

Social and Historical Background of the Sexual Slavery Enforced by the Japanese Military

The acts committed by old Japan and its military against the "comfort women" mainly of Korean origin during their occupation in our country was an organized systematic sexual slavery with a certain social and historical background.

1. Military occupation of the Japanese imperialism and its outrageous military rule over Korea.

The Japanese imperialism pointed out Korea as a bridgehead and stable supply base for its future continental invasion in due consideration of the strategic importance of her geographical location, and her rich human and material resources.

This aggressive ambition of the Japanese imperialism against Korea was revealed in the "doctrine of conquering Korea" that appeared after 1868 Meiji reform.

They exposed their aggressive intention in the "doctrine" that they should conquer Korea by force to subordinate her to Japan in order to increase the "power of imperial state".

For the implementation of the "doctrine of conquering Korea, they ran amuck to expand state power under the slogan" "rich state and strong military", "loyalty to state power" while committing open aggressive acts against Korea.

The Japanese imperialists concocted so-called "Unyang Ship" incident in 1875, and with this as a ground, fabricated "Treaty of Kanghwa Island" (Treaty for defending Both Korea and Japan).

Afterwards, they stretched their black tentacles of aggression to Korea with fabrication of "Ulmi Incident", exercise of "Advisory Rule", organization of "Iljinhoe" and so on, and finally occupied our country by force of arms by mobilizing 100,000 troops to Korea during the Russia-Japan war in 1904.

They, based on their strong military power, fabricated "Ulsa 5-Point Treaty" to deprive Korea of her rights to diplomacy. On the other hand, they robbed her rights to internal affairs by forging "Chongmi 7-Point Treaty" in 1909, and dissolved the weak Korean army (some ten thousand strong army).

The Japanese imperialists, who had plundered the Korean sovereignty in the most a most cunning way with support of armed forces, officially declared their Korean occupation under the name of "Korea-Japan annexation" in 1910.

Having occupied Korea, they defined the military dictatorship without separation of power as the main mode of their rule over Korea and dispatched generals of the Japanese army and navy as governor-generals in accordance with the imperial orders of their emperor.

The Governor-General of Korea was directly linked only with the Emperor and obeyed to him alone as the dictator who gripped all power of legislation, jurisdiction, administration and military command over Japanese army in Korea.

The Japanese imperialism established Pyramid-type domination system with the Governor-General on its apex and exercised military rule over the Korean people.

Japan stationed in Korea tens of thousands of her elite forces after their occupation of Korea her to suppress the Korean people.

Along with the military domination over Korea, they set up huge military police forces and mobilized them to suppress the Korean people.

They installed the "General Police Affairs Bureau" in Seoul and "Police Affairs Division" in each of the 13 provinces. Major points not to speak of counties and sub-counties, had thousands of stations and sub-stations of military and police, who numbered tens of thousands.

They watched all the movements of the Korean people and when they were displeased, they punished them severely according to the police regulation named "police immediate punishment" regulated by the Korean Government-General.

While building up repressive forces to restrict the Korean people, they set up law system to support them legally and systematically. Typical were "Korean Criminal Law", "Treason Law", "Treason Execution Law" " Punishment Case on Political Crimes" and etc.

These evil laws regulated extremely simple legal proceedings, while giving extensive rights of investigation to the prosecutors and criminal police.

Accordingly, they inflicted all kinds of torture and threat without any court lawsuit to anybody were not pleased to them and went so far as to kill him committed even acts to kill them.

Thus, the Korean people were destined to obey to Japanese laws or be killed under the huge Japanese repressive forces and law system.

2. Japanese Heinous Acts to Annihilate the Korean People

The Japanese imperialists, immediate aftermath of their occupation, stubbornly pursued the assimilation policy to annihilate the Korean nation. They loudly clamoured about "one and the same ancestry and roots", forced them to "Japanization of Korean surnames and names", "bow toward the Emperor's Palace" and "Emperor worship" under the name of the "oneness of Japan and Korea". They also forced them to use the Japanese language compulsorily as "mother tongue".

With an aim of annihilating and obliterating the excellent cultural tradition of Korean nation, they distorted the time-honoured Korean history of five thousand years, destroyed and plundered at random the valuable cultural relics and heritage of our country.

According to the rudimentary data alone, hundreds of thousands pieces of the valuable Korean cultural goods are now seen in Japan now, and out of them, Koryo porcelain numbers tens of thousands' pieces.

They forcibly drafted over six millions of the Korean youth and adults under the name of "labour" and "any recruitment" to force them to the medieval slave labour and turned them into canon fodder of the Japanese invaders, and killed at their will innumerable Korean revolutionaries, patriots and innocent people.

3. The Most Cruel Exploitation and plunder by the Japanese Imperialism against the Korean People.

The economic plunder of the country by the Japanese Imperialism focused on agriculture.

This was related to the condition of our country that was backward feudal state whose main economic arteries laid in rural economy and whose most population were engaged in agriculture.

Typical were "Land Investigation Ordinance" fabricated at the outset of their occupation, "Increased Rice Production Plan" enforced when the "military rule" was converted into the "cultural rule" and "Rice Delivery Ordinance" mainly enforced from the outbreak of Sino-Japanese war.

For the exploitation of the Korean countryside, the Japanese imperialists declared "Land Investigation Ordinance" and conducted "land investigation" in 1912 soon after their occupation of Korea

In this course, the Korean Government-General put under its ownership over one million hectares of fertile land cultivated by the Korean peasants from generation to generation under all kinds of names such as "land without owner", "land of co-owners", "civil land", etc.

They promulgated a law named "Land Disposal Ordinance" and on this basis, they handed over more than 200,000 hectares of land to the "Oriental Development Company" and some 200,000 hectares of land to Japanese landlords.

They shipped away over ten million Sok of the Korean white rice every year through the "Increased Rice Production Plan" set up for a period of 30 years from 1919 and "Rice Delivery System" enforced from after the Sino-Japanese war.

As a result a large number of peasants who were robbed of their land and everything to eat were forced to leave the countryside and wandered hunting for jobs or were employed by Japanese or Korean landlords as their tenants.

The Japanese imperialism further increased the plunder against not only the peasants but also all population as the Sino-Japanese war became lengthy and the Pacific War came at hand.

The Japanese imperialism paid the Korean labourers low wages, as little as a half or one third of the wages for the Japanese labourers and plundered more than half of their income as taxation of all kinds. In the run-up to the Pacific War the Japanese imperialism strengthened "delivery system", and plundered at random white rice and other agricultural produces, iron, coal, , timber and marine resources and what not if they were needed for the military.

They robbed the population of even trinkets and living utensils, and whatever could be made available to the war.

They initiated "gold hairpin, gold ring donation movement" and robbed gold hairpins and rings, silver hairpins and silver rings, etc., which the Korean women kept as their pet things. They proclaimed "Metal Recovery Ordinance" and launched a "scrap iron delivery movement", thus forcibly collecting all iron things including iron fences, iron handrails and iron door fasteners attached to public buildings, including schools.

State Responsibility of the Japanese Government

1. Japanese Emperor Hirohito, the old Japanese Supreme Commander and many other high-ranking government officials and generals including the prime minister and ministers of army, navy, military industry, internal and foreign affairs, public health and welfare connived the military sexual-slavery. Worse still, they supported its system and gave series of orders and instructions for its implementation.

As this was unlawful act violating the then international laws and human morality the Japanese government should take full responsibility for it.

- Basis of Responsibility

2. In international legal terms, the state is liable not only for the acts of state organs themselves and all unlawful acts committed by state executives in execution of their duties but also for the acts conducted by legal or natural person following the state intention. In addition, the state takes responsibility in case that it does not take any preventive measures against and connive illegal acts to be committed by the legal or natural person for private purpose regardless of state intention though it knows about them.
3. At that time, the Japanese military directly led military "comfort woman" acts, state organs such as Ministries of Interior Affairs, Foreign Affairs and the Government General of Korea intervened in it and many state officials and military generals executed it.

Under the order of the military, some civilian agents were involved in drafting of "comfort woman" and management of "comfort stations".

4. Typical examples are as follows;

In a circular, "conscription of employees of comfort stations, "comfort women" sent from the Office of Manpower Administration of the Japanese Ministry of Army to the chiefs of staff of the armies dispatched to the northern and middle areas, signed by vice-minister Yamamura Hiroshi (later chief of General Staff of Ministry of Army) and Umez Michiro, Director of the Office of Manpower Administration, presented the recruitment principles of "comfort women" drawing attention to the reduction of the so-called "prestige" of the "Imperial Army for the disorder in recruitment".

The principles were:

First, to thoroughly recruit "comfort women" under the control of the dispatched unit.

Second, to select civilian agents carefully them in case of using them in recruitment.

Third, to collaborate with police or military police in the field at the time of recruitment.

The meeting of three Ministries of Army, Navy and Foreign Affairs held in the Japanese Consulate-General in Nanjing on April 16, 1938 with the participation of quartermaster general of Ministry of Army, naval officer and consul-general discussed the operation principles of "comfort stations", the issue to increase them and decided as follows:

First. Consulate General does not intervene in the issue of "comfort stations" in case that the military manages and operates "comfort stations" exclusive to the army and navy ("comfort station" form 1

and form 2).

Second. Consulate general controls the managers of "comfort stations" (form 3) to which non-military personnel also have an access and the military police intervene in case that the military personnel come in and out them.

Third, whenever the military police consider it necessary it can conduct an official inspection to "comfort stations".

Forth, the military turn civilian "comfort station" (form 3) eventually into the military "comfort station".

Fifth, when the dispatched unit licenses non-military personnel to install "comfort stations", they should inform the Consulate General of their domicile, address, name and age.

The Japanese military took direct measures to prevent venereal diseases among the soldiers and pregnancy of the "comfort women".

The sanitary section of the medical department of the Ministry of Army instructed in the circular of June 18, 1942 sent to all the units "the reference to the venereal diseases of the army participating in the "Asia-Pacific War" that if the venereal diseases come in the Japanese mainland through the returning soldiers, the future of the Japanese nation is greatly threatened and therefore, hygienic control over the "comfort stations" should be thoroughly kept and sanitary inspection over the returned soldiers strengthened.

Accordingly, V.D check of the "comfort women" took place once a week or ten days and rigorous medical examination was administered over the returning soldiers.

To avoid the infection of venereal disease to the soldiers and pregnancy of "comfort women", the economic management department of Ministry of Army produced 32,103,700 condoms and supplied them to all the units.

The Circular of Ministry of Army dated September 3, 1942 pointed out that "comfort Stations" under the direct control of the military were 100 in Northern China, 140 in mid-China, 40 in Southern China, 10 in the South Seas area, 10 in Pacific islands, 10 in southern Sakhalin, 400 in total.

The Government General of Korea used "employment agencies" established by Japs in accordance with the request of the Japanese Ministry of Army and dispatched units for recruitment of "comfort women", connived and even encouraged the Japanese prostitution experts to delivered Korean women as the military sex slaves through appeasement, deception and swindle.

Therefore, the Japanese government is liable for the whole acts of the military "comfort woman".

-Application of Laws and Legal analysis

5. The sex-slavery for the Japanese army is the war crimes and crimes against humanity contrary to the "treaties and regulations on land warfare laws and customs (fourth entente agreed in Hague in 1907. Japan signed on October 18, 1907 and ratified it on December 13, 1911", "international treaty on suppressing women for prostitution" (treaty in 1910-Japan joined in it on October 21, 1925),

"international law on the ban of child and woman trafficking" (treaty in 1921-Japan ratified on December 25, 1925), "forced labour treaty" (Japan joined it in 1932) and "the statute of far-eastern international tribunal" (Japan accepted it on the signing of treaty in September, 1951).

6. Article 43 in the statute to the fourth entente agreed in Hague in 1907 regulates that the occupation army should respect the rules and take all possible means to recover public orders and inhabitants livelihood in the occupied area and article 46 stipulates that it should respect honour and rights of family, and individual life of the inhabitants of the occupied area.

Article 43 of the Riber "instruction" in 1863, which is the basic international codes of war regulations internationally, regulates that "rape, murder and killings over the inhabitants of the occupied state are banned".

The Indonesian Batavia Provisional Military Tribunal decided as the breach of the war regulations the acts of the Japanese army who abducted teenage and older girls to force them into prostitution and commit rape during the Second World War and convicted them guilty.

As the above regulations and laws show, the Japanese sexual-slavery is acts contrary to them and is real war crime.

7. 1910treaty and article 1 and article 2 of the 1921 treaty regulate that sexual robbery, persuasion into prostitution and draft of women be strictly banned and those who commit such acts be punished without their consent.

Paragraph 3 of article 5 of 1946 the statute of far eastern international tribunal regulate that massacre, annihilation, slavery persecution, deportation and other inhumane acts or acts of humiliation for the political and racial reasons taken without consideration of the violation over the internal laws of the relevant countries before or during the war become crimes against humanity.

Under the above international laws, the sexual-slavery of the Japanese military is the crime against humanity.

- Execution of Responsibility

8. The Japanese government should thoroughly investigate and examine the truth of the sexual-slavery for the military and expose it to the public.

Fact investigation and opening of the encroachment on the human rights is a principle to ensure human rights.

The Japanese government constantly connived for the last half a century after the War that it was the acts committed by the military.

As regards this matter, the following are the words of senior officials of the successive Japanese government

On June 6, 1990 Japanese government replied "military (comfort women)" acts were civilian ones without relation to the military and the state" to the question by Motooka Syoji, a member of Socialist Party in budget committee of Japanese House of Councilors, for investigation into "comfort women" issue.

On April 1991 an official of the Ministry of Labour said "after hearing from those involved in this affair, Korean "comfort women" had nothing to do with labour department of Ministry of Public Health and Welfare and national labour mobilization division" at the discovery of document recognized as the list of Korean military "comfort women" in Japanese Parliament Archive.

On November 21, 1991 a Japanese Foreign Ministry official said that there was no evidence concerning the press report on the forcible draft of Korean women as Japanese military "comfort women" confessed by Yoshida Seiji ex-conscription, director of the "Patriotic Labour Association" in Yamagiji prefecture.

On May, 1994, Naganor Higeto, Minister of Judicial Affairs (at that time) said that Japanese Asia-Pacific war was not the aggressive war and the military comfort women were licensed prostitutes."

On January 1997, Gajiyama Seiroku, chief Cabinet Minister (at that time) said, "we don't know the existence of the licensed prostitution system. Our old generation did not so worry about military "comfort women". They were so poor that they fell into the licensed prostitution to earn money.

These words imply in general;

To negate the involvement of the government and military in the acts concerning military "comfort women"

To negate the forcible draft of the "comfort women"

To recognize this as commercial wrongdoing committed by professional prostitutes

To recognize that rape and prostitution may be possible in the war.

Angry at the negative attitude and the evasion of responsibility of the Japanese government on the military sex-slavery, many scholars and civil organizations had consistently made public resistance on acts concerning the military "comfort women" directly committed by the Japanese army through the exposure of related archives, analysis activity and field investigation.

And many women victims, who had kept silence by that time, appeared before the public as witness to expose the old Japanese sexual-slavery act as witnesses.

Unable to neglect the international voice over it, the Japanese government superficially undertook investigation to the truth and declared its result, but it was only to the extent that the military was involved in drafting "comfort women" and management and operation of the "comfort stations". It did not make clear entire aspects of the truth: total number and number from each country of the "comfort women", locations, title and managers of the "comfort stations" and disposal of the "comfort women".

The Japanese government should totally open all the documents relative to the sex-slavery and investigate criminals still alive to let them make open testimony while investigating and discovering material evidences including documents relating to the then "comfort stations", thus making clear entire aspects of the sexual-slavery for the Japanese army.

9. The Japanese government should admit state and legal responsibility of the sexual-slavery for the military and apologize it.

As the international pressure increased against the negative position to the military sexual-slavery by the Japanese government, it unwillingly admitted and its moral responsibility but still negates its state legal responsibility.

The Japanese government comes out with unjust doctrine that there were not international regulations stipulating as crimes the violence such as rape torture and murder at that time, and particularly that draft of the Korean women as "comfort women" can not be a crime as Korea and Japan was annexed to Japan then.

As mentioned above, at that time, there were regulations defining sexual violence as crimes and laws on crimes against humanity and Japan had obligation to implement them as their contracting party.

The annexation of our country and Japan is the total distortion of the historical facts.

Our country had been a militarily conquered area under the Japanese military occupation for 41 years.

Therefore, the sexual-slavery for the military inflicted upon the women of our country by Japan is naturally a war crime and crime against humanity.

The Japanese government should make official state apology with compensation for the mental and physical damage inflicted upon the victims, not with empty words.

Such apology should not be expressed with one or two words of an individual of the government on this and that occasion but in the form of parliamentary resolution or official position of the chief executive of the government.

10. The Japanese government should make adequate state compensation to the victims.

Compensation by the assailant to the victim is the internationally recognized legal demand and international practice.

The Japanese government should make state compensation, as the assailant state, for the mental and physical damage suffered by the military "comfort women".

However, the Japanese government has avoided responsibility for compensation up to now.

It denies the responsibility of compensation, saying that its obligation of compensation and compensation issue of the individual victim was resolved by the bilateral treaties signed with victim states.

The San Francisco Treaty reads that it would consider Japan's responsibility for compensation, not exempt it.

The compensation issue for the Japan's victim states were discussed, though inadequately, in the bilateral treaties established between Japan and victim states, but it the compensation specifically issue for the "comfort women" could not even be discussed due to the then Japanese government's moves to hide the facts.

The Japanese government does not pay any attention to the reparation of the past to the DPR of Korea until half a century have passed after the war, pursuing constant hostile policy against it.

Japan, resolved the issue of the past with south Korea in the "mode of claims for property" which means nothing to give and receive between Japan and South Korea.

The money that Japan gave to South Korean regime at that time was not compensation fund for damage but so-called "fund for economic collaboration".

As the international pressure on the sexual-slavery for the military highlights and the voice of protest and denunciation by the alive victims enhances, the Japanese government tries to evade responsibility of state compensation in a form of establishing civil fund named "civil fund for Asian women" and distributing the charity fund that it collected from their citizens to the alive "comfort women".

What is cursed in the acts of the Japanese government is that it never paid even a penny to all victims of the sex slavery for the Japanese army including our women while it compensated to its home victims and even families of the war dead invoking "pension law" and "compensation law".

Japan, as an assailant state, should make adequate state reparation for the mental and physical damage of all victims in Asia and Pacific region including Korean women who were forced to the sexual-slavery of the Japanese army.

11 The Japanese government should feel due responsibility for the defamation of the military sex-slavery victims and take thoroughgoing measures to stop it.

As all women should be, especially the Korean women regard chastity as their life and have noble ideological and moral traits.

Our Korean "comfort women", though their physical pains from sex-violence as the Japanese military sex-slaves are great, feel more seriously about their disgrace and shame that make them to spend unlucky life or live in alien countries without meeting with their families and relatives.

The Japanese rightist political figures, instead of deeply repenting on it and making sincere apology for them, they clamour that the women victims were prostitutes engaged in commercial acts for money, thus spoiling their prestige and honour and subjecting them to insults.

The Japanese government should strictly punish those who loose their tongue at random and take the national and legal measures not to repeat it anymore in Japan.

12. The Japanese government should take measures to realize the return of the remains of the late sex-slaves and the repatriation of the alive "comfort women" to their home countries.

It poses as the fundamental requirement of the humanitarian law of war to repatriate the survivors and the remains of the late to their countries after war.

Most of hundred thousands of Korean "comfort women" have been buried as forlorn wandering spirit in an alien far away land for over half a century due to the brutal Japanese military brutal sexual violence, unjust murder and genocide committed at the end of war.

Some of the alive women returned, some of them refused to return to their country afraid of exposing the disgrace and shame of their past and some of them remained at local places because the Japanese army escaped with the women left there.

It has been known by the alive women's appeal and the investigation that the former Korean military "comfort women" live lonely without contacts with their families and relatives in far-off alien countries such as China, Cambodia, Japan, Sakhalin and etc.

Japanese government should find the alive "comfort women" through field investigation and take full responsibility for investigation and confirmation of the bones of the late.

At the same time, the Japanese government should realize their return or hometown-visit without condition referring to their will and take unconditional measures to move all remains of the late to their native towns and the places where their families and relatives live.

13. Japanese government should take step to give legal punishment to those who planned, plotted and committed the military sexual-slavery.

Those who planned, plotted and committed the sexual-slavery mainly against the Korean women are all extremely heinous anti-humanitarian and war criminals.

It is the state obligation, moral duty and history-long international practice to punish the criminals.

But the Japanese rightist figures, even the government authorities, are officially visiting "Yasgu ni Shrine" for worship describing the 2nd world war criminals as "patriots." This is extremely Japanese loose act to beautify its past criminal history.

The Japanese government should investigate and make public the criminals who organized, commanded and committed the sexual-slavery and their crimes not only within Japan but also on world scale.

Based on this, Japanese government should investigate and identify the criminals irrespective of the then official position subjective to the Japanese present law system or enactment of new special law, and they should inflict relevant penalties directly on the alive criminals and sentence the penalty to the late ones in the name of tribunal.

14. The Japanese government should be true and frank in history description and education among new generation concerning sexual-slavery.

Japanese government, in history education among new generation, does not truly teach about Japanese military sexual-slavery and other history of Japanese aggression and crime, but attempts to erase the parts concerning the "comfort women" from history textbooks which were written, though inadequately, at the pressure of internal and external opinions.

History does not change by any negation and distortion.

The Japanese authorities should stop at once, with correct understanding of history, the maneuvers to beautify the cursed history of the past and instill the miniaturization. As regards the sexual-slavery for the army, the Japanese government should make correct description in history documents and textbooks of the whole aspects of "comfort women" for the army; names and positions of the criminals engaged in instigation planning and execution, locations of "comfort stations", outrages inflicted upon the comfort women, the number of "comfort women" and their disposal, the alive comfort women's suffering, etc. and conduct school education and social education with them.