



Forum on Wartime Responsibilities Under International Law

Preparatory Meeting of Country and Chief Prosecutors
for the Women's International War Crimes Tribunal – Tokyo 2000

**July 27 to 31, 2000
Manila, Philippines**

Background

In December 2000, the 1st Women's International War Crimes Tribunal (WIWCT) will be held in Tokyo, Japan. The Tribunal will primary focus on the violations committed against the Asian "comfort women" by Japan's military sexual slavery practices during World War II. The victimized countries who will be participating are South Korea, North Korea, China, Taiwan, Indonesia, Philippines and Malaysia. It seeks to put pressure on the Japanese government to admit its legal responsibility in the "comfort women" issue and its past crimes against women and humanity, and to prosecute the perpetrators of the sexual slavery system practiced by the Japanese Imperial Army. Secondly, the Tribunal will also deal with current forms of sexual violence committed against women in other situations of armed conflict occurring in many parts of the world. It is necessary to link the issue of Japan's military sexual slavery to current issues happening in Kosovo, East Timor, Sierra Leone and other conflict areas. Lessons must be learned from the past to prevent the vicious cycle of violence against women in wars and conflict situations.

For the main component which is the Tribunal on Japan's military sexual slavery practices, the participating victimized countries will present an indictment holding the Japanese government and individuals accountable for the crimes committed against the women conscripted as sex slaves and the other survivors of sexual violence. For sometime now the organizations representing these countries have been working independently on the gathering of evidences and preparing the legal framework and analysis for each country case. In moving towards the final stages of the preparation for the Tribunal, there is a need for all the participating countries to come together to share developments and agree on very important points.

Thus on July 28 to 30, the first regional meeting of Country Prosecutors and Chief Prosecutors will be held in Manila. The meeting will primarily provide a venue for all the representatives of the victimized countries to unite on the Charter and legal framework of the Tribunal and put it into force. This will also be a venue for the Country Prosecutors to present their draft indictment; enable them to get valuable comments

and suggestions from the Chief Prosecutors and other participants; and agree on the legal basis for the indictment. This would also be a good occasion for all the Country Prosecutors and the Chief Prosecutors, together with the members of the International Organizing Committee (IOC) to work on the presentation of the indictments; learn from the lessons and experiences of the other countries; and consolidate the substantive as well as logistical preparation for the holding of the Tribunal in December.

A second and last regional meeting of the Prosecutors and the IOC is scheduled to be held in Taipei in September 15-18, 2000, to be hosted by the Taipei Women's Rescue Foundation. The Taipei meeting will further elaborate on the mechanics of the presentation of the indictments.

Expected Outputs:

In this first meeting of Country Prosecutors and Chief Prosecutors, it is hoped that the following objectives be attained and issues be resolved:

1. To discuss and agree on the following critical issues:
 - a. the emphasis of the indictment – the law or the facts
 - b. the general legal framework
 - c. the elements of the different crimes under the Charter and the kinds of evidences that should be presented
 - d. the format of the indictment/s and the presentation/s at the Tribunal
 - e. the respective roles of the Chief Prosecutors and the Country Prosecutors in the preparation of the indictment/s and during the Tribunal
 - f. the role of the judges and what to do with the judgment
2. To present and solicit suggestions for the enhancement of the draft indictments of the following participating countries:
 - a. China
 - b. Indonesia
 - c. North Korea
 - d. Philippines
 - e. South Korea
 - f. Taiwan
 - g. Japan
3. To discuss and plan for the preparation and conduct of the following:
 - a. the format of the Tribunal
 - b. the flow, program and schedule of the conduct of the Tribunal
 - c. the role of each country prosecutors team vis-à-vis Chief Prosecutors
 - d. technical and logistical requirements

After the formal meeting of the Prosecutors, the members of the IOC will meet to finalize and iron out some of the decision points raised during the meeting of prosecutors and to discuss some of the logistical preparation of the Tribunal.

Members of the Prosecution

- A. Legal Adviser
 - 1. Rhonda Copelon, Professor of Law, City University of New York
 - 2. Theo Van Boven, Professor of Law, Maastricht University, Netherlands
- B. Chief Prosecutors
 - 1. Patricia Viseur-Sellers, Legal Advisor, Yugoslavia War Crimes Tribunal
 - 2. Hina Jilani, Advocate, Supreme Court of Pakistan
 - 3. Ustinia Dolgopol, Professor of Law, Flinders University,
- C. Japan
 - 1. Atty. Yuichi Yokota
 - 2. Atty. Yasushi Higashizawa
 - 3. Atty. Kazuko Kawaguchi
- D. South Korea
 - 1. KIM Myung-gi, Chief Country Prosecutor
 - 2. CHO Si-Hyun
 - 3. YUN Chung Ok
 - 4. CHEE Eun-hee
 - 5. SHIN Hei Soo
 - 6. YANG Mi-kang
- E. China
 - 1. Zhou Hong-jun
 - 2. Su Shi Liang
- F. North Korea
 - 1. Hwang Ho Nam
 - 2. Jong Nam Yong
 - 3. Ri Chun Ae
 - 4. Kim Chun Sil
- G. Taiwan
 - 1. Mr. Yin-Chi Lao
 - 2. Mr. Huang-Chih Chiang
 - 3. Mr. Jau-Yuan Hwang
 - 4. Miss Chia-Sian Lu
 - 5. Mr. Kuo-Ming Chuang

- H. Indonesia
 - 1. Nursyabhani Katjasungkana
 - 2. Antarini Arna
 - 3. Asnifriyanti Damanik
 - 4. Ita Nadia
 - 5. Paulus

- I. Philippines
 - 1. Dean Merlin Magallona, Head Prosecutor, Philippines
 - 2. Dr. Purificacion Quisumbing, member, Philippine Prosecutors Team
 - 3. Atty. Sedfrey Candelaria, member, Philippine Prosecutors Team
 - 4. Atty. Evalyn Ursua, member, Philippine Prosecutors Team
 - 5. Dean. Aurora Javate de Dios, member, Philippine Prosecutors Team (Gender Expert)
 - 6. Prof. Ricardo Jose, member, Philippine Prosecutors Team (Historian)
 - 7. Atty. Eleanor Conda, Coordinator, Philippine Preparatory Committee



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DRAFT PROGRAM

Day 0, 27th July	Arrival and Registration of Participants	
Day 1, 28th July		
7:00-8:30 am	BREAKFAST	
9:00-10:30 am	1. Welcome Remarks	<i>Indai Sajor</i> Convenor/IOC, WIWCT
	2. Opening and Introductions	<i>Yun Chung Ok</i> Convenor/IOC, WIWCT
	3. Introduction of Delegates	<i>Yayori Matsui,</i> Convenor/IOC. WIWCT
	4. Discussion on the Objectives, Program and Mechanics of the Meeting	<i>Indai Sajor</i>
10:30-11:00 am	COFFEE/TEA BREAK	
11:00-12:30 nn	5. Brief Statements from the Chief Prosecutors	<i>Patricia Viseur-Sellers</i> Chief Prosecutor
		<i>Tina Dolgopol</i> Chief Prosecutor
		<i>Hina Jilani</i> Chief Prosecutor
12:30-1:30 pm	LUNCH BREAK	

1:30 – 5:00 pm	General Discussion on Basic Issues 1. Emphasis of the indictment – the law or the facts? 2. General legal framework 3. Elements of the different crimes under the Charter and what kind of evidence should be presented 4. Format of the indictment/s and the presentation/s at the Tribunal 5. Roles of the Chief Prosecutors and the Country Prosecutors in the preparation of the indictment/s and during the Tribunal 6. Other related issues	
6:30-8:30 pm	COCKTAILS/ART EXHIBIT	
Day 2, 29th July		
7:00 to 8:30 am	BREAKFAST	
8:30-9:00 am	Recap/Review of previous day's activities	
9:00-12:00 nn	Country Presentations and Open Forum 1. South Korea 2. China 3. Indonesia	<i>KIM Myung-gi</i> Head, Country Prosecutor <i>Zhou Hong-jun</i> Head, Country Prosecutor <i>Nursyabhani Katjasungkana</i> Head, Country Prosecutor
12:00-1:00 pm	LUNCH BREAK	
1:00-4:00 pm	4. Taiwan 5. North Korea 6. Philippines 7. Japan	<i>Kuo-Ming Chuang</i> Head, Country Prosecutor <i>Hwang Ho Nam</i> Head, Country Prosecutor <i>Dean Merlin Magallona</i> Head, Country Prosecutor <i>Atty. Yuichi Yokota</i> Head, Country Prosecutor
4:30-5:30 pm	Discussion and Open Forum	

Day 3, 30th July		
7:00-8:30 am	BREAKFAST	<i>Patricia Viseur-Sellers</i> <i>Ustinia Dolgopol</i> <i>Hina Jalani</i>
8:30-9:00 am	Recap	
9:00-12:00 nn	Reactions/Comments from the Chief Prosecutors and Discussions	
12:00-1:00 pm	LUNCH BREAK	
1:00-4:00 pm	Planning on: a. finalization of the indictment b. agenda for the next Prosecutors meeting c. format of the Tribunal d. flow and program of the Tribunal e. other related matters	
4:00-5:00 pm	Finalization and Signing of the Charter	
Day 4, 31st July		
7:30-8:30 am	BREAKFAST (Possibility of a breakfast Press Conference)	
8:30-11:00 am	IOC Meeting	
12:00 nn	Lunch and Exposure trip to Mapanique and Bahay na Pula (site of mass rape of women by Japanese soldiers)	

Host: Asian Center for Women's Human Rights (ASCENT)
Philippine Preparatory Committee (PPC) to the
Women's International War Crimes Tribunal

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