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To: South Korea, North Korea, Indonesia, China, Taiwan and the Philippines

Subject: Programme for the Tribunal

Dear Everyone,

We are currently finalizing the Programme for the Tribunal. The contents of the programme will include the following:

1. Message from the Convenors
2. Background and Objectives of the Tribunal
3. About the Organizers and Preparation for the Tribunal
4. List and Profile of Judges and Prosecutors
5. Country Situationers
6. Program and Schedule
7. Charter

VAWW-Net has prepared the history and country situation for each country. Before ASCENT does the technical editing, we would like you to take a look at it. We are enclosing or attaching the section on your respective country. Please submit your comments as soon as possible. The programme will have to be printed. The final text has to be received by Japan for lay-outing and printing not later than November 26. Please take note that we can only provide short synopsis of each country to be included in the programme. It is up to each country to produce your own comprehensive country reports and information sheets.

Again, please submit your comments to ASCENT by November 25, so we can finalize it and forward to VAWW Net by November 26.

Regards,

Gina
 For ASCENT

The History of and Present Situation in the Victimized Countries/Regions in Asia.

VAWW-NET Japan Research Team

The Fifteen-Year War, which started with the Liutiaohu Incident in September 18, 1931, had three phases: the "Manchurian Incident," the all-out war between Japan and China, and the Asia-Pacific war. These phases also reflected the process in which Japan's wartime sexual violence spread through a system of sexual slavery known as the "comfort women" system.

This report deals with sexual violence committed by the Japanese military in Asian countries/regions, focusing on the following three topics: (1) the historical background and characteristics of wartime sexual violence in the particular area, (2) post-war conditions such as the home-nation's political relationship with Japan, the women's' difficulty in coming out with their stories, and the eventual development of support organizations, and (3) the present situation of the victimized women. This analysis shows that there were various patterns of sexual violence in different areas during the war. In most cases, women from Japan, colonized Korea and Taiwan were sent to established "comfort stations". In the cases of women from other occupied areas, there were various patterns. Some of them were sent to "comfort stations". Others were victims of conventional mass rape, as seen in the Nanjing Massacre and the case in the village of Mapanique in the Philippines. There were also other patterns which one may see as intermediate forms between the established "comfort stations" and more conventional forms of mass rape.

One may see some common factors in the backgrounds of survivors from different countries who spoke out about their experiences for the first time in the 1990s. The main common factors are: the democratization of various Asian countries in the 1980s; the collapse of Cold War structures; and the development of women's movements.

The first and second sections of this report were prepared by members of the VAWW-NET Japan Research Team according to country or region. The third section is based on the most recent information provided by support groups in the particular country/region. [put together by KIM Puja, VAWW-NET Japan research team]

● SOUTH AND NORTH KOREA

1. Characteristics of Sexual Violence during the War

From the outbreak of the Sino-Japanese War (1894-5), the Japanese Empire began expanding its military presence throughout Korea, building military cities in various parts of the Korean peninsula. In 1930s, the whole of Korea was used as a base for supplies for the Japanese military. The pre-existing factors that allowed the victimisation of so many Korean women as "comfort women" entail structural violence. This includes economic poverty brought about by colonial policies, the destruction of village society and households, the retention and reconfiguration of patriarchal patterns that were deemed useful for colonial rule, and an educational system which denied opportunities to the poorer classes. The second set of pre-existing factors entails profound racial discrimination which enabled the Japanese Army and government to enslave non-Japanese women in the colonized areas and make them into "comfort women." Japanese women were not treated in the same manner. (Many North and South Koreans call for recognition that Japan's presence in Korea at the time was a form of military occupation, rather than colonization.) Finally, the transplanted Japanese system of sexual slavery was instituted in Korea in 1916. Korean women were gradually incorporated into the bottom of Japan's system of licensed sexual slavery. In the process of the system's development, transnational networks for trafficking Japanese and Korean women developed throughout East Asia. Furthermore, when the Japanese government became party to an international convention banning the trafficking of women and girls, it obtained an exception under which its colonies were excluded from the convention.

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The above-stated factors constituted the preconditions under which Korean women were made into "comfort women" during the war. (The Korean Council has a slightly different interpretation of the historical background). Official documents, testimonies by the women themselves and even perpetrators, and other materials show that Korean "comfort women" (note that many of them were in fact children) were taken by deception or by force, transported into and spread across almost every part of the vast Asia-Pacific region. This includes China and Korea. Women were brought to the front lines of battle and literally lived under fire.

2. Post-war Difficulties and the Development of Support Groups

The partition of Korea into North and South, which began with the Japanese defeat, made it even more difficult for the survivors of sexual violence to call for justice. Against the background of the Cold War, the Republic of Korea (South Korea) and the Democratic People's Republic of Korea (North Korea) were established in 1948. This situation was fixed by the Korean War (1950-53). The "Treaty on Basic Relations between Japan and the Republic of Korea" and "Agreement between Japan and the Republic of Korea on Claim and Economic Cooperation" were concluded under the dictatorship of PARK Chung-Hee's administration in 1965. These agreements did not go into the issue of Japanese responsibility for

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colonial rule, but allowed Japan to provide ROK with "economic cooperation". As a result of these agreements, when calls are made for individual compensation, the Japanese government has argued that all claims were resolved by the past treaties.

"Normalization" between Japan and North Korea has not yet been achieved. After the war, many survivors were left where the Japanese had placed them, while some others were lucky enough to return home. But even the latter had to keep silent. In South Korea, due to the negligence of the government of both Japan and South Korea and the conventional idea of "chastity" that prevailed in South Korean society, the issue of "comfort women" was ignored for a long time. This situation began to change at the beginning of the 1990s. Women's organizations in South Korea, which had demanded resolution of the issue at the opportunity of President ROH Tae-woo's visit to Japan in May, 1990, got together in June of the same year to respond to the Japanese government's comment that "comfort women" had been recruited only by civilians [and there had been no involvement on the part of the government or military of Japan]. They formed the Korean Council for the Women Drafted for Military Sexual Slavery by Japan (the Korean Council) in the following November. The group which formed the Korean Council were those individuals and women's groups members who had taken part in the Democratization Movement. In August 1991, Ms. KIM Hak-sun, a South Korean woman, came out with her story. She was the very first survivor to come out as a "comfort woman", and she was soon followed by many other women who had suffered in various parts throughout Asia. In December 1991, she came to Japan and brought the matter to the Tokyo District Court, demanding compensation. This shocked Japanese society. The Japanese government denied the involvement of the Japanese military at first, but when the media reported that materials proving military involvement had been discovered, the government changed its attitude and acknowledged playing some role. With these incidents, various support groups were formed in Taiwan, Philippines etc. as well as in South Korea. More and more victims came forward. The Korean Council led this movement. They brought the issue of "comfort women" to different mechanisms of the United Nations and aroused international public opinion. The Council appealed to different women's groups of Asia to hold and participate in an international conference for solidarity. In 1994, the Korean Council and some of the survivors made a complaint to the Tokyo District Attorney's Office demanding the prosecution and punishment of those who were responsible. The Korean Council also lobbied the government of the South Korea. The South Korean government now provides the survivors with monetary support.

As for North Korea, in August 1992 the "Committee on Measures for Compensation to the Former 'Comfort Women for Japanese Army' and Pacific War Victims" (the Committee) was organized. Since then it has been active in a variety of ways such as doing research on survivors, making efforts to resolve problems of reparation. The delegates of these groups of South and North Korea met at the Shanghai Conference, held at the end of March 2000 to prepare the Women's Tribunal. In June, at the conference on women's issues held along with the Summit Conference of South and North Korea, Ms. LEE Hee-ho, the wife of the President of South Korea, and others from the South proposed to the Committee that the

issue of "comfort women" be treated in a unified manner and that a unified indictment be submitted to the coming Women's Tribunal by North and South counterparts. At the end of July, the delegates of the both groups met again at the Manila meeting of "prosecutors" for the Women's Tribunal and agreed upon the unified indictment. They announced it officially at the Taipei meeting of prosecutors for the Women's Tribunal held in September. Following the proposal from the Japanese delegates they also agreed that the unified indictment should cover all ethnic Koreans, including Ms. HA Sang-Suk and Ms. SONG Sindoo who are Koreans living outside the Korean peninsula.

3. Facts about Women Survivors at Present

<South Korea>

Total number of survivors confirmed: 198 (including 48 deceased)

Total number of survivors who have testified in public : about 60.

<North Korea>

Total number of survivors confirmed : 218 (including more than 50 deceased)

Total number of survivors who have testified in public: about 43 (including 20 deceased).

<Residents outside the peninsula>

The total number of survivors who have testified in public: 1 in Japan and 10 in Wuhan, China

● CHINA

1. The Characteristics of Sexual Violence during the War

War of aggression toward China prompted the establishment of "comfort stations" by the Japanese Military and they were expanded since then on. Military "comfort stations" were already existing at the time of the first Shanghai Incident in January 1932, but they started to be built extensively and systematically in July 1937, when the China-Japan all-out war broke out. Especially, a number of rapes that took place around December 13 in the same year, when Nanjing was captured, triggered the further establishment of "comfort stations". As the Japanese Army stayed for so long, not only "comfort stations" were established through quartermaster corps, but also other forms of facilities of sexual slavery developed. Some of them were built by smaller military units independently. Traveling "comfort stations" were also invented and the women were carried round on trucks to different units in front lines. Some units abducted local women to confine and rape them within their garrisons or camps. In regard to Chinese women victims of sexual violence by the Japanese military, there are cases where (1) local women were deceived or forcibly put in "comfort stations", (2) local women were offered through local influences such as village mayor "so as to protect the girls of the village", (3) village women were abducted by the Japanese troops during clean-up operations, (4) prostitutes in

brothels were forcibly recruited through the puppet police and others, (5) women were traded by human traffickers.

2. Post-war Difficulties and Development of Support Groups

There had been no diplomatic relations between Japan and China for a long time. In the Japan-China Joint Communiqué, Chinese government dismissed its claim for war reparation against Japan. The first movement made for war reparation claim toward Japanese government on the part of the people who had suffered during the war was initiated by the submission of a proposal at the National People's Congress. In September 1992, the "committee of Chinese citizens for reparation" was established. On the other hand, the women survivors had been kept silent for a long time after the war, for the stigma of "shameful women" laid on the victims of sexual violence due to chastity-most-ideology, and also for the other negative attitudes against such women survivors and their families, understanding the women as "Japanese Army's concubines" or "helpers of the Japanese Army". However, with the emergence of women survivors throughout other Asian countries such as South Korea, and the expansion of support movements, the "'comfort women" research institute of China' was established in Shanghai Teachers University in March 1999. In the institute, there are about 50 members including scholars and researchers from all across China and they are gathering testimonies of women survivors and leading investigation and research in respective areas. In August 1995, February 1996, and in 1998, survivors of sexual violence filed a lawsuit to Tokyo District Court respectively. In March 2000, an international conference on the issue of "comfort women" was held for the first time in China. The full swing action has started since the conference, where researchers from various areas of China and from other Asian countries gave their presentations and Chinese victims of sex violence testified in public, for the first time in their own country.

[By NISHINO Rumiko]

3. Facts about women survivors at present

The total number of victims confirmed: 12 (including 1 deceased)

The number of victims who testified in public: 4 (including 1 deceased)

●TAIWAN

1. Characteristics of Sexual Violence during the War

The situation where women were made "comfort women" under Japanese colonial domination (1895~1945) almost overlaps with the one in Korea. In Taiwan as well, a strong militaristic ruling system was laid down and the Japanese system of licensed sexual slavery was introduced when the Japanese Army came to Taiwan. The administration of mountain areas with aboriginal people came under the jurisdiction of police bureau, so Japanese policemen dispatched to local stations were entrusted to enormous power. When the Asia-Pacific War (WW2) was started, Taiwan was placed as an important military base for operations in the Southern Area. Among Taiwanese's victims of sexual violence, there were cases of aboriginal women who were told by local policemen to do some works for the Japanese Army such as sewing, making tea, cleaning and so on, taken to and were victimized of continuous rape in the garrisons of the Japanese Army stationed in Taiwan. There were also cases of Chinese women who were deceived, being told that there were overseas work opportunities such as on the mainland of China or Hainan Island, Indonesia, or the Philippines, and were taken to "comfort station" establishments away from Taiwan.

2. Post-war Difficulties and Development of Support Groups

After Japan's defeat, the Kuomintang that came to Taiwan carried out a very authoritarian government. It was only in 1987 when the 1949 martial law was lifted. According to Japan-Taiwan Peace Treaty in 1952, the reparation issue was supposed to be solved in negotiations between Japan and the Republic of China, but following the Japan-China Joint Communiqué, the Peace Treaty lost its effect and the reparation issue has not been solved. In Taiwanese society where "chastity" is highly valued, victimized women suffered for a long time not being able to tell their stories to anybody. Amid the lift of martial law and wave of democracy movement, Taipei Women's Rescue Foundation (Rescue Foundation) started its action and in 1992, following the discovery of materials that showed the existence of Taiwanese "comfort women", it began to tackle with the issue. Through various actions such as establishing a hotline and conducting investigations and so forth, women survivors gradually came forward to public to tell their stories. Also, Taiwanese government has been supporting the women survivors with monthly allowance of 15,000 yuan (this was since 1997, it used to be 6,000 yuan in 1995-1996), and in 1979, the government provided a lump-sum payment of 500,000 yuan for each. On July 14, 1999, 9 victims out of 39 became the plaintiff and filed a lawsuit to Tokyo District Court against the Japanese government claiming for public apology and compensation (2 of them died during the following one year after their accusation). Additional comment worth mentioning here is that the survivors, Women's Rescue Foundation, and Taiwanese government all take one stand and firmly reject the Asian Women's Fund.

[by SHIBA Yoko]

4. Facts about the Women Survivors at Present

The total number of victims confirmed: 70 (including 31 deceased)

The number of victims who testified in public: 39

●THE PHILIPPINES

1. Characteristics of Sexual Violence during the War:

On 8 December 1941, when the Asia-Pacific War or WW2 was opened, the Japanese Army also attacked the islands of Luzon and Mindanao islands. It raided the city of Manila on December 27, and managed to put the whole country under it by May 1942. Resistance and guerrilla movement against the Japanese Army's invasion and occupation was organized throughout the country.

Many women then were victimized throughout the country by the Japanese army. Not only those women who were put into institutionalized "comfort stations" system, but also there were many other women abducted while walking in streets, washing clothes at rivers or from workplaces, then taken and confined in garrisons or camps of the Japanese army (including the buildings of local schools, hospitals, churches, and warehouses etc.). There the women were forced to clean rooms and wash clothes for soldiers during the day, and were subjected to multiple rape by Japanese soldiers at night. There were many victims made sex slaves whose whole families had been slaughtered by the Japanese army in counter-guerrilla investigations or mopping-up operations. The victims' ages at the time vary: below 10 years old through over 40 years old. As in the case of the village of Mapanique, there were mothers and daughters, and sisters, who were raped at the same incident. While the Philippines consists of more than 7,100 islands, the survivors of sexual violence are found and confirmed in every one of the main islands of the Philippines.

2. The Post-war Difficulty and Development of Support Groups

In July 1946, the Republic of the Philippines was established. In 1956, the agreement between the Philippines and Japan for war reparations was concluded. But in the treaty the preferences were put on the economic interest and policies of the United States, the Philippines and Japan, and in the consequence it did not provide the people of the Philippines the remedies for the loss they had suffered for the war. In the Philippines, which had been a colony of Spain for a long time, and where more than 80% of the population is Roman-catholic, women had long been required to highly respect the "virtues" of "piety", "obedience", "chastity" and so on. Under the Marcos's dictatorial government, women's organizations were established in 1984 as a part of the people's resistance to the dictatorship

and oppression of human rights of the government, students' movement, and women's liberation movement. In December 1991, there was held in Seoul, South Korea, a conference on the problems of the trafficking of women in Asia, and the issue of "comfort women" was raised. The AWHRC, who were at the conference began their work after it. In 1992 July, the "task force" (the investigation committee for the former "comfort women" of the Philippines) was formed, and demanded the government of the Philippines to start a full investigation into the matter. At the same time, it started making protests to the Japanese Embassy, and called out to the victims by radio for their coming-out. In September of the same year, late Maria Rosa Luna Henson presented herself, responding to the call through the radio. In 1993, 46 survivors (10 of them passed away since then) filed a suit against the Japanese government claiming reparation (including compensation) at Tokyo District Court. However in October 1998, the case was rejected totally by the district court and they appealed to Tokyo High Court. The decision by Tokyo High Court for the appealed case is due on 6 December this year. In May 1994, the "Task Force" reorganised itself into "Lila Pilipina", which include both of survivors themselves and their supporters. In August 1996, there took place in Manila a ceremony of handing the "atonement money" collected from the Japanese public by the "Asian Women's Fund" to five survivors including Ms. Henson. At the same period, Malaya Lolas, only consisting of women survivors, started with the support from the Asian Center for Women's Human Rights (ASCENT), and the case of massacre and mass rape of the villagers of Mapanique villagers of 23 November 1944 was revealed. (Since then, 40 women survivors of the sexual violence have been confirmed regarding the rape of Mapanique.)

3. Facts about the women survivors at present

Total number of survivors confirmed: 261 (including 30 deceased)

● INDONESIA

1. Characteristics of Sexual Violence during the War

The Imperial Japanese Army, in July 1940, altered its previous policy for "construction of the New Order for East Asia" and expanded its ideology into the "Greater East Asia Co-Prosperity Sphere" to include the Southeast Asian region. The Japanese Military occupied Dutch-East Indies in the early 1942 just three months after the outbreak of the Asia-Pacific War (WW2). The purpose of the invasion was to obtain Indonesia's essential resources for the conduct of the war against the Allies Forces.

The Japanese military utilized Indonesia not only for its natural resources but for its human resources as well. "Human resources," were defined as "heiho"(indigenous militia during Japanese occupation),"romusha"(brutally exploited labor during Japanese occupation), and "ianfu"("comfort women"). Numerous testimonies endorse the belief that the military administration had a policy in which allowed for the conscription by force and deception of both laborers and "comfort women." In 1940, army's surgeon Major Fukada, visited the city of Bandung, West Java, on the pretext

to make an inspection of people's "sanitary conditions." On the pretext to prevent spreading venereal diseases, he proposed, "There were a lot of prostitutes among the native people because of their hardship in life. The army would need to build comfort stations by assigning the village chiefs in Bandung and other cities under the strict inspections, because many people seemed to have venereal diseases." The Japanese Army's sexual slavery system was an important part of its strategy. The different parts of the military administration by the Japanese military over Indonesia were virtually in agreement to recruit the women and condoned or gave a de facto or implicit permission that this might be done so even by force or deception. It can be said that an unethical and unrighteous quality of the military administration by the Japanese military created such a slavish scale of forced recruitment of laborers, enslavement and slavery of both women and men in Indonesia.

2. The Post-war Difficulty and Development of Support Groups

In 1993, the Indonesian 'Legal Aid Foundation' in Yogyakarta [Jogjakarta] accepted the registration of 1156 victimized women. In 1996, 'Communication Forum of the Ex-Indonesian "Heiho"' carried out the research and registration of the women survivors through its 135 branches throughout all of Indonesia. The final number of the registration amounted to more than 22,454 women. (However, some of them included in this number are not the victims of the so-called "comfort stations" system, according to the research committee of the Forum.) The survivors demanded the Japanese government its official and sincere apology and individual compensation. Against these demands, the Japanese government responded that the problem has already been solved in the Peace and Reparations Treaty between Japan and Indonesia in 1958. The Suharto regime (1967-1998), which had faithfully continued the negative heritage of Japanese militarism, rejected the women's too-well justified accusations against the Japanese government. The survivors' sufferings in their culture and society are not only caused by the policies of the Indonesian government for independence and development that lacked feminist perspectives, but also by the patriarchy of Indonesian society which forces "chastity" solely on the women. The aim of the women survivors' movement is that Japanese government should make an official and sincere apology to the survivors acknowledging its legal responsibility. The "Asian Women's Fund", set up by the Japanese government to avoid its responsibility of the crimes of sexual slavery does not include this essential element of admission of guilt. The women survivors' and their supporters' movements have thus further developed. An additional goal of their movements now includes their desire that people in general further develop their human rights awareness. Many of them now advocate that both governments ensure that the students in both countries be taught about the military crimes of Iainfu in their respective history textbooks. The movement of the women survivors have begun to take roots in Indonesian society, with much support from various NGOs of Indonesia and Japan including: Indonesian 'Legal Aid Foundation' (Yogyakarta), the 'Forum of Resistance for Military Violence against Women' (Salatiga), the 'Coalition of Indonesian Women' (Jakarta), and 'Forum of Ex-Heiho', along with groups of conscientious Japanese. This last May, Ms MATSUI Yayori of VAWW-Net Japan came to Jakarta to meet Indonesian women activists for human rights. Subsequently, 19 women from 12 groups joined the

meeting to organize the Indonesian Committee of the Women's International War Crime Tribunal. Their desire is that the Committee would lead to the formation of a future Women's International Tribunal in Jakarta. Ever since the moment of liberation from the facilities for sexual slavery, the survivors have suffered every day. They have carried deep psychological trauma without any treatment or care. Their societal and familial rights have been violated. This continuing spiritual and psychological suffering and subsequent lack of human rights is significantly related to the evasion of the post-war Japanese government from just and legal responsibilities. Embodied in these women is the reason that the Japanese government must follow the recommendations of various international mechanisms and conduct a full investigation into the matter and disclose all the results, prosecute and punish those who were responsible for the crimes, acknowledge its legal responsibility and provide every survivor official with sincere apology and individual compensation.

3. Facts about Survivors at Present

The total number of survivors confirmed: exact number unknown (estimated at about 1,000) (including 2 deceased).

The number of survivors who testified in public: 5.