



INCORPORATING THE MOVEMENT FOR COLONIAL FREEDOM

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United Nations
Commission on Human Rights
Fiftieth Session

Agenda Item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME
AND METHODS OF WORK OF THE COMMISSION

STATEMENT OF LIBERATION

(By Mr Sang-Jin HONG/read by Ms Sung-Hwa LEE)

Liberation and KYOSEI RENKO CHOSADAN (The Fact-Finding Team for the Truth about Forced Korean Laborers) respectfully welcome this opportunity to speak and are grateful for the progress and efforts having been made by the Commission on Human Rights as well as the General Assembly. In particular, we would like to focus on the new creative programmes to create the four tangible bodies for promotion, encouragement and protection of human rights.

Although the standard setting of human rights has been always important, it is obvious that those human rights standards might not be implemented without any competent bodies, which are empowered to do so.

This is the reason why we wish to point out the utmost importance of the recent achievement made by the last General Assembly to create the High Commissioner for the promotion and protection of all human rights (see its resolution 48/127 of 20 December 1993) and the on-going efforts being made by the various governments and many NGOs at this session of the Commission as well as the General Assembly, The Commission on the Status of Women, the Committee on Elimination of All forms of Discrimination against Women, the Sub-Commission on Human Rights and other specialized agencies to establish the Special Rapporteur on Violence against Women (see GA's resolution 48/104 of 20 December 1993, entitled "Declaration on the Elimination of Violence against Women").

We believe that the proposal to create the Working Group on Contemporary Forms of Slavery (see I.A. in E/CN.4/1994/2) under the Commission made by the Sub-Commission is extremely important. We also appreciate the recent development in the discussion at the General Assembly as well as at this session of the Commission towards the creation of the International Criminal Court, which is to follow up the 1993 World Conference on Human Rights (see II para. 92 in the Vienna Declaration and Programme of Action).

The creation of those bodies would not be enough, however, for the protection of human rights. We have been concerned with the reality of power politics in the international community. Unfortunately, this does happen frequently. Even if the gross violations of human rights took place, these bodies might be powerless for those that were committed by a powerful rich country.

We wish to refer to an example of Japan:

The forced displacement of Koreans before and during World War II included the sexual exploitation of enormous number of women as "comfort girls" and other forms of slavery-like labor of children and the aged. This policy was followed by the Japanese colonial rule over Korea, initiated by the unjust and unlawful domination over the country since 1905. Based on so-called the National Mobilization Law, Japan forcibly drafted the colonized Korean people over to the invasion of the Asian Countries. The number of forcibly drafted Koreans reached more than six million and this number was always set by the Japanese Imperial cabinet decision.

It was condemned by many NGOs and some governments in this session of the Commission that these gross violations of human rights and fundamental freedoms constituted war crimes and crimes against humanity; yet no single perpetrator of the crimes has been punished by the Japanese authorities. The similar crimes were committed by the Japanese Empire against the populations in China, Indonesia, Taiwan, the Philippines, Malaysia and other parts of the Asian and Pacific regions.

In order to avoid scrutiny of these crimes by the various bodies of the United Nations, Japan has been trying to openly and often silently insist that the United Nations has no capacity to deal with the violations that occurred before its creation.

We urge the Commission to reject this argument by Japan because of the following reasons:

First, the World Conference on Human Rights explicitly rejected the Japanese argument and decided regarding violations of the human rights of women in situation of armed conflict as follows: Not only current, but "All violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response" (see II para. 38 in Vienna Declaration and Programme of Action).

Second, this principle of non-exclusion of the past violations of human rights should be applied to all of other gross violations of human rights as well. It should be noted that the World Conference also reaffirmed "importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issue" (see I para. 32 in the Vienna Declaration and Programme of Action).

Third, we wish to draw attention of the Commission to a precedent of the United Nations actions concerning the violations of human rights committed before its creation; namely the resolution of the ECOSOC as regards "PLIGHT OF SURVIVORS OF CONCENTRATION CAMPS" (see E/1956 of 16 March 1951) as well as number of other actions taken by the United Nations as regards war crimes and crimes against humanity committed by the Nazi criminals.

Forth, one must not forget the facts that the survivor victims are suffering even today from the damages such as trauma, which never vanish and that their honor will never be restored, unless the perpetrators of the crimes are severely punished.

Considering these mentioned above, we respectfully request the Commission to make utmost efforts to establish and/or strengthen all of the bodies mentioned above, in order for them to be able to address the violations of human rights of the "comfort girls" and the "slavery-like laborers" in Korea as well as similar victims in the Asian and Pacific regions.

Thank you Mr. Chairperson.

The Fact-Finding Mission on Forced Korean Laborers was formed in 1972 as a joint investigation team of Japanese lawyers, scholars and cultural leaders and Korean residents in Japan, and has since been engaged in activities to investigate the displacement of Koreans and forced labor imposed on them under the Japanese colonial rule of Korea. Our investigation team has gathered data and materials not only in Japan but also in the south and the north of Korea and the United States where it dispatched its researchers, and as such it is a fact-finding team organized to collect testimony by victims and assailants and confirm factual data.

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