

addition
15/9/2000

Factual background to individual charges

Category 1: establishment and management of "comfort stations"

1-2. Cases of South Korean Plaintiffs

1) The case of the survivor KIM Bok-Dong

Defendants:

- HATA Shunroku (Commander-in-Chief of the China Expeditionary Army, March 1941-November 1944).
- IMAMURA Hitoshi (Commander of the 23rd Army, stationed in Guangdong and HongKong, June 1941-November 1944).
- SAKAI Takashi (Commander of the 23rd Army, stationed at Guangdong and HongKong, November 1941-March 1943).
- TOJO Hideki (War Minister, July 1940-July 1944, promoter of the establishment of "comfort stations" in the Southern Area).
- TERAUCHI Hisa*ichi (Commander-in-Chief of the Southern Expeditionary Army, November 1941-August 1945).
- YAMASHITA Tomoyuki (Commander of the 25th Army, November 1941-July 1942, stationed in Singapore, Malay Peninsula and Sumatra).
- DOHIHARA Kenji (Commander of the 7th Area Army, March 1944 - April 1945).
- ITAGAKI Seishiro (Commander of the 7th Area Army, April - August 1945).

The defendant IMAMURA Hitoshi (June 1941-November 1944) and SAKAI Takashi (November 1941-March 1943) were the commanders of the 23rd Army stationed in Guangdong area, China, when the victim Kim Bok-Dong (born in Kyonsangbuk-do in 1926) was deceived to be taken away from Korea through Shimonoseki in Japan and Taiwan to Guangdong, and was made a "comfort woman" in "spring or autumn" of 1941.

The 21st Army (commanded by Lieutenant-general ANDO Rikichi, comprised of the 5th, 18th and 104th Divisions), which later became the 23rd Army, invaded and occupied Guangdong in at the end of 1938, and in November, immediately after the occupation, the Army requested recruitment of "comfort women" to the Home Ministry and the Taiwan Government-General, as described above. Later in June 1941 under the China Expeditionary Army (commander-in-chief: General HATA Shunroku), the 23rd Army (including the 18th, 38th and 104th Divisions etc) was newly established, commanded by the defendant

IMAMURA Hitoshi. The 23rd Army was responsible for guarding Guangdong and its surrounding areas. On December 8, 1941, at the outbreak of the Asia-Pacific War, the 23rd army, commanded by the defendant SAKAI Takashi (its main force was the 38th division commanded by SANO Tadayoshi?) invaded HongKong, and occupied it on December 25th. The Army started its military government on December 29th. In January 1942, HongKong Occupationary Consulate General was formed (under the Governor General ISOGAI Rensuke), and HongKong Garrison was stationed there. In June 1942, "comfort women" were transported from Guangzhou (mainland China) to HongKong. In HongKong, there were fourteen "comfort stations" in March 1942.

Three months later, the victim KIM Bok-Dong was taken with the moving army to "comfort stations" in Singapore and then to the mountain areas in the Malay Peninsula. It was the 25th Army, commanded by the defendant General YAMASHITA Tomoyuki, that occupied and guarded the Malay Peninsula including Singapore and Sumatran districts (see Figure 7).

The divisions under the 25th Army (including "Konoe*s Division", the 5th, 18th, and 56th Division etc.) started massacring the Chinese residents immediately after its occupation of Singapore on February 15th, 1942. Amid the massacre or immediately after the massacre, "comfort stations" were opened one after another in Singapore and major cities of the provinces in the Malay Peninsula, where the Korean and Chinese women were transported and made "comfort women".

What is important here is the fact that from the start of the Asia-Pacific War in 1941, the War Ministry itself carried out establishing "comfort stations" and managing and controlling the transportation of "comfort women" into Southeast Asia and the Pacific islands (see YOSHIMI Yoshiaki's opinion on "The Chain of Command of the Japanese Military and Government"). In other words, the defendant TOJO Hideki was directly responsible, as the War Minister during the Asia-Pacific War, for establishing "comfort stations" and managing and controlling the transportation of "comfort women" into South East Asia and the Pacific region.

The victim Kim Bok-Dong was transported by ship and lorry to "Sumatra, Indonesia, Malaysia, Java" and so on, each of where she was made a "comfort woman". When the Army judged that the invasion of the Southern regions was successfully attained, the military government principally aiming at "safe-guarding the important sites of the Southern regions" was established in July 1942 (see Figure 8). It was the 25th Army that governed the Malay Peninsula and Sumatra, and Kim Bok-Dong was transported from one "comfort station" to another within the area under the control of the 25th Army.

Another fact to be noted is that at least in Singapore and the Malay Peninsula the military authorities such as the Military Administration Supervisor and the Provincial Governors controlled the establishment and management of "comfort stations" and recruitment and *work conditions* of "comfort women". In 1944 the Headquarters of the Southern Expeditionary Army was moved from Singapore to Manila, and in July 1944 the 7th Area Army was newly formed under the defendant General DOHIHARA Kenji in Singapore (see Figure 9). Under that Army, the 25th Army (commanded by Lieutenant-general TANABE Moritake) was stationed in Sumatran region, and the 29th Army (commanded by lieutenant- general ISHIGURO Teizo?) in Malay region. From around May 1945, the Allied Forces' counterattack gained momentum, but even at the final periods of the war, "comfort stations" in Singapore were frequented as they said "Burma was a hell, Singapore was a paradise".

At the end of the war, the victim Kim Bok-Dong was in a "comfort station" in Singapore, and at that time the commander of the 7th Area Army was the defendant ITAGAKI Seishiro.

2) The case of the victim KIM Gun-Ja.

Defendants:

- UMEZU Yoshijiro, Commander-in-chief of Kwantung Army
- YAMASHITA Tomoyuki, Commander of the 1st Area Army
- KOUTSUKI Yoshio, Commmander of the 2nd Army
- (with regard to her suffering in Huichun)

- Yamada Otozo, Commander-in-Chief-in-chief of Kwantung Army
- KITA Sei*ichi, General, the Commmander of the 1st Area Army
- MURAKAMI Keisaku, lieutenant-general, the commander of the 3rd Army
- (with regard to her suffering in Wujiazi)

Kwantung Army was the name of the Japanese army stationed in North East China, or so-called "Manchuria", and its origin went back to the Russo-Japan War (1904-05). Kwantung Army expanded its forces at the time of Manchurian Incident in 1931, and the fabrication of "Manchukuo" in 1932. In July 1941 when they carried out a large- scale army mobilisation called Kwantung Army Special Exercise, three thousand Korean "comfort women" were recruited. The commander of Kwantung Army at that time was the defendant

UMEZU Yoshijiro (on duty from September 1939 to July 1944).

In 1942 under Umezu's command, Kwantung Army reformed its structure according to the "Military System Reform" plan (sanctioned on June 6th). The 1st Area Army Headquarters, the Area Army and others were newly established to increase its forces (The headquarters of the Kwantung Army was renamed the General Headquarters). Then, under the command of the 1st Area Army Headquarters (in Mudanjiang or Moran-kang, China), commanded by the defendant YAMASHITA Tomoyuki (July 1942-September 1943), the 2nd Army (in Yanji or Yongil, China) was newly formed under the command of the defendant KOUTSUKI Yoshio (July 1942-May 1943). The main force of the 2nd Army was the newly formed 71st Division in Huichun, China (developed from Huichun Stationary forces) commanded by TOYAMA Noboru (from 1942 to the end of the war (see Figure 10).

The victim KIM Gun-Ja (born in Kang-won-do, Korea, in 1926) was deceived to be taken away to Huichun in "Manchuria" at the age of 17 (either in 1942 or 1943), and was made a "comfort woman" in a "comfort station" housing Korean "comfort women".

From around 1943 Japanese Army repeatedly suffered defeats and the divisions under Kwantung Army were transported to the Southern regions one after another (in October 1943, the 3rd Area Army was newly formed when the 2nd Area Army Headquarters was moved away). In July 1944, the defendant YAMADA Otozo took the position of UMEZU as the Commander-in-chief of Kwantung Army. In January 1945, the 71st Division stationed in Huichun was moved to Taiwan (the 10th Area Army), and immediately after that in February 1945, the 9th Border Garrison stationed in Wujiazi was reformed into the 127th Division under the command of KOGA Ryutaro. The "comfort station" in Wujiazi, in which Kim Gun-Ja was put, was most likely under the control of the 127th division. Wujiazi was an important station near the border of the Russia (see Map). Japan's Military Sexual Slavery was exercised even in those remote border areas. The victim Kim Gun-Ja was left there without being informed the Japanese Army's defeat (that is to say the liberation), and had to leave the "comfort station" without any money, thus to go back to her home country all the way on foot.

[end]

Factual Background to the individual charges

category 1: "comfort station" establishment

1-4. Indonesia

1) regarding survivor Mardiyem, of Banjarmasin of Borneo [Kalimantan]

The Defendants:

- Admiral YAMAMOTO Isoroku, Commander-in-Chief of the Combined Fleet
- Admiral KOGA Mineichi, Title same as above
- Admiral TOYODA Fukutake, Title same as above
- Admiral OZAWA Jisaburo, Title same as above
- Vice-Admiral TAKAHASHI Ibo, Commander of the Third Fleet, and later Southwest Area Fleet, (also served as commander of the Second Southern Expeditionary Fleet)
- Vice-Admiral TAKASU Shiro, Title Same as Above, (also served as the commander of the 2nd south expeditionary fleet)
- Vice-Admiral MIKAWA Gun-ichi, Title same as above, (also served as the commander of the 2nd southern expeditionary fleet)
- Vice-Admiral OKOCHI Denshichi, Title same as above,
- Vice-Admiral FUKUTOME Shigeru, Commander of the Tenth Area Fleet
- Vice-Admiral IWAMURA Seiichi, Commander of the 2nd southern expeditionary fleet
- Vice-Admiral KAWASE Shiro, title same as above
- Vice-Admiral SHIBATA Yasaburo, title same as above
- Rear Admiral HIROSE Sueto, Commander of The 22nd Navy Special base force
- Rear Admiral FUKUDA Ryoza title same as above
- Vice-Admiral DAIGO Shigetada title same as above
- Rear Admiral KAMATA Michiaki, title same as above
- INOUE Kojiro, Chief of Military Administration of Borneo
- HAYAKAWA Gen(?), title same as above

In December 1941, Japan declared war against the Allies and occupied the vast region of Asia-Pacific. There the Japanese Military set up one military "comfort stations" after another according to their plans. According to "Summary of Diary of War Ministry's Operations" kept by KINBARA Setsuzo, Chief of Medical Affairs Section (hereafter the document will be called "Kinbara Summary" 'see note 2) of The War Ministry Medical Affairs Bureau, on July

26, 1941, a military doctor who observed Dutch East Indies (Indonesia) reported:

"as the venereal diseases are spreading in Bandung and other areas, there is a need to order each village heads to set up 'comfort stations' under our strict supervision ("Report on Observation of Sanitary Situation in the Dutch Indies by Military Doctor Fukada"). After the war started, the War Ministry supervised/controlled the transportation of "comfort women" (cf. "Rikuamitsu" telegraph or army's confidential telegraph regarding Asia no. 1398 dated November 18, 1942 'see note 2). KURAMOTO Keijiro, head of the Reward Section of War Ministry's Personnel Affairs Bureau reports that total of four hundred "comfort stations" were set up for officers and those who were in lower statuses than that of officers (100 of them in North China, 140 in Central China, 40 in Southern China, 100 in the Southern Area, 10 in Nanhai, 10 in Sakhalin) (see Section Head Report of 1942 September 3, and "Kinbara Summary"). Based on request from overseas expedition armies, the Construction Section of War Ministry's Bureau of Accounting and Depots of Army Supplies provided at least 32,100,000 "sanitary sheath" (condoms) as "the field supplies" during the year of 1942 (see "Rikuamitsu" Diary 'note 3, Rikushimitsu Diary 'see note 4).

The military forces stationed overseas totalled as many as about 1,700,000 soldiers, and it was estimated that average of 88,000 soldiers frequented the "comfort stations" per day.

In the island of Borneo, which was under the Army and Navy's military administration, the Army started to set up "comfort stations" soon after the occupation, as the Southern Expeditionary Army Headquarters

(Commander-in-Chief: General TERAUCHI Hisa-ichi) requested the War Ministry to dispatch "comfort women" from Taiwan ("Since South Area Army requested fifty comfort natives to be sent to 'Borneo'. . ." from "Rikuamitsu 188" of March 12, 1942, see note 5).

As to the Navy, the Navy Ministry decided to set up "comfort stations" and set the guidelines of operations, referred to "comfort women" as "specially required personnel" and transported the women on warships and military ships. "Inquiry to the matters concerning the second dispatch of "specially required personnel," compiled by head of the Bureau of Naval Affairs and head of the Bureau of Naval Preparation, reported to the Chief of Staff of the Southwest Area Fleet and Rear Admiral NAKAMURA Toshihisa that they would dispatch forty "specially required personnel" to Makassar [Ujung Pandang], forty of them to Balikpapan of Borneo, fifty of them to Penang, and thirty of them to Surabaya. Before that, in January 1942, NAKASONE Yasuhiro, Lieutenant Junior Grade of Accounting of the Navy and later Prime Minister of Japan, notes in his memoir ("Owarinaki Kaigun" [the endless navy]): "It was a

large troop of three thousand or more. Soon there are those who attacked the native women and those who indulged in gambling. For those people I took the trouble to set up comfort stations."

In 1942, Mardiyem who lived in Jogjakarta at the time (born in 1929) was one of those who were put into "comfort stations" by SHOGENJI Kango, the Mayor of Banjarmasin who came from Borneo to recruit women. Mayor Shogenji accompanied an Indonesian woman who was a singer, telling around that "there is a good job" and recruited forty-eight women and transported them on a ship to Borneo. Out of the forty-eight women, half of them ended up working in canteens and theatres, but twenty-four women including Mardiyem were put into a "comfort station" in Telawang Village in the suburb of Banjarmasin, and was made into a sex slave who had to serve tens of Japanese soldiers and civilian Japanese men. The person who was directly running the "comfort station" was a Japanese named "CHIKADA" and there were checkups for venereal diseases done by military doctors every Saturday, and checkups by a military medic every morning. The year after that, as five of the women of the first batch from Jogjakarta were returned because of diseases, Chikada went to recruit the second batch. The third batch was collected around September 1944, and there were cases in which the village heads recruited village girls. Mardiyem and other women's lives in a "comfort station" continued until the Japanese military was defeated.

Borneo was an island with rich oil and mineral resources, and many engineers and workers were recruited from Japan, and the Navy set up Military Administration of Borneo in May 1942 (Headquarters was in Balikpapan then; transferred to Banjarmasin in August 1942). Officials sent from Ministries in Japan worked in the Military Administration, but such positions as head of state affairs section and head of accounting were occupied by military personnel, and in time of emergency the head of the state affairs section would be the supreme commander of the district.

As for the establishment and management of "comfort stations", the details are documented in the "report on the demobilisation of the 2nd demobilisation group" (dated 20 April 1946), made by the Military Administration of Celebes [Sulawesi] under the control of Military Administration Government of the Navy in the Southwest Area. In Celebes there were those "comfort stations" directly managed by the Navy, for which the navy officers also directly recruited women, and those "comfort stations" for which the chief of the military administration of the Navy issued permission for the establishment of and supervised through the state affairs section, and the recruitment of the women for which was done by civilian employees of the navy who were assigned to work at the military administration. A careful

examination of accounts of military personnel and various sources of documentation (including "the memoirs of wartime" by the network of former residents in South Borneo, and other documents) suggests that a similar system was used for the management of "comfort stations" in Banjarmasin, Borneo.

Therefore, those who were responsible for the suffering of the women in "comfort stations" of Banjarmasin are those who were responsible for 3rd fleet (Southwest Area Fleet from April 1942, then 10th Area Fleet from February 1945), which controlled Southwestern Borneo under the Combined Fleet, and for the Navy's 22nd Special Base Force and the Military Administration of Borneo that directly governed Banjarmasin, therefore also in charge of establishment and management of those "comfort stations". These individuals should not be exempt from being held accountable for the above.

2) regarding the case of survivor Suhana of Bandung, Java

defendants:

-TERAUCHI Hisa*ichi, General of the Army, Commander of the Southern Expeditionary Army

- DOHIHARA Kenji, General, Commander of 7th Area Army

- HARADA Kumayoshi? [Kumakichi?], Lieutenant General, Commander of 16th Army

- KUNIKATA? Keizo?, Major General, Commander of 13rd Independent Garrison and 27th Independent Mixed Brigade

- KAWAHARA? Nao*ichi?, Major General, Commander of 27th Independent Mixed Brigade

The survivor Suhana (aged 17 at the time, born in 1928) was a daughter of stall green grocers in the market in Cimahi, in the suburb of Bandung. In 1943, when she was playing in front of her house while her parents were out for work, several Japanese soldiers pointed guns at her and put her on a jeep. She was taken for about 2 km away from her home to where the houses formerly for officers of the Dutch military known as Gedung Delapan (the eight houses) and was made a "comfort woman" for the Japanese military. The day-to-day life of this particular "comfort station" was managed by three Chinese, but every Saturday military policemen would come to check and gave instructions regarding the operation of the place. There were also regular checks of venereal diseases conducted by army doctors. Some of the girls there were able to take leave to go home, but were unable to run away due to threat, and those who tried to run away were punished at the military police headquarters as an example to the other girls. Three other survivors from this particular "comfort stations" now resident in Bandung

give accounts very similar to hers. [Therefore it is clear that the military was responsible of the management of the "comfort stations" and sexual slavery of the girls.]

Suhana fell ill in the womb and was sent home as "no good for use" one and half years after she was taken. Her mother had fallen ill from the shock that her daughter had disappeared, and passed away without ever getting better from the original illness. Her father had tried to trace her, visited the military police and was slain with a sword by a Japanese soldier near Gedung Delapan, where she was kept.

The island of Java was the general base of war supplies for the Southern Expeditionary Army. Only few shifts of troops were made there, as the focus in the area was to safeguard the area itself. Although in which month of 1943 Suhana was taken is unclear, the period she was kept in Gedung Delapan was approximately one and half years. Therefore the analysis needs be made to identify the military personnel responsible for the Japanese military in the area between January 1943 and June 1945.

The troops that had their headquarters in Bandung after its fall were 2nd division, 13th independent garrison and 27th independent mixed brigade respectively. The 2nd division was transferred away from and left Bandung in October 1942, and is irrelevant in the present case. The 13th independent garrison came in after the 2nd division, which was later re-organised into the

27th independent mixed brigade. And Defendant Major General KUNIKATA? Keizo was responsible for the former, then for the latter until early February 1944. So he cannot be exempt from being held accountable [for putting Suhana to sexual slavery and keeping her in the situation until then]. Kunikata's successor, Major General KAWAHARA? Naoichi? should also be held accountable for the overlapping period during when Suhana was kept at the "comfort station" while he was the commander of the said brigade in control of the area. Kawahara's successor, Major General MABUCHI Itsuo, who became commander of the said brigade only on 1 Feb 1945 would only be held accountable if Suhana was taken in August 1943 or later that year [so that he became commander before she left the "comfort station"].

The 16th Army was in charge of defence of the whole island of Java since the fall of Jakarta on 9 March 1942 until the end of WW2. Its headquarters was in Jakarta. Lieutenant-General HARADA Kumakichi? was the commander of the 16th army from Nov 1942 to April 1945, hence cannot be exempt from being held accountable in the present case [for both her being put to sexual slavery and being kept at that]. Lieutenant-General NAGANO Yuichiro, who became the commander of the 16th Army on 7 April 1944 would only be held

accountable if Suhana was taken in Oct 1943 or later [so that he became commander before she left the "comfort station"].

The 7th area army was newly established on 27 March 1944. Its first commander was General DOHIHARA Kenji, who remained in position until April 1945. Throughout the period he was the commander, Suhana was kept at the "comfort station" regardless of when in 1943 she was taken. General ITAGAKI Seishiro, who became the commander of the 7th Area Army on 7 April 1945 would only be held accountable if Suhana was taken in Oct 1943 or later [so that he became commander before she left the "comfort station"]. Throughout the period, the defendant General (later became General of the Army) TERAUCHI Hisa-ichi was the commander-in-chief of the Southern Expeditionary Army and thus cannot be exempt from being held accountable.

Therefore, the five men listed at the beginning should clearly be accused.

[end]

Factual background to charges of individual defendants

Category 2: conventional mass rape

2-1 "the rape of Nanking" or Nanjing, China

Potential defendants:

General MATUSI Iwane (Central China Area Army Commander), Lieutenant-General Prince Asakanomiya Yasuhiko (Shanghai Expeditionary Army Commander), Lieutenant-General NAKAJIMA Kesago (commander of the 16th division), Major General SASAKI Toichi (commander of the 30th Infantry Brigade), Colonel NODA Kengo (Commander of the 33rd Infantry Regiment), and AMANO Gozo (commander of the 8th company).

On December 1, 1937, the Imperial Headquarters of Japan ordered that Nanjing should be conquered and the Central China Area Army, formed from the Shanghai Expeditionary Army and the 10th Army, under the command of General MATSUI Iwane, began the Nanking Offensive although China had proclaimed that its new capital was to be Zhongqing. In the course of advancing toward the city of Nanjing, the Japanese army repeatedly committed slaughter, arson, looting, and rape in the Nanjing war zone.

All the defendants of the present case were military officers in charge of the Shanghai Expeditionary Army under the Central China Area Army and/or of the troops belonging to the Shanghai Expeditionary Army. Although a great number of rapes occurred before, during and in the aftermath of the conquest of Nanjing, and though they were in the position to know that these were taking place, these commanders did not take any appropriate measures to prevent rapes.

At the time, one of the women survivors YANG Mingzhen, then seven years old, lived in her house with her parents at ?Bei-da-zhong-qiao-dong-wen-si-xiang, Tongjimen within the city of Nanjing. Her family had not taken refuge in the international safety area. On December 15, Japanese soldiers entered their house and pushed down Yang, tore off her pants, and raped her. Her mother, trying to stop it, was hit and also raped by them. Yang's father, who was cut in the neck, died several days later. Another girl in the neighbourhood, who was eight years old, was also raped in her parents' presence. Her parents, who asked for help, were shot dead. The physical and mental blow given to Yang affected her so seriously that she continued to have nightmares and moaned in her sleep even after the war. Her genital organs were injured so that she could not do without diapers the rest of her life.

The 16th division, headed by NAKAJIMA Kesago, including the 33rd regiment, was stationed at Tongjimen at the time. The fact that there were many rapes as well as massacre during the Nanjing Incident was reported throughout the world by foreign journalists. The defendants, including Matsui and others, were in the position to know the situation as such, and failed to keep to their duty although they were bound by duty to control their army and protect the residents of Nanjing, who were civilians.

At the International Military Tribunal of the Far East in the aftermath of World War II, MATSUI Iwane was held "accountable for the omission" regarding the Nanjing Incident and was executed. However, his responsibility should be more definitively judged in the evaluation of the present case [i.e. he should be explicitly held accountable for the omission in the present case of conventional mass rape]. Further, those who were responsible for the 9th division, Yamada's detachment, the 3rd division's advance unit, etc. belonging to the Shanghai Expeditionary Army, and the 10th Army (6th and 114th divisions, Kunisaki's detachment and their subsidiary units), all of which participated in the Nanking Offensive, should not be exempt from being held accountable.