

KOREAN WOMEN DRAFTED FOR MILITARY SEXUAL SERVICE BY JAPAN

During the Asia-Pacific War that started from the Japanese invasion to Manchuria in 1931, the Japanese authorities drafted some 200 thousand women mostly from Korea, and some from Japan and other occupied territories, to exploit them as sexual slaves for Japanese soldiers. This was a state's terror committed schematically and systematically against women of other weak nations, and an inhumane war crime that has few equals in the 20th century. However, neither compensation nor punishment has been discussed regarding this issue of so called "Comfort Women." Furthermore, only recently did it begin to be appealed in the international society. This paper deals with Korean comfort women who are thought to constitute 80-90% of the whole comfort women. We used as references documents of the Japanese Army and testimonies of former comfort women that "the Society for the Research of the Comfort Women"¹ and the Korean government had collected²).

1. Why now are we discussing the problem of the so called "Comfort Women"?

Before our discussion, we should mention why this issue has been concealed for so long time. This is primarily because the Japanese authorities and the army had destroyed or hidden all documents concerned. According to a record discovered recently, the Japanese Army not only carried out the sexual comfort operation in secret³), but it also ordered the officers in charge of it to get rid of all related records⁴). And this attitude of Japan has not been changed much until today. The Japanese government has denied the fact itself, but it gets to admit it when interested groups find out new undeniable facts. Even now, the government holds and does not open its official documents. This attitude significantly hinders proper investigation of the issue. In addition, it has refused to compensate the victims and to punish the assaulters. It also has denied its juridical responsibility⁵).

This irresponsible attitude of Japan is related to its ignorance toward other Asian states. Unlike Germany that made significant restitution to the neighboring countries, Japan has never been sincere in resolving this issue. Japan does not seem to feel guilty for its war crimes and responsible to compensate to Asian states. In contrast to the punishment of the responsible who forced Dutch women to serve as sexual slaves in Indonesia during the wartime, war criminals of the same kind against Asian women have not been punished in any way. Japan's ignorance over the issue is one of the main reasons why the problem has remained unsolved.

Another reason lies in unfair attitude of the US toward Japan. After the Second World War, the US was not eager in punishing Japanese war criminals because it intended to include Japan to the bipolar system of the cold war. Also, because the US saw Japan as an important base to spread capitalism in Asia, it helped Japan regain control over other Asian countries. From this point, it is difficult for the US to deny the responsibility in postponing the solution of the comfort women issue.

Japan plays more and more an important role in international society, due to its economic power, we worry that this might cause the international society to overlook an incidence of gross violation of

human rights,

The last reason that prevents solution is that people who know the actual fact - the assailants as well as the victims - have kept silence. This is partly because of the Korean culture that makes the victims of sexual abuse feel ashamed and the assaulters tacitly tolerated. Confucianism in Korea has strongly fostered this cultural aspects, though we can also find similar cultures in other parts of the world. We should, however, recognize this cultural pressure against women victims as the second offense to them. Although large participation of women's movement in this issue have helped to change the attitude of the Korean society toward the victims of sexual abuse, that culture still remains, laying limitation to solving the problem.

Recently discovered documents of the Japanese Army⁶⁾¹⁰ and testimonies of the victims and soldiers⁷⁾ helped reveal more the actual facts of comfort women and provided evidence to demand compensation and punishment. We do not demand just to give punishment to a war crime that happened in the past. This problem is not about an incident that happened 60 years ago, but it is about a present one. This is an issue regarding to Japan's immorality, the ignorance of the international society, now preoccupied with economic issues, over human rights violation and widespread discrimination against women around the world. In particular, we believe that if we leave this problem unsolved, we are almost permitting other crimes, such as genocidal rape of women in Bosnia, to continue and recur. In conclusion, we want to remind the fact that most of the comfort women survivors have suffered from extreme mental and physical pains that are not easy to heal.

2. Socio-historical background

The system of military sexual service was deeply rooted in the distinctive social structure of Japan at the time, although it occurred in a very unusual situation of war. From this point, we want to start by explaining the main characteristics of the comfort women operation that the Japanese government organized and operated systemically upon young women of the colonized nations.

(1) The Emperor system of Japan and its militarization

In 1868, after the Meiji Restoration, the Meiji government introduced "the Great Japanese Imperial Constitution" and provided the emperor with the legal basis for an absolute power over the sovereignty of Japan and to become the supreme commander-in-chief of the army, the navy and the air-force, who can announce a war or martial law. All Japanese were regarded as servants to the emperor and had to promise loyalty. The government, through public education system, indoctrinated its people with this ideology of Emperor¹¹⁾. The emperor-centered Japanese government led modernization all over Japan. In the process of absorbing capitalism, the Japanese 'state' held the absolutely dominant position over the civil society or the class relationship. This emperor-centered system transformed Japanese society into a rigidly stratified society that grew in it an extreme discrimination against lower social classes. Discrimination against women and colonial people was another characteristic of the system. As Japan also became heavily militarized, the system easily combined itself with fascism,

patriarchy(the idea of one family state) and regionalism(the idea of Great Asia) - some characteristics different from those of fascism in Europe".

Since the Meiji era, the Japanese government oppressed liberal civil movements internally while expanding the war externally. With the invasion to Manchuria in 1931 Japan went into a quasi-war situation. Finally with the China-Japan War in 1937, it fully entered warfare situation. The Japanese government strengthened emperor's power as the supreme commander and transformed Japan into a military state. The new state negated the previous system of cabinet, parliament, and privy council. It indoctrinated its people with a maniac belief in their omnipotent, divine and military emperor, and the emperor as a supreme commander-in-chief combined¹¹⁾. In addition, it included chauvinistic civilian organizations into its administration¹²⁾.

The Japanese government enforced a series of policies such as economic control policy, labour and military mobilization policies as it announced "The Order of National General Mobilization" in 1938. The range of mobilized civilians expanded with the escalation of the war. At the end of the war, the number of the drafted for the military reached 7,193,000 and that of the mobilized for forced labour was 13,104,269¹²⁾. Here, the need of comfort women operation was raised to encourage the soldiers to fight well and to increase labour productivity of the works.

(2) The patriarchal system and mobilization of women

Japan in the Meiji era was characterized as a family state: a state where on the top was the emperor as the father of the state and ordinary citizens were the family members. In the actual society, each family was based on the "ie(家, family)" system which was evolved from the Edo era and fully incorporated into the Meiji Constitution and its civil law. The ie system deprived wives of the legal rights to have a profession and to take part in legal decision making. It also defined wives as private property of husbands and as persons to behave by their own will only with their husbands's permission¹³⁾. On the other hand, the Tokugawa power first established a state regulated prostitution, or a public prostitution as prostitution grew with capitalism. This was actually an act of recognizing as well as expanding prostitution already in a great demand. In the Meiji era, the government conducted a medical examination of venereal diseases for the licensed prostitutes. This was to stabilize the safety and the need of the public prostitution for the then restless Samurai by an official method, so that satisfied samurai would not cause disturbance to the system based on the ie¹⁴⁾. There have been many academic researches on the lives of the prostitutes and different forms of licensed prostitution (the system did not disappear even after the Announcement of Abolition of Licensed Prostitutes in 1872). From the beginning of colonialism, the Japanese authorities established the same public prostitution system in Korea and Taiwan, and operated the system by worse rules (regarding to age and location limits) than in Japan¹⁵⁾. From this, we can see that the mobilization of women for military sexual slavery was deeply related to the historical tradition of Japanese social system.

"The Order of National General Mobilization" did not exclude women. It called women to enroll physical, mental and sexual draft. Though, of course, this order discriminated against women of

lower classes, it fundamentally discriminated against the whole women.

In the process of militarization, the Japanese government emphasized education of women, trying to arm them with the combined idea of ideal mother, family and state. Thus, in order to mobilize women to the war by motivating motherhood after the break of the China-Japan War, the government published many books, such as "Mother of Japan," "Mother of Militarism," "Mother of Virile Youth," "Mother of Imperial Citizens," "Mother of Asian Development" and "Praising Mother." "The Great Japanese Women's Association" formed in 1942, announced "Three Principles of Family for Greater Japan" and "14 Rules for Action." One of its articles was about the importance of rearing children to be imperial citizens¹⁶. On the other hand, unmarried young women were enlisted to physical labour. Since 1939, labour mobilization began to include unmarried women, an expanded the range of the mobilized by a series of orders, such as "Act of Coordinating People's Labour and the Development of State"(1941), "Act of Increasing Productivity"(1943) and "Act of Women's Voluntary Corps for Labour"(1944)¹⁷. In addition, lower class women who were excluded from this mobilization were drafted to military sexual slavery for Japanese soldiers. The system of comfort women was established to encourage soldiers' will to fight and to prevent their dissatisfaction in the military and the war¹⁸. We could find same ideology that had licensed prostitution in Tokugawa period.

However, as the war continued and the number of soldiers exploded accordingly, the military comfort women could not be satisfied by mobilization of Japanese prostitutes in number. Therefore, young women from Korea were regarded as endless supply for military comfort stations. This was also in compliance with the ethnic liquidation policy rapidly implemented in Korea after the China-Japan War.

(3) The Colonial Situation and Genocidal Policy

Opened to the West in 1854 by the US, Japan had a high productivity compared to other Asian states. However, it was at the same time constantly in danger of falling into colonial status by Western powers, just like many other Asian nations. Because Japan knew the effect of coming of Western capital, it tried to develop its own power, while the Western interest was concentrated on India, China and Annam¹⁹. Meanwhile, in order to dissolve the tension caused by the samurai class²⁰ and to fulfill the long-time dream of expansionism²¹, Japan began to colonize its neighboring powerless nations. Since Japanese imperialism was in a lower stage of capitalism than that of Western imperial powers, Japan had to exploit extensively the colonies as a means to accumulate capital²². This explains why Japan was more violent and plunderous in colonial rule than other imperial powers.

Japan established a confined bloc economy in the region by imposing new land system, monetary systems, and new laws in Korea and Taiwan²³. In the case of Korea, imports of Japanese goods and Japanese expropriation of Korean land devastated the Korean agricultural economy. This influenced many Korean peasants to lose their land and to move to urban areas, consequently forming the lowest class in cities. In addition, surveillance by state organs such as the police became tighter, suppressing the lives of colonial people further.

In particular, Japan saw Korea as a gate to the Asian Continent²⁴⁾ and carried out a strong policy of "integration" from the beginning of its colonization. This was different from the case of Taiwan which Japan treated as a separate political unit. Thus, the colonization of Korea was aimed at a complete absorption into Japanese imperialism²⁵⁾. The Japanese authorities forced Koreans to move to Manchuria or Siberia, and Japanese to the Korean Peninsula. They supported Japanese in Korea to deprive farming land from Korean farmers. These steps later developed into a violent ethnic liquidation acts when militarism peaked in Japan.

In 1938, Japan proclaimed a concrete plan to carry out "The Policy of Oneness of Koreans and Japanese." It compelled Koreans to become citizens of the Imperial Japan and to accept Japanese ideology of Emperor: Koreans had to worship in Japanese national temples, memorize "The Charter of Imperial Citizens," to practice "The Gymnastics of Imperial Citizens" and to use the Japanese anthem and reign title. Furthermore, it suppressed Korean traditions in daily lives and instituted instead Japanese tradition. Koreans had to change their food, clothing and housing style into the Japanese, to follow Japanese holidays and to learn Japanese martial art. Of course, Japan controlled production of Korean books, films and music, too. The use of the Korean language was prohibited not only in public institutions but also in private lives. In 1939, by the reformed "Order for Civil Matters" all Koreans had to change their names into Japanese²⁶⁾. In addition, from 1937, the Japanese authorities carried out another policy aimed at ethnically eliminating Koreans: they pushed for intermarriage between Koreans and Japanese²⁷⁾.

Although the Japanese government mobilized Koreans for military and labour services to continue the war, the draft, closely connected to genocidal policy, brought about a tragic consequence to the Korean people. In reality, even before the compulsory draft was ordered the so-called voluntary enrollment was a forced mobilization. (The Special Recruit Order of the Arm in 1938, the Special Recruit Order of the Army for University Students in 1943, the Military Draft in 1944) Those enlisted persons were then sent to the front line as expendable supplies²⁸⁾. In many cases, they were sent to battle fields where they were certainly to perish. In the case of the labour draft, the authorities intervened to take people by force even from the enrollment stage. (Recruitment in 1939, Government Guidance in 1942, Compulsory Draft in 1944). In coal mines and civil engineering works, Koreans were sent into dangerous labour predominantly more in number than Japanese, and were victimized by the accidents so much more²⁹⁾.

Therefore, we see the military sexual slavery was doomed to assign massive deaths, permanent loss of pregnancy if alive, continuing shame and isolation to the drafted women. It was an intended policy of Japan, closely related to the policy to eliminate Korean people.

(4) The development of capitalism and destitution of the lower class

Many scholars (Dore, Cole, Vogel and others) pointed out that the development of capitalism in Japan showed characteristics of a state-led capitalism, usually observed in underdeveloped countries. Since the Meiji Restoration, the government played a critical role in industrializing Japan, which

accelerated the process with colonization strategy. In middle of this, general problems pertinent to the development of capitalism also emerged in Japanese society, too. Prostitution became widespread and the number of slum dwellers increased in and outside of Japan. This lower classes became the main target for the war drafts.

The number and the degree of poverty of the low class people in Korea increased rapidly as the Korean economy deteriorated because of the war and as Japanese oppression on the Korean people was severe. In rural areas, 48% of people were starving, and in urban areas 12.9% of population was under absolute poverty³⁰⁾. This means that the majority of Korean population was degenerating into lower class. We can imagine that the Japanese authorities could easily mobilize comfort women under these circumstances, whether coercively or by alluring them with a chance of employment.

5) The direct reasons for establishing military comfort stations

Under these circumstances, the Japanese authorities began to see the idea of sending 'comfort women' to prevent the flight of workers and to increase their productivity³¹⁾. Also, they saw the need of comfort women for the purpose of stabilizing soldiers' psychology, encouraging their spirit, protecting them from venereal infection. The disease resulted in significant loss in Japanese military force, preventing rape in occupied territories which brought antagonism against them. Soldiers were ordered to use only military comfort stations, not civilian stations. This rule was important to protect them from venereal diseases. It is widely known that when the Japanese Army advanced to Siberia(1918-1922), the infection of venereal disease became widespread among the soldiers, causing a serious problem to the army. The argument that this was one of the main reasons to build military comfort stations is persuasive³²⁾. It is also related to this point that the military authorities conducted regular medical examination of venereal disease inside comfort stations, as will be discussed later. Another main reason was the frequent rape of Japanese soldiers in occupied territories. It was a big problem that Japanese soldiers plundered towns, raped women, set fire on civilian property and brutally killed prisoners in the region. In particular, the rapes provoked a strong anti-Japanese feeling among occupied people. This made it difficult for the Japanese authorities to rule the territories. So, the military authorities had to order a strict regulation on soldiers' behavior and started to set up facilities for sexual comfort³³⁾.

From the arguments so far, we can conclude that the main reasons to establish military comfort stations had roots in the system of state-regulated-prostitution, family and state ideology of the Imperial Japan, and the swar situation, with background of the closely inter-related colonial and capitalist situations of the time.

3. The reality of military comfort stations

(1) The establishment of comfort stations

a) What is a military comfort station?

Comfort stations were places where only soldiers and employees of the military were allowed to use during the period from the invasion of Manchuria till the end of the Second World War³⁴⁾. Local civilians could never use these places³⁵⁾. On the contrary, soldiers and military employees were prohibited from using other stations or private prostitutes. The establishment and management of military comfort stations and recruitment of comfort women varied in ways: either officially directed by the military authorities or just directed by civilians with the permission of the authorities. In any case, however, they were within the army's protection, support and control. The army provided condoms, sanitary facilities and regular medical examinations to comfort women against venereal infections. In addition, these military comfort stations had to follow regulations set by the army. They had to report regularly about the placement and movement of comfort women. Move of comfort women from one station to another was also carried by the army.³⁶⁾

b) Period

The Japanese Army began establishing military comfort stations as it advanced to the Asian Continent in early 1930's. In 1932 at the time of the Shanghai Uprising, the number of Japanese soldiers increased in the region, and navy comfort stations began to operate³⁷⁾. An official document indicates that the military authorities requested operation of military comfort stations to prevent rape in Shanghai³⁸⁾. Another new record discovered and exposed in 1992, reveals that the Japanese Army itself regulated systematically the military comfort stations in Manchuria, starting from April, 1933, by conducting medical examination for comfort women³⁹⁾. This matches with the testimony of a former Japanese military officer who confessed that he used military comfort stations in Manchuria in early 1930's⁴⁰⁾. There is another evidence showing the existence of 14 navy comfort stations in Shanghai in 1934⁴¹⁾, the record of weekly medical examinations of the comfort women, and the records of management, cooperation, and regulation of these facilities by the Japanese army⁴²⁾. Afterwards, the number of military comfort stations increased as the number of Japanese stationary troops increased. By late 1930's, military comfort stations became so many in number that certain areas showed a slow-down in the increase⁴³⁾. Therefore, we believe that military comfort stations rather increased and became widespread until the year of 1937, than started its operation that year as widely believed.⁴⁴⁾

Based on historical facts and related military documents, the development of military comfort stations can be divided into three periods: from 1931 to 1936, from 1937 to 1940, and from the time of invasion to the Malaysian Peninsula and the attack on Pearl Harbor to the year of 1941, when Japan conquered larger area in the Asian Continent.

From the start of military comfort operation, we believe that Korean women composed the majority. There is a record indicating that Korean women were 35 among 38 comfort women who received medical examination in Manchuria in 1933.⁴⁵⁾

c) Areas where the comfort stations were installed

It is not exaggerating to say wherever the Japanese Army was stationed, there were military comfort stations from the 1930's throughout the war.⁴⁶⁾ Testimonies of the former Japanese military officers expose that the areas where military comfort stations existed were broad⁴⁷⁾. Military comfort stations were not confined to the occupied territories, like China and Manchuria, but existed in colonies like Korea and Taiwan and even inside Japan as well. The record that 50 Korean women were in the Sunbawa Island, located at the southern end of Indonesia, shows to what extent Korean comfort women were sent⁴⁸⁾. The large number of women did not stay in one place, but had to move frequently to different places with the movement of military units in order to provide sex service.

d) Types of military comfort stations

Types of military comfort stations varied according to period and place. Some of them were installed directly by the army⁴⁹⁾, some installed by civilians and authorized by the army⁵⁰⁾, and others were existing civilian comfort places converted to military use⁵¹⁾. It should be noted here that even the comfort stations established by civilians had to be authorized by and to receive license from the army in order to operate for soldiers⁵²⁾. Civilian managers had to pay a certain amount of money as business tax to the army⁵³⁾. According to the records found so far, military comfort stations installed by the army seemed to have increased in number in the latter part of the war. Comfort stations built by civilians were usually located outside of military units, but those by the military were either inside the barrack or outside using private buildings like schools. The army sometimes took charge of the management, and in other cases, the army entrusted the management to civilians⁵⁴⁾.

(2) Characteristics of military comfort women

Here, we want to discuss who were the women mobilized to military comfort stations scattered over such a large area during the 15-year-war, and how they were drafted.

a) Nationalities

It is widely accepted that 80-90% of military comfort women were Koreans. A military surgeon named Asano Tetsuo revealed so in his testimony about Shanghai stations.⁵⁵⁾ One of the first researchers about military comfort women, Senda Kako also discovered the same fact⁵⁶⁾. In addition, the fact that Korean women constituted more than 90% of all comfort women is backed up by a military record publicized by the Japanese government in July 1993⁵⁷⁾ and by records of the Manchurian Army of Japan which "The Fact Finding Committee for Coercively Drafted Koreans" discovered and publicized in December 1993⁵⁸⁾. Furthermore, when a Japanese NGO established hot line "Call 110" to collect eyewitness accounts about military comfort stations, many former soldiers told that most women in comfort stations in the areas such as South Asia, South Sea Islands, and the interior Philippines were Koreans. Although there found a few records showing that more Japanese and Chinese were there as comfort women than Koreans in areas such as Nanking and Wuhu in China⁵⁹⁾, they are insufficient to negate view of the Korean majority in comfort women. There are also many records showing that women

from different parts of occupied territories such as China were drafted, but it is still difficult to know the exact figure⁶⁰⁾.

Other former Japanese soldiers testified that Japanese comfort women were for officers, Koreans for soldiers, and Taiwanese for civilian employees⁶¹⁾. However, because the regulation was usually to distinguish time between officers and common soldiers, according to most military documents⁶²⁾, it would be reasonable to conclude that different nationality for different level of service could have been a rule only in a few stations.

b) Age

Age limitation for licensed prostitution in Japan was 18, and 17 in Korea⁶³⁾. However, it seems that there was no age limitation for comfort women. Although a military document of 1940 reveals that Japanese stationeries in China put the age limit at 16, the rules of the most of military comfort stations contained no line on the age of comfort women⁶⁴⁾. Former comfort women who reported to the Korean government say they were drafted when 14 to 19 years old. This means that, except a few, most of the stations did not set any age limit on the young women mobilized for sexual service. Generally, very young girls were drafted from Korea.

c) Economic background of comfort women

Former military comfort women who reported to the Korean government were mostly from poor peasant families and with little education. It is clear that the Japanese authorities mobilized women from lower class to minimize social antagonism expected from the coercive mobilization.

(3) Methods of drafting military comfort women

How Korean women were mobilized is a controversial issue between Korea and Japan. Yoshida Seiji who worked at Yamaguchi in charge of drafting Korean women from 1942 till the end of the war, testified that the Japanese Army provided trucks and soldiers to mobilize Korean women in Cheju island.⁶⁵⁾ However, even today the Japanese government insists that it can not confirm the involvement of the Japanese Army in the process of mobilization, since no military documents indicate the specific method of drafting. In contrast, most testimonial evidences show that the draft was performed in large scale and in coercive and deceptive manners in Korea. The Japanese Army, the Military Police and the Police itself were responsible for the draft, but in some cases, civilians recruited comfort women under the guide and help of the army, the police and the government officers. Even in the latter cases, both the mobilizer and comfort women needed "a travel pass"⁶⁶⁾. Thus, the recruits could not have been carried out without the permission of the military, in fact. In addition, many military documents reveal that the military authorities were very cautious in selecting persons to take charge of the draft, because they wanted to minimize resentment⁶⁷⁾. This implies that the military was in control and support to the draft even if it was a civilian recruiter. Recent reports of the former comfort women to the Korean government confirm that at first they were recruited for 'Women's Voluntary Corps for Labour', only to be moved involuntarily to military comfort stations later. We see

from this that the draft of women was becoming more and more violent and deceptive, as the war prolonged.

(4) The rules and reality of military comfort stations

Military comfort stations were run according to the rules set by the military. In the rules, fixed using hours according to the ranks of soldiers, the charge, medical examinations of venereal disease and regulation of sanitation were indicated. The lines were different from station to station, but basically they included such rules as above. Although the rules were to be strictly followed⁶⁸⁾, it is hard to know the reality of operation.

a) Using hours

Hours were regulated and strictly followed⁶⁹⁾. When many units were using one comfort station, each unit had its own day to use it⁷⁰⁾. Common soldiers, non-commissioned officers and officers used in different hours, but they could change it, if necessary⁷¹⁾. Half an hour or one hour was the limit per person. It was allowed to use the station after regular hours and for overnight, only if it was extra-paid⁷²⁾. However, according to testimonies, in reality a soldier could use it only for two or three minutes per person because too many soldiers stood waiting their turn. They said that 20 or 30 soldiers were waiting out of the door, with their trousers unbuttoned⁷³⁾. Former comfort women also provided similar statement that there was neither hour regulation nor its compliance. One of them testified that on weekends so many soldiers came to the station that she had to serve more than 100 soldiers in one day. Consequently, many of comfort women became infected with venereal disease and became wounded by soldiers' violence.

b) Charge

The rules fixed the charge according to the rank of soldiers and to the using hour. For example, the rule of 1942 indicates that common soldiers had to pay 1 Yen for 30 minutes and 2 Yen for an hour; non-commissioned officers 1.5 Yen and 2.5 Yen, each; officers 3 Yen and 4 Yen, each, and 8 Yen for overnight.⁷⁴⁾ Charge varied according to area and period. To avoid bustling, charge was paid in military notes⁷⁵⁾. However, it seems that little charge was paid to comfort women in fact. Former comfort women testified that only few of them could exchange notes into cash, every two or three months or received tips, while most of them received nothing⁷⁶⁾. In other cases, though they got money notes from soldiers, they could never change them into cash. Another comfort woman said that she prayed everyday for Japan's victory in the war because she was told and believed that she could exchange the notes into cash, when Japan won the war.

In one military comfort station, the charge was decided according to soldier's nationality. For example, for a Japanese non-commissioned officer the charge was 2 Yen, for a Korean 2.5 Yen and for a Chinese 1 Yen⁷⁶⁾. A few testimonies of former soldiers to the "Call 110" reported that Japanese, Koreans and Chinese women had different charge and that Japanese were the most expensive. However, this point was not backed by any former comfort women.

c) Medical examination and sanitation

As mentioned before, regular medical examination of venereal disease was very important in the military comfort system. Many documents prove that according to regulations, military surgeons had to conduct medical examination for the women every week, every two weeks or every month⁷⁷⁾. Also, many records showing the reports on such medical examination have been found⁷⁸⁾. Most of the former comfort women testified that either local hospitals or military surgeons regularly examined them for venereal infection. Frequency is varied according to the person: some once a week, and others once or twice a month.

The Japanese authorities ordered soldiers to use condoms to avoid the infection of venereal disease. They provided condoms to soldiers and to comfort stations as well, in case soldiers forgot to bring them⁷⁹⁾. Some former comfort woman testified that most soldiers had to use a condom and that they had to inform to the military police if anyone refused to use it. However, in spite of this strict rule, many soldiers strongly disliked to use it. Because of the short of materials during wartime, another testifier said, she had to use the same condom for five times by washing it after the use, and that she felt totally miserable when she was washing it.

Besides, some military records show that sanitation management, including disinfection, was emphasized as an important routine⁸⁰⁾, and other testimonies revealed that former comfort women had to wash their vagina with an antiseptic solution every time after sexual service.

However, venereal disease was not rare among the women though. Records of the medical examination indicate that many comfort women were infected with venereal diseases⁸¹⁾ and that some of them had been hospitalized for treatment⁸²⁾. Some argued that the medical examination was of no use because it failed to prevent the disease⁸³⁾. When a comfort woman became infected, a Japanese doctor gave an injection called "No. 606."⁸⁴⁾ This injection was supposed to be used only to animals because of its strong effects. The injection not only healed the disease but also caused an abortion. Furthermore, constant injection of "No. 606" resulted in women's sterility. However, in spite of the fact, some women gave birth to child, but the babies were thrown away out of the stations.

d) Atrocities

The rules of the stations prohibited drinking inside the comfort places and banned drunken soldiers from using it. Also, they forbade soldiers' violence to comfort women⁸⁵⁾. However, we find that comfort women frequently experienced atrocious practices by soldiers. When comfort women violated station rules, such as rules regarding going inside and outside of the station, and prohibition on refusal to provide sexual service, they were beaten violently or bayoneted. When they tried to run away from comfort stations, in many serious cases they were killed. Most comfort women felt that they were treated like animals, and not a few of them tried or actually committed suicide.

(5) The treatment of comfort women at the defeat of the war

Although the Japanese Army exploited comfort women to such an extent, it did not take them back when it retreated. According to former Japanese soldiers' testimonies, the treatment of comfort women was much worse than the draft process and the actual life in comfort stations. Some comfort women were simply abandoned in the comfort stations, some were forced to commit suicide with soldiers and others were killed in a cave or after being taken into a submarine⁸⁶). Many former comfort women testified that suddenly soldiers stopped coming and then they realized that the war had ended. Some of them returned to their country either by themselves after tremendous hardships or with a help of the American Forces after a custody in the US camp.

(6) The life of former comfort women back in their country

We can easily read from the war records that very few of comfort women could survive from the war. Even those who returned to their country after an unbelievable hardship had to lead a very sad life just because of their previous sexual slavery. They had to face continuous hardships only in a different form. Most of them have had no chance to lead an ordinary married life because of their feeling of shame, diseases they earned before and prejudice of others. According to a research, the deepest anguish of former comfort women is that they could not enjoy an ordinary life as a women having family or children⁸⁷). Only a meager number of the former comfort women among the registered to the Korean government got married, but most of them became divorced later, however. The reasons are many: some were divorced because they could not be pregnant, some because their past was disclosed, some because their disease recurred and some because they became mentally ill. One former comfort woman confessed that she became mentally ill because her newborn baby turned out to be syphilitic. Most of former comfort women were not able to have an ordinary marriage. They lived with a man only temporarily or became a mistress. This was because of their fear that their past might be disclosed or the venereal disease might relapse. Some of them have lived without having any relationship with men.

Even today, most of them suffer from the disease they caught from the stations. Many became infected with venereal disease and also became sterile. In addition, they suffer from other types of women's illness, diseases in digestive organs, heart disease, inflammation of a joint and others. Furthermore, their extreme poverty have prevented them from receiving medical treatment.

Nowadays, most of them are living alone by themselves. They have great difficulty both in economy and health. Former comfort women who reported to the Korean government began to receive some support⁸⁸). Since August of 1993, the government has distributed US\$ 6300 to each former comfort woman and is giving them US\$ 200 per month per person with a medical care and lease benefits.

Of course, this little financial assistance cannot help them heal their wounds. Former comfort women strongly demand restoration of their impaired dignity although it is very painful for them to recollect their past for the testimony. Then, what can really make their wish come true? That is to reveal the past history which has been distorted and hidden. We should ask for punishment of those who were responsible for military comfort stations, those who kidnapped young women and totally destroyed their life by ruining forever their mind and body. For the victims, we should ask not for a sympathy

but for a fair compensation based on fair judgment.

4. Interpretation of the comfort women system according to the international law

(1) The comfort women system as a crime against humanity

The fact that the Japanese Army kidnapped young women through violence, coercion and deception and exploited them as sexual slaves is definitely a criminal act, even according to the Japanese laws of the time. This falls into a crime of plunder, allurements, kidnapping, detention and rape.

According to the international law, this falls into a crime against humanity⁸⁹⁾. Crime against humanity was first codified in the Charter of the International Military Tribunal at Nuremberg, and later was included as a law of the International Military Tribunal for the Far East Asia⁹⁰⁾. The article in the Charter of the International Military Tribunal at Nuremberg defines a crime against humanity as following:⁹¹⁾

"Crimes against humanity: namely, murder, extermination, enslavement, deportation and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated."

Therefore, the military comfort system is without doubt falling into the category of enslavement, deportation and other inhumane acts committed against civilian population. After the Second World War, the War Crime Tribunal at Batavia in Indonesia sentenced to capital punishment or liberal punishment to ten former Japanese soldiers. This was by the Tribunal's decision that their acts of coercing Dutch women to sexual slavery and for establishing military comfort stations constituted a crime against humanity.

However, tribunals on war crimes and crimes against humanity were held only in the cases of victims who were nationals of the allied forces. In contrast, when the victims were Asians, the cases were almost ignored. In particular, Korean victims who suffered for a long time under the Japanese rule, were out of attention. The fact that crimes against Dutch women were punished and the same crimes against Korean women were not, is an obvious violation of justice and the principle of equity. In contrast to Dutch women who suffered only for a quarter of a year, Korean women suffered for more than a decade under inhuman conditions. Considering the facts, it is highly needed to bring justice and punishment for the case of Korean women, too.

(2) Japan's violation of the international law

The military comfort system was in violation of many treaties that Japan signed and ratified at

the time. First of all, Japan violated the Convention Internationale Relative a la Repression de la Traite des Blanches of 1925, to which it is a party⁹²⁾. According to Article 2 of the Convention, acts of crime are defined as the "act of alluring, inducing, and abducting juvenile women by threat, violence, abuse of political power or any other coercive means for the purpose of disgraceful conducts to satisfy one's sexual desire". The same article dictates that the state party has the legal duty to bring the offender of this crime to justice.⁹³⁾

However, even though Japan ratified this convention and consequently had the obligation to follow the articles, Japan violated them by committing the crime of mobilizing young Korean girls through its army, police or civilians. Secondly, Japan violated the Convention Concerning Forced or Compulsory Labour, too. This convention was adopted by the International Labour Organization in 1930, and Japan ratified it in October 1932. The term "forced or compulsory labour" is defined as "all work or service which is exacted from any person under the menace of any penalty and for which the paid person has not offered himself voluntarily (Article 2)". The state parties to the convention had to not only follow this rule, but also treat any violation of it as a criminal offence (Article 25). The military comfort system was obviously a type of "forced or compulsory labour", which Japan did not treat as crimes, definitely offending the articles mentioned above.

(3) Japan's violation of the international law and its irresponsibility

According to the international laws and in view of Japan's violation of them, Japan is obliged to compensate for the victims, to punish those responsible for the offence and to take action to prevent recurrence of similar violation. Japan can not deny its responsibility for the crimes against humanity during the war and its obvious violation against the conventions that Japan itself ratified. Unfortunately, however, Japan has failed to move any essential procedure to resolve the issues.

First of all, Japan insists that it has no more responsibility of reparation because it solved the issue, based on peace treaties and treaties of amity⁹⁴⁾ that Japan signed with other Asian countries during the 1950's and 1960's. However, we should remember that those governments signed treaties with Japan, without demanding reasonable reparation for the victims of the war crimes because the regimes themselves were mostly authoritarian and primarily interested only in economic development of the state. Contrary to its attitude toward the victims of other nations, the Japanese government has provided Japanese victims of the war with sufficient individual compensation through various ways, such as pension and annuity⁹⁵⁾. This is a whole different approach compared to Germany and the US, which apologized and compensated for the war victims⁹⁶⁾.

Secondly, because it was the allied power who gave the punishment of the war criminals, Asian victims were left out of attention. In the tribunals of war criminals, including the tribunal at Tokyo, the main focus was on the punishment of criminals who abused the prisoners of the allied power. We should admit that many difficulties lie in punishing war criminals today. This is because of the irresponsible attitude of the Japanese government and also because most governments refuse to ratify Convention of Non-Applicability of Statutory Limitation to War Crimes and Crimes Against Humanity. It must be noted, however, the Japanese government has never chased, investigated, prosecuted the

offenders related to the military comfort system. Nor has it put a case on trial after the Tokyo Tribunal⁹⁷⁾. Furthermore, Japan has never been sincere in acting to prevent recurrence, such as revealing the truth, proper recording of its belligerent past in its history textbooks, and establishing memorials or archives for the war victims. Japan's refusal to disclose unopened documents related to the military comfort stations, clearly shows that the Japanese government has no will to reveal the truth of their past.

5. Conclusion

(1) Demands and resolutions proposed by the Korean victims

Korean victims of military sexual slavery and non-governmental organizations that represent the victims have continuously demanded to the Japanese government to reveal the truth, to compensate for the victims, to punish the offenders and to set an action to prevent recurrence⁹⁸⁾. However, as the Japanese government has not responded to our request, some of the victimized women raised a compensation law suit against the Japanese government at the District Court of Tokyo. Its inquiry is proceeding now.

However, many of us are skeptical about how open and objective the Japanese Judiciary can be in hearing the case which the victims are foreigners. Our skepticism comes from our awareness that this issue of war criminals is a kind of Pandora's box: answering to one like the issue of military comfort women brings numerous other issues out to the surface. If the Judiciary recognizes the necessity to compensate for former military comfort women, other drafted workers and those who hold military money notes, military accounts or national bonds issued during the war, will start to demand the parallel.

There is another proposal raised today to solve this problem. That is to establish an arbitration tribunal under the guide of the UN, to let this court judge the case objectively and neutrally, and decide the amount of reparation, if it concludes to provide any. However, this method is also in question because it is not certain if the Japanese government will sincerely respond to the tribunal. Another weakness of this method is that this kind of court cannot resolve other requests of the victims than the compensation itself.

It is widely known that a UN resolution called for establishing tribunal of war crimes for the case of systematic rape of Muslim women in Bosnia-Herzegovina. On the contrary, there is no discussion at all in the international society that similar court should be established for the war criminals who conducted, though a long time ago, cruel atrocities against innocent young girls, the former comfort women. We believe that this is due to Japan's economic influence in the international society and the lack of public concern in the US and Europe where the world politics is centered.

Therefore, it is equally important to demand the international voice be raised towards Japan in order to settle the problem.

(2) The issue of electing Japan as a permanent member of the UN Security Council

Along with the discussion to reform the UN's structure, it is likely that Japan and Germany become new permanent members of the Security Council. The UN Secretary General, Boutros Gally expressed several times that Japan should be a member of the Council. The US government also backed this idea. However, this seems to be a historical irony. We want to remind the fact that the UN was established not to repeat the tragedy of the Second World War. Although it is true that new democratic governments took charge in Japan and in Germany after the war and led reforms, soon they had to stop the reform because of the international climate favoring the cold war confrontation. As we have repeatedly discussed above, Japan has done little for the victims of the war. The incomplete settlement of the crimes and victims means an insufficiency of post-war resettlement, or lack of prevention for similar incidents of gross violation of human rights in the region.

From this point of view, we reappeal the issue of military comfort women. Even though there are hundreds of survivors extremely hurt and anguished from the past atrocities, it is hard to observe any sincerity on the part of the Japanese government. Apart from legal question, this can not even tolerated from humanitarian perspective, either.

Footnotes

1. The Korean Council for Women Drafted for Sexual Slavery by Japan, Society for the Study of Comfort Women, "Coercively Drafted Korean Comfort Women" 1993, Han-ul. (in Korean)

2. By December 1993, the Korean Ministry of Health and Social Affairs received 180 cases of comfort women and finished the basic investigation.

3. During the war, the documents concerning military comfort stations were classified as top secret information.

4. A recently discovered document revealed that "A master sergeant ordered to destroy all the records of the 48th division. So, most records disappeared at the end of the war, and the rest were submitted to the Australian Army. Therefore, the Japanese Army does not have any exact record. Our information is based on the memory of soldiers" [第48師團戦史資料竝終戦状況], 1946, 7.

5. On July 6, 1992, the Japanese government issued a government research paper, [朝鮮半島出身のいわゆる従軍慰安婦問題について]. This was based on the documents kept by the Police Agency, the Defence Ministry, the Ministry of Foreign Affairs, the Ministry of Welfare and the Ministry of Labor. On August 4, 1993, the government published the result of the investigation on the victims of military comfort stations and other documents kept in the Ministry of Justice, the National Library of Official Documents and the American Library of Official Documents. However, many non-governmental organizations criticize the Japanese government for not completely opening all

governmental documents.

6. In November 1991, a record titled "Headquarters, US Naval Military Government" (Okinawa, November 1945) was discovered. In December, "US Offices of War Information" (Psychological Warfare Team, Aug. Sep. Oct. 1944) was opened. In January 1992, Professor Yoshimi Yoshiaki of University of Chuo discovered documents concerning military comfort stations which were kept in the Library of the Defense Ministry. These records helped the issue of comfort women be appealed to the public. On July 31, 1992, "the Board for Military Comfort Women" of the Korean government published an interim report titled "Survey on the Reality of Military Comfort Women"

7. With the first report of Kim Hacksun in August 1991, many former comfort women began to report to the government. In November 1990, the Korean Council for Women Drafted for Sexual Slavery by Japan was formed. The organization opened a telephone line to gather information of the issue. In June 1993, the Korean government established "the Law to Support the Life of Former Comfort Women." It gathered the victims' report and began to give financial assistance to the victims. By now, 180 women have reported and 150 women are receiving compensation. In Japan, a non-governmental organization opened a telephone line "110" to gather reports of the victims and the assailants.

8. 鈴木裕子, [女, 天皇制, 戦争], 1989, オリジンセンター, pp.7-16.

9. 丸山眞男, [現代政治の思想と行動], 1964, 未来, pp.29-87.

10. 宮地正人, [政治史における天皇の機能], 歴史研究会 編, <天皇と天皇制を考える> 8号, 1988, pp.98-100.

11. 倉澤進, 秋元律郎, <町内会と地域集団>, ミネルウア, 1990/91.

12. 齊藤泰明, [兵力, 労働力の動員と配置], 大元社会問題研究所 編, <太平洋戦争下の労働者状態>, 東洋経済新報社, 1964, pp.23-26.

13. 角田由紀子, [性暴力と天皇制], 鈴木裕子 外 編, <女, 天皇制, 戦争>, 1989, p.197.

14. 深江誠子, [賣春制度と天皇制], above book, pp.202-205.

15. Yamashita Youngae, "A Study on the System of State Regulated Prostitution in Modern Korea" 1992. A thesis for M.D. of Ehwa University. (in Korean)

16. 鈴木裕子, <女性史を拓む>, 1989, pp.53-73.

17. Yeo Soonju, "A Study on the Reality of Korean Women Drafted for Coercive Labor Under Japanese Imperialism" 1993. A thesis for M.D. of Ehwa University. (in Korean)

18. 麻生徹男, [花柳病の積極的豫防法], 1939.

19. E. Herbert Norman, "Japan's Emergence as a Modern State" 1940, New York: Institute of Pacific Relations, p. 116-127. Jon Halliday, "A Political History of Japanese Capitalism" Princeton University Press, 1975. p.17-55.
20. Shuchi Hatada, "Labor Conditions in Japan" Columbia UP, 1969. p.75.
21. Jerome B. Cohen, "Japan's Economy in War and Reconstruction" University of Minnesota Press, 1949, p. 33. Hilary Conroy, "The Japanese Seizure of Korea: 1868-1910" University of Pennsylvania Press, 1960. p.53
22. V. G. Kiernan, "Marxism and Imperialism" NY: Saint Martin's Press, 1975. p.44.
23. Bruce F. Johnston, "Japanese Food Management in World War II" Stanford UP, 1953. p.50-51
24. James B. Crowley, "Japan's Quest for Autonomy" Princeton UP, 1966. p. 4-8. Frederick M. Nelson, "Korea and Old Orders in Eastern Asia" Louisiana State University, 1945. p.296.
25. Chen, I-te, "Japanese Colonialism in Korea and Formosa: A Comparison of its Effects upon the Development of Nationalism" University of Pennsylvania, Ph.D. Dissertation, 1968, p.71-90.
26. Park, Kyung Shik, <Japanese Rule of Korea>, 1986, Chunga, pp.364-375. (in Korean)
27. [秘. 朝鮮に於ける教育に關する方策], 1937.
28. 金原節三業務日誌摘要, 1941, 3, 1-4, 27. 宮田節子, <朝鮮軍隊史概要>, 1990.
29. 市原博, [朝鮮人強制連行], (國際 Symposium 發表論文), 1992, 2.
30. Park, Kyung Shik, <Japanese Control of Korea>, 1986, p.507.
31. 極秘. 苦力使用ノ要領, 1942.
32. 砲兵隊本部, [支那事變の經驗より觀たる軍氣振作對策], 1940, 9. 琴乘洞, [解説], 琴乘洞 編, <從軍慰安婦極秘資料>, 綠陰書房, 1992.
33. 歩兵第9旅團, [陣中日誌], 1938, 7, 1-31. 歩兵第41聯隊, [陣中日誌], 1938, 7, 1-31.
34. Only soldiers in uniform and civilian employees are allowed to use military comfort stations. Not a local civilian is permitted.
35. Soldiers and civilian employees are prohibited to use other military comfort stations than the arranged station. No contact with other prostitutes than comfort women and with civilians is allowed.

36. Managers of military comfort stations should report to the military authorities about the management of the stations. Comfort women are moved according to the order of the army.
37. 在上海領事館, [外務省警察史, 支那の部], 1938.
38. アジア太平洋戦争韓国人犠牲者補償請求事件, <訴状>, 1992, p.25.
39. 混成第14旅團司令部, [衛生業務旬報], 1932, 9. -1933, 12., 32編.
40. 従軍慰安婦110番編輯委員会 編, <従軍慰安婦110>, 1992.
41. 在上海總領事館, [昭和10年在上海總領事館警察事務狀況], 1935.
42. 在天津總領事館塘沽出張所, [外務省警察史, 支那の部], 1937.
43. With the increase of other comfort facilities (restaurants, cafeteria and others), the number of military comfort stations began to decrease. 波集團司令部, [戦時旬報], 1939, 4, 10-20.
44. 千田夏光, 鈴木裕子, 金一免, etc.
45. 混成第14旅團司令部, [衛生業務旬報], 1932, 9. -1933, 12., 32編.
46. "The 'comfort girls' have been found wherever it was necessary for the Japanese Army to fight." US Offices of War Information, Psychological Warfare Team, 1944.
47. 従軍慰安婦110番編輯委員会 編, <従軍慰安婦110>, 1992.
48. 第48師團, [軍事資料終戦狀況], 1946, 7.
49. Each unit should report about the following matters. "Order: A troop should build in haste makeshift comfort facilities."
50. Persons who are to open a comfort station should apply to a medical office for the license.
51. The naval authorities examined the sanitation status of comfort stations and appointed the best six stations.
52. Managers should renew the license every three months.
53. 50 chun for a license and 7 won for business tax.
54. Officers should take charge of the management and regulations of clubs in the army.

55. 麻生徹男, [花柳病の積極的豫防法], 1939.
56. Sendakako-o, Translated by Lee Songhee, "Military Comfort Women" Baeksubang, 1991.
57. [在?在留邦人統計], 1939.
58. According to a record of medical examinations, 35 were Koreans among 38 comfort women.
59. 支那派遣軍總司令部, [副官合同實施の件], 1942.10. 南京第15師團軍醫部, [極秘昭和18年2月 衛生業務要報]
60. タクロバン憲兵分隊, バギオ分隊, [第14軍憲兵隊軍事警察月報], 1943
61. 從軍慰安婦 110審編輯委員會編, [從軍慰安婦 110番], 1992
62. 獨立山砲兵第3聯隊, [陳中日誌] 1941.4.1-6.4.30, 獨立守備步兵第35大隊, [陳中日誌] 1942.4.1-17.6.30
63. "A Study on the System of State Regulated Prostitution in Modern Korea"
64. 呂集團特務部, [呂集團特務部月報], 1940
65. Yoshida Seiji, Trans. Modern History Research Institute, "How did I kidnap Koreans?" Chunggei Research Institute, 1989.
66. [支那事變ニ 際シ邦人ノ渡支制限竝取締關係暫定處理要綱], 1940.5
67. [支受大日記密] 1938.3.4
68. The rules on the use of military comfort stations should be strictly followed.
69. 獨立混成第15聯隊本部, [陳中日誌], 1945.1-1.1.31
70. X unit on Sundays, Y unit on Mondays, Z unit on Wednesdays. Other temporary stationeries should follow other specific regulations.
71. 獨立山砲兵第3聯隊, [陳中日誌] 1941.4.1-16.4.30
72. 獨立守備步兵第35大隊, [陳中日誌] 1942.4.1-17.6.30
73. 從軍慰安婦 110審編輯委員會編, [從軍慰安婦 110番] 1992
74. 獨立守備步兵第35大隊, [陳中日誌] 1942.4.1-.6.30

75. 2A司令部, [第2軍狀況概要] 1938.12.10

76. 獨立攻城重砲兵第2大隊第2中隊, [陳中日誌] 1938.1.1-13.4.30

77. 獨立攻城重砲兵第2大隊, [慰安所規定] 1938.3

78. 特設部隊, 特設艦船, [支那事變第8回功績概見表綴] 海軍武功調査, 1940.4-11

79. The unit responsible for the rear facilities distribute condoms to soldiers. The army distributed condoms to soldiers every two months. But, now, it should be in charge of the managers for the following reasons: in case soldiers do not bring a condom to comfort stations in case they use it in other places in case they use prostitution other than military comfort stations and they get infected with diseases.

80. 軍政監部ビサヤ支部イロイロ出張所, [慰安所規定送付ノ件], 1942.11 「山第3475部隊」軍人具ニ樂部スル關内務規定, 1944.12

81. 派集團司令部, [戰時旬報], 1939.4.10-20 南京第15師團軍醫部, [極秘昭和 18年 2月 衛生業務要報]

82. 特設部隊, 特設艦船, [支那事變第8回功績概見表綴, 海軍武功調査] 1940.4-11

83. 麻生徹男軍少尉, [花柳病の 積極的豫防法] 1939.6.26

84. 山第3475部隊, [軍人具ニ樂部する關内務規定] 1944.12

85. 獨立攻城重砲兵第2大隊, [慰安所規定] 1938.3

86. Yun Chung-ok, "Sexual Slavery, What is the Problem?" The Korean Council for Women Drafted for Sexual Slavery by Japan, "Research Data of Sexual Slavery I" 1991.

87. Lee Sanghwa, A thesis for M.D. of Ehwa university. "A Study on the Life of Military Comfort Women Back in their Country and their Experience"

88. The Korean council for Women Drafted for Sexual Slavery by Japan distributed donation to former comfort women in October 1992 and April 1993.

89. A crime against humanity and a war crime are similar in their concept. Therefore, a violation can fall into both category of crime (The UN War Crimes Commission, History of the UN War Crimes Commission and the Development of the Laws of War, His Majesty's Stationary Office, London, 1948. p.188). However, war crimes are applied to a state in wartime. Therefore, it is reasonable to see the crime of sexual slavery as a crime against humanity because the victims are Korean women under Japanese rule.

90. Article 5 of the Charter of the International Military Tribunal for the Far East. In this article,

persecutions on religious grounds are excluded, in contrast to the Charter of the International Military Tribunal at Nuremberg.

91. Part II of the Charter of the International Military Tribunal at Nuremberg. Article 6.

92. This treaty was ratified in Paris in 1904 and its content was fundamentally changed in 1910 and 1921.

93. Article 2.

94. Years when Japan ratified a peace treaty or a treaty for compensation with other victimized Asian countries:

Burma	Nov. 5, 1952
The Philippines	May. 9, 1956
Indonesia	Jan. 20, 1958
Laos	Oct. 15, 1958
Vietnam	May. 13, 1959
Republic of Korea	Jun. 22, 1965

95. For instance, approximately 99.1 billion Yen was paid for the Japanese atomic bomb victims in 1984 (Tanaka Hiroshi, "Unfinished Business" AMPO Japan- Asia Quarterly Review Vol.23, No.2, p.19).

96. When Germany was defeated in the war, it compensated for not only Jewish victims but also the victims from Belgium, Netherlands and Austria who were coercively drafted for labor and military service. In addition, it is interesting to compare the history of the Japanese American wartime case in which the US Supreme Court in 1943 and 1944 upheld the military orders that forced more than 110,000 Americans of Japanese ancestry from their West Coast homes into ten internment camps scattered from the California desert to the swamps of Arkansas. However, in 19---, the US Congress organized an ad hoc committee on Japanese American Reparations. For the next two years, they held 20 public hearings and heard testimony from 750 witnesses. The Committee made a final report on the issue in 1983, recommending that the government apologize formally and pay \$ 20,000 to each of about 60,000 living victims (Tanaka Hiroshi, supra note, p.19).

97. The Japanese government promised " to severely punish all the war criminals, including those who abused prisoners (Article 10)-----In 1952, Japan promised to follow the results of the International Military Tribunal for the Far East and other tribunals (Article 11), as it was mentioned in the Peace Treaty at San Francisco.

98. For example, the Korean Council for Women Drafted for Sexual Slavery by Japan, "International Activities Against Military Sexual Slavery" Vol.1. No.1. Feb. 1993.

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