> See <http://www.mofa.go.jp/files/000140100.pdf>