

DRAFT INDICTMENT
STATE RESPONSIBILITY OF JAPAN

PREPARED BY

DPRK COMMITTEE ON MEASURES FOR COMPENSATION TO
FORMER KOREAN 'COMFORT WOMEN' FOR JAPANESE ARMY
AND PACIFIC WAR VICTIMS

2000. 9. 16 Taipei

2. The responsibilities of the State of Japan under international laws

1. Responsibility of Japanese government

1) Japan's denial of state responsibility

The Japanese government has denied its legal responsibility for the crimes of sexual slavery ever since this issue has been raised.

On June 6, 1990, when a member of social party, Motooka Shoji required for the investigation work on the 'comfort women' acts by the Japanese army in a budget committee of councillors, he received an answer from its government that the 'comfort women' action by the army has nothing to do with the state and government but has something to do with the civilian mediators.

In April, 1991, when a Korean 'comfort women' related document has been discovered in the Japanese parliament library, an official of the Ministry of Labour uttered that, according to the then authorities, neither the labour bureau of the Ministry of well fare nor the Department of the national labour force has ever involved in the issue of the Korean 'comfort women'. And also, on November 21, 1999, when the former recruitment Director of the parliament in Yamaguchi prefecture Yoshida Sheiji confessed the truth of forceful recruitment of the 'comfort women' to the mass media, an official of MOFA asserted that there is no evidence for it. However, thanks to the publication of the substantial evidences by the civilian organizations and following the strong demand of the victims, the Japanese government was forced to admit that the old Japanese army has involved in the set up and management of the 'comfort stations' during the World War 2 and that the 'comfort women' were forcefully conscripted. Accordingly, the Japanese government, on several occasions, said that they will apology for the crimes of the

'comfort women'. For example, in July 1995, the former Prime Minister of Japan, Murayama Tomiichi, on the occasion of the 50th anniversary of the end of the World War 2, said 'the so called 'comfort women' issue leaves deeprooted damages upon the dignity and honor of a number of women due to the direct involvement of the Japanese military.

Nothing can deny it. I would like to apology sincerely to all the victims who were inflicted upon mental and physical sufferings.'

But this apology did not mean the legal responsibility. The Japanese government still denies their legal responsibility for the set up and running of the 'comfort stations'.

Specifically, the Japanese government strongly denies its legal responsibility with the following reasons.

The Japanese government persists that at that time, there was no international statute which defines the rape action by army as the crime and that the reparation issue is completely addressed through the sign and implementation of the Sanfrancisco Treaty and other reparation Treaty between individual countries and that the period of its statutory limitation is over. They even proved their denial of the legal responsibility by forming the 'civilian fund'. This 'civilian fund', which is designed by the Japanese government, is said to be an organization that is provided with the management fees by the government and distributes to remaining survivors of the 'comfort women' the money collected from the civilians.

The mere formation and running of the 'national fund' can not solve the issue of legal responsibility of the Japanese government, the most important thing to be addressed in the 'comfort women issue. If we follow the way of 'national fund', the author responsible for the 'comfort women' issue will be the civilian organization, that is fund, not the government itself. Also, the 'comfort women' issue will be dealt as an issue of moral responsibility in the shape of charity and consolation fund not as an

issue of reparation based on the legal responsibility.

This is nothing, but a crafty and cunning trick to evade responsibility by passing the legal responsibility of the government over to the civilian fund and to replace the legal reparation with the moral pay of charity fund.

2)Facts which show the responsibilities of the Japanese Government under international laws

(1) Responsibilities for the setting up of the military “comfort house”

The responsibilities of the Japanese Government originate from the fact that the military, from the beginning, directly engaged in setting up the military “comfort houses”.

The detached military units were setting up the military “comfort houses” from the first “Shanghai Incident” in 1931 to the Sino-Japanese War in 1937. This is known as the beginning of the setting-up of the military “comfort houses”.

Since then, the Government started to engage in the setting up of the “comfort houses” and the central authorities of the military organized it until the end of the War.

If we analyze the information showing that the central authorities of the military directly conducted the setting up of the military “comfort houses” it is clear that the central authorities of the Japanese military planned the setting up of the “comfort houses” and gave instructions to the military units under them and took measures related to the principles and methods of collecting the “comfort women”, the management of the “comfort houses”, simplification of the procedures of the transport of the “comfort women”, prevention of the venereal diseases and pregnancy as well as the measures for the provision of the “comfort houses”.

— A document titled the “matters concerning the recruitment of the employees (‘comfort women’) of the military ‘comfort houses’” was sent, on March 4, 1938, to the chiefs of staff of the army detached to the northern area and the middle area.

The document carried the confirmation seal of Yamamura Hiroshi, the then vice-minister of the Japanese Ministry of Land Forces (later he became the Chief of General Staff of the Ministry of Land Forces) and that of Umets Michiro, the then director of the military administration.

The document proposed the principle of recruiting the “comfort women” calling attention to the fact that the so-called “prestige” of the imperial army was being lost by the disorderly recruitment of the “comfort women”.

According to the principle,

① The conscription of “comfort women” should proceed under a consistent control of the dispatched troop;

② In a case of Conscription through ^{civilians} prostitution mediators, they should be strictly singled out,

③ The Conscription should be organized in cooperation with local police and military police.

— On April 16th 1938, a meeting of 3 ministries of the army, the marines and foreign affairs in participation of the commissary commander of the Japanese army, attaché of the marines and the consul general to Nanjing was held in the Japanese consulate general. In the meeting the management rules of the “Comfort house” and a matter of increasing the houses were on discussion, and the following decisions were made.

① As the “Comfort house” for only the army and marines (the house of 1st and 2nd shape) is run by the army, the consulate no engages in its running.

② the manager of the “comfort house” for both army and civilian (of 3rd shape) are under controll of the consulate, while the enterring soldiers and civilians attached to

the army are controlled by the military police.

③The military police may arrange a medical check up of the “comfort house” when he finds it necessary.

④ The army is to turn the civil “comfort house” (of the 3rd shape) into that for army.

⑤ The dispatched troop is obliged to inform the consulate of native place, address, name and age of a civil manager of the “comfort house” in a case that he is allowed to set up the house.

The “comfort women” issue was dealt with by the control of the Japanese military authority.

The ruling circle of the Japanese army had directly taken measures for prevention of pregnancy of the “comfort women” and the spread of sexual diseases among the soldiers.

The sanitary section of the Japanese military medical department had sent “the note on the sexual disease treatment of the officers and soldiers in relation with the great Asia warfare” from the 18th of June 1942. The note stressed that a sexual disease would penetrate into the Japanese mainland from the army dispatched area through soldiers in return as a carrier of the disease and that the future of the Japanese nation could be terribly threatened. It is said that the sanitary condition of the “Comfort house”, therefore, should be correctly maintained and hygienic test on the returned soldiers would be upgraded.

According to the note, it had been institutionalized to do sexual disease examination on the “comfort women” of all the “houses” once in every week or every 10 days and do a collective medical check up of the soldiers who were to return home.

The architecture section of the army-managing department had made 32, 103, 700 pieces of sack (a rubber bag) to distribute to each dispatched troop in 1942 so as to prevent the sexual disease affection and pregnancy of the “Comfort women”.

All military servicemen were given directives to use condoms they got from receptionists or comfort women when entering into the comfort houses and having the sexual relations.

The bulletin issued by the ministry of the army dated Sept. 3 1942, pointed out that the comforts house which were directly controlled by the ministry numbered a hundred in northern China, 140 in central China, 40 in southern China, a hundred in southern areas, ten in the pacific islets and ten in southern Sakhalin.

The above-mentioned data showed that the Japanese ministry gave directly the directives to set up comfort houses in local units and took measures concerning the principles to be observed in the recruitment of the comfort women, transport of comfort women, VD prevention and military disciplines and contraceptives, and ensured their implementation.

The comfort women haviour for the military is directly conducted by the Japanese military with the active engagement of the government. Still worse, it was the crimes committed by the Japanese emperor.

The military is, in general, the main forces, which defends the security of the country. Therefore, any state pays much attention to strengthening military forces and directly control all actions of the military.

In consideration of these general principles, it is clear that the Japanese government must not be ignorant of the fact that hundred thousand, not hundreds or thousands, of women were kidnapped and transported by military trucks or trains or warships to faraway intend China and islands on the pacific ocean and forced into sexual violence. Moreover, the fact that in Japan the head of the government was the head of the military concurrently clearly testified to the government involvement in the comfort women action.

The Japanese government and the emperor instituted and legalized the comfort women crimes.

One of the testimonies for that were the policy for enforcing "women volunteer labor corpse system" which was proclaimed in Sept. 1943, and "women volunteer labor act" instituted in August 23, 1944.

This policy and act were proposed by the Japanese government and approved by the emperor, the women which were led away from Korea by this policy and law were mainly teenagers and girls from 11 to 21 years of age.

It was regulated that they must be recruited from second year pupils of primary schools at least but in reality there was not such consideration.

The comfort women and the volunteer corpse were different in name and there was no difference in their sexual harm.

According to the experiences and witnesses of the surviving victims of the volunteer corpse women. All women who were conscripted for the volunteer corpse had to work 10 or 12 hours at night and were forced to provide sexual services for the military at night, and many of them were openly taken away 50 Namyang Japan and archipelago as comfort women for the military during their work in the factory and fell victims to sexual services for the military and were burned into comfort women without exemptions when the factories were destroyed by the bombs.

The policy to introduce the system of "Women's Volunteer Labor Corpse" or the "Decree on the women's volunteer labor" instituted and proclaimed by the Japanese government under the approval of the Emperor are in the essence none less than the Japanese government's legitimization of the "comfort women" for army.

The above-mentioned facts are the legal basis on which the Japanese government and Emperor were directly engaged in the commitment against the "comfort women" for army.

(2) Responsibility of the Japanese government after the war.

According to the international law, the Successor State is to be on the duty to take charge of and implement on the whole the historical facts and legal actions executed by the old government.

In the light of this demand of the international law, the incumbent Japanese government should be fully responsible for the sexual enslavement committed directly by the army under the responsibility of the old Japanese government.

The present Japanese government is obligated to recognize this fact, make public as it was, chase after and punish the criminals, restore the dignity of the injured and minimize the mental and physical sufferings, make the state apology with enough compensation, and take the practical measures to prevent the recurrence of the past crimes.

But today's Japanese government acted wholly against the demands and obligations of the international law.

| Japanese government should take the responsibility for its systematic fact-denying attitude and distortion.

Japan took several measures to cover the facts already in the time of its defeat.

Before and after its defeat, the headquarters of the Japanese military staff noticed the instruction to the ministry of army, the ministry of navy and the land and navy units to incinerate the secret documents, and also pressed the house of representative and newspaper agencies to burn up the files of stenographic documents and photos of the secret meetings.

The then ministry of interior affairs made the same decision and instructed to the local police stations.

So, many evidence files of documents and photo data were incinerated in destruction.

The present Japanese government is concealing as top secret some of the military documents and data left in the police agency, defense agency and ministry of foreign affairs.

Meanwhile, the high ranking officials of the Japanese government and the right wing force continuously deny their crimes of the military sexual slavery and even distort the truth thus defaming the dignity and honor of the victims who were inflicted upon unbearable sufferings.

Their defamation note classifies as

- ①negating the forcible conscription of “Comfort women”
- ② Asserting a part of public prostitution system that in history “comfort house” had been everywhere the wars took place, even US army opened “comfort house” after they occupied Japan.
- ③Justifying the prostitution that “comfort women” were originally prostitutes and they worked on commercial basis.
- ④ Negating the testimony of the Korean “comfort women” that they couldn’t believe in it and it was forged in anti-Japanese spirit.

Due to the illegal acts of the Japanese government and its right wing force, the criminal “Comfort woman for the army” acts was hidden for 50 years after the war and the responsible criminals were not discovered.

The Japanese government should bear the full responsibility for that.

2 The Japanese government should take responsibility for investigations, publication, and non-punishment on the Criminals.

It is the obligation of a state and an established international customary to chase, find out, investigate and punish the criminals.

Germany and other European and South American Countries have found and

punished the criminals of the World War II not only just after the war but also current days.

However the “comfort woman” crime had never been on agenda in the Tokyo international court that took place right after the World War II and none of the criminals was punished.

In result the criminals of “comfort woman for army” had, without any restrictions, spent their rest of life or some of them still live in quiet in Japan.

But Japan has covered and supported these criminals instead of punishment.

It is a reasonable rule and obligation for the criminal to admit the criminal facts, make apology for it and Compensate for damages, such as restoration to the original state, financial compensation and return of goods.

But the current Japanese government is negating even the criminal sense of sexual slavery for army.

Disregarding the official notes of the government ministers that they were feeling moral responsibility but could not take a legal responsibility, the Japanese representative proposed in the intergovernmental conference between D.P.R Korea and Japan to settle the past of the Japanese imperialists in forms of “claims for properties” or “Owabi”

The Japanese proposal is based on a brigandish logic that the aggression, military occupation and military administration upon Korea by the Japanese imperialists were legitimate, and proves that Japan neither acknowledge nor redress its past.

According to this logic, the forcible conscription of several hundreds of thousand Korean girls and young ladies to provide sex slavery for army and sex violence on each woman by tens of soldiers everyday which caused death to the most of women or made all of them disable were not criminal but legitimate. Such a logic and

shameless claims can never be heard or found any where.

5 The Japanese government has to be responsible for neither acknowledging nor making apology to nor Compensating for the sex slavery for army.

4 It has to bear responsibility for not taking any prevention measures against recurrence.

In light of history of warfare, it is general phenomena for the occupation army to perpetuate destruction, plunder and rape.

But no army in history has done such an merciless rape, killing and organized sex slavery upon women as the old Japanese army had committed in "Nanjing disaster"

The sex slavery crime committed by the old Japanese army has been a precedent that such a heinous sex violence has been perpetuated during the national and racial conflicts in the former Yugoslavia, Rwanda, East Timor and so on.

The world has expressed a deep concern about it. In this sense. Japan has to redress frankly its past sex slavery and take practical and positive measures so that such crimes would never happen.

What is important here, is to redress correctly the past, make an official record of the real pictures and inform the new generation of it so frankly that they are well aware of the past and never repeat the precedent.

The Japanese government asserts, in adverse, that the past aggression was a kind of "liberation" and defence, and arranges official worship for the war dead praising them as patriots.

The Japanese government must have a correct understanding of history and bear responsibility for not taking an practical measure to remove resource of aggression in a unanimous demand of world people.

3)The laws and legal analysis to be applied to treatment of the sex slavery run by the former Japanese government and the army.

(1) The ground for application of laws.

The statute of international laws which generally deals with matters of state responsibility constitutes a general principle of laws or international customary law that are adopted by the states when no treaty exists.

According to the draft treaty on the state responsibility adopted provisionally by the UN commission on international laws the state bears an international responsibility for its breaches of international laws.

In other words, any action that constitutes with observance and omission belongs to a certain state by international law and in a case that this action constitutes breaches of international obligation of a state, the international responsibility of the state takes place.

The action that can be diverted by the international law to the state responsibility is generally arranged by the state institution.

But regarding the international responsibility of the state it doesn't coincide absolutely with the treatment by internal laws to define the state institution.

It is out of question whether its central government or regional corporations carry out any functions of the state, such as legislation, administration and jurisdiction, or they are on whatever positions in the state.

And though an action of the state is legitimate by internal laws, it can be judge as an illegal by international laws.

First, as mentioned in the above. In relation to the issues on whether the set up and operation of the Japanese military's sexual slavery system is acknowledged as the

action of the Japanese state, the relevant actions of the emperor, prime minister, ministers, officials of the Japanese government and the government-general of Korea and commanders of police and army and other Japanese military officers and soldiers, military civilians constitute that of the state organs of Japan.

For examples, the “Women’s voluntary labor act” (edict No 159), the order for conscripting “comfort women” for Japanese military was Signed by the Japanese emperor, prime minister, and four ministers of military industry, interior and public welfare etc.

Before the proclamation of this act the Japanese government and Japanese military were involved in the establishment and operation of the Japanese comfort houses and their mobilization and transfer and gave directives there were state and institutional support and direct control and supervision.

The Japanese government did not recognize the old Japanese state’s involvement in the sexual slavery for the military.

Also the action of civilians who were engaged in the mobilization of the military comfort women and their operation must be recognized as the action of the Japanese state. Under international law the one that is responsible sin lieu of state is not limited to state organs like army. When the state instructed specific action or mandated power to illegible persons, it must be responsible for that action. Though it is the action of individuals or communities it is construed as state action, when it is done in lien of the state. In other words “the action of any person, or community is regarded as that of the state when it is instructed, controlled or supervised by the state during the action”.

In this case “person” refers to material persons or legal persons like corporations.

In addition, the action which otherwise does not belong to the state and is approved thereby is recognized as a state action.

As was mentioned above in detail, the request of the military command in Korea to mobilize the Korean comfort women was a good example.

Besides, even when the instructions or mandates of the state for such action are not proved, the Japanese state responsibility can not be denied only if it is admitted that the Japanese government and the military substantially and inclusively controlled their action.

In the light of such principles of international law. The responsibility of the civilian who were involved in the Japanese army's sex slavery system explicitly belongs to the Japanese government.

Second, for the Japanese state responsibility for sexual slavery system to be recognized, the action belonging to the Japanese state must be in opposition to international laws.

The international law which could be applicable to this action existed already during the time of establishment and operation of the Japanese military Sexual Slavery. So this raised no retrospective application issues on the international laws developed after the WW2. Such international laws are international treaties and international customary laws signed by Japan. They were "Treaties and regulations on land warfare laws and customs which was adopted in Hague in October 18, 1907 and to which Japan became a party in 1912. The international treaty on suppressing women for prostitution which was concluded in Paris France, in May 4, 1910, and to which Japan became a party in October, 21 1912. The international law on the ban of child and woman trafficking which was concluded in Geneva in September, 30, 1920 and ratified by Japan in December 25, 1925, the "forced labor treaty which was adopted in

the 14th conference of the international labor organization in 1930 and to which Japan became a party in 1932, the “statute of far-eastern international tribunal which was proclaimed in January, 1946 revised in April 25 and approved de facto by Japan when San Fransisco peace treaty was concluded in September 1951.

(2) Legal analysis.

According to “power and military in the territory of the enemy country” chapter 3 of the 1907 Hague fourth convention “Regulations on land warfare laws and customs” the occupied troops should respect the existing laws and lives of individuals in the occupied area and can not let the population in the areas make oath of allegiance to the enemy state (state of the occupied military)

Provisions of article 5 of the statute of the Tokyo Tribunal stipulated that massacre, annihilation, slavery persecution, deportation and other inhuman acts and persecution on the political and ethnic grounds before and during the wartime constitute crimes against humanity and fall under the jurisdiction of the tribunal.

Also, the 1910 treaty and 1921 treaty include the complete banning of sexual outrages against women especially against girls (child) and strict punishment of the perpetrators of such acts. The 1930 “forced labor treaty include the of banning of women’s forced labor and strict punishment of the breaches there of as criminal offences.

Japan led away hundred thousands of Korean women most of which were teenagers and girls before marriage from the militarily occupied Korea and detained them in comfort houses, rape center and mass raped them by tens everyday, and inflicted beating, torture, stabbing, hacking and all sorts of violence, murdering most of then in a direct way.

The woman who were fortunate to survive it became invalids, eventually leading to death leaving their deep-rooted grievances and a few survivors are spending hapless life due to mental and physical diseases and pains.

This vividly shows that Japan itself violated openly their legal obligations in the above-mentioned treaty and statute. Japan should be responsible for and clear itself of their past illegal atrocities.

None the less, Japan is unreasonably behaving, vindicating with the so-called "logic". Putting together the official speeches made at every opportunity by the several political figures including Japanese premier Murayama and of Japanese cabinet, the gist of their speeches is that it is scandalous from the moral point of view but is neither of crime nor of legal responsibility to be taken by the Japanese government that Japan made hundreds of thousands of Korean women into the "comfort women" for its army and committed the sexual violence to them.

According to their alleged reason why it insists like this, it is because there was no criterion of international law which stipulated the sexual violence upon the women in the areas of its so-called "colony" could not be guilty and were probable in the wartime.

The Japanese government authorities' insistence that there was no criterion of international law stipulating the army men's deeds against "comfort women" for crime is their intransigence that can not be understandable to anybody.

Article 46 in the statute to the fourth entente agreed in Hague in 1907 stipulates to absolutely respect the lives of the individuals in the occupied areas, and in the clause 3, Article 5 of Tokyo Act of 1946, it stipulated that slaughters committed before and in the war, thralding ill-treatment, exile and other inhumanities are the crimes contravening the humanitarianism.

As analysed in several instances, it is the overwell-known fact that the Japanese army

officers and soldiers did not confine themselves to taking and restricting the hundreds of thousand Korean women to the “comfort houses” merely for the sexual extortion, but furthermore they maltreated, tortured, assaulted and slaughtered those Korean women.

It is over senseless logic and intransigence that Japan insists that these atrocities were not violations of the treaties, because of which didn't include any expression of rape.

The Japanese insistence that, as the Korean women were the ones in the area of “colony”, the sexual violence to them were not crime is over impudent and ridiculous sophism.

Japan takes Article 11 Treaty of 1910 and Article 14 of that of 1921 as its reason why the violence to the Korean women were crime.

These articles stipulate that if a country does not intend to apply these treaties to the colony, it should tolerate or indicate its clear intention on them.

That is why, these articles are called escape clauses for colony. Japan insists that it is not subject to the treaties because it took the tolerative attitude at the time of joining the Treaty of 1910 and because it indicated its intention not to apply the treaty to “colonial” Korea at the time of participating in the Treaty of 1921.

Such insistence of Japan like this is just to overturn its opinion itself that not only in the past days but even in the present days' intergovernmental conversations it is saying that the bygone Korea was not its colony but annexed, and thus it is reasonable and lawful.

Whenever the issue of violence to women is raised, Japan says that its insistence is based on the escape clause because Korea was its “colony”.

Actually our country was militarily occupied area held in Japanese military seize for the past 41 years.

There fore the escape clause for colony can not be applied to our country. In addition,

judging by the main purport of instituting the escape clause for colony in these treaties, that clause can not be applied to our country.

The reason why the clause was instituted in the Treaty because it was considered that the treaty could not be applied at once to such areas that became colonies of the European powers, where it was customary to do the women trade and even the children trade among the tribes or aborigines

In this meaning too, it is unreasonable of Japan to justify the sexual violence to the women of our country with the excuse of the escape clause for colony.

Scandalous is also the opinion that as the deeds of violence to the women of our country occurred in the wartime they could not be taken seriously.

Japan is depending on the stipulation of item D of Clause 2, Article 2 of "Forced Labor Treaty" of 1930 that indicates the mobilization in emergency like wartime, fire, flood and famine are not regarded as the forced labor. But, here-mentioned emergency like wartime is about the emergent circumstances, as they were, under which to rescue the wounded soldiers immediately after the conflicts or to rebuild the bridges or the railways for the emergent transportation.

Japan's violent sexual deeds against the Korean women committed for 15 years of war are not the urgent mobilization in emergency but the sordid atrocities to satisfy its army men's sexual desires systematically.

Therefore, the sexual violence to the Korean women can neither be stuck to the wartime nor legitimated.

2. The responsibility of the U.S

The allied forces, who fought against Japan during the World War 2, also take much responsibility for impunity for crimes of Japanese military sexual violation At that time, the U.S. was in charge of dealing with and handling the criminals of Japan and

kept a number of documentations proving the crimes of the Japanese army, for example, PoW interrogation documents and materials obtained from the occupied areas. As a result, they were fully aware of the 'comfort women' crimes of the Japanese army.

One of the victims of 'comfort women', Pak Yong Sim, testified that she was arrested by the allied forces as a prisoner with the defeated Japanese troops in Myanmar and was detained in the Kunming PoW camp under the control of the allied forces. Here she was interrogated and picture taken.

She has testified as follows :

'Out of 12 girls who were taken to Myanmar, 8 died, killed in bombings, beaten to death, or dead from disease. The remaining survivors including me were taken as prisoners along with the defeated Japanese troops and sent to the Kunming PoW camp. Here we were detained for about 7 months in the company of the Japanese troops.'

Also, victim, Yun Gyong Ae, testified that 'we were even dragged to the battlefields in Singapore and hardly survived in trenches drenched with blood. We were then taken as prisoner along with the defeated Japanese soldiers and were sent to a concentration camp to stay there for 18 months.'

As you can know in their testimonies, the U.S. in spite of awareness of the 'comfort women' crimes of the Japanese army, did not handle many of the crimes of Japan including 'comfort women' and even freed the main culprits of criminal punishment in the Tokyo International Military Court.

The U. S. still keeps the documents related to the Japanese military 'comfort women' crimes as a confidential thus bringing a lot of obstacles to laying bare the truth and addressing the issue.

The U.S. must clearly make public all the documents related to the wartime crimes of Japan including 'comfort women' and be responsible for the toleration and

concealment of the crimes of sexual slavery of the Japanese army.

The present prosecutors' group, confirming that the murderous acts against Korean women including repeated rape, battery, torture, slavery, maltreatment and disabling during the 15 year long Pacific war are the illegal acts that completely violate the article 4 of the Convention on the laws and customs of war, Treaty on the suppression of the child trafficking for the evil thing in 1910 and 1921, Treaty on the forced labour in 1930, Treaty on the suppression of slave system and slave trafficking and the law of customs, the Tokoyo District Charter in 1946, solemnly declare in the name of the present Tribunal as follows :

First, The Japanese government carry out a comprehensive inspection and inquiry in to their criminal acts upon the Korean 'comfort women' for the Japanese army and make them public

Second, admit the international legal liability for the 'comfort women' crimes, make an official apology, full reparation for the remaining survivors and the descendents of the deceased victims in the name of the government

Third, enact its national law in accordance with the obligation of the international law and based on that, establish the Tribunal and render criminal punishment to the responsible criminals and all other culprits to show their attitude of reflection

Fourthly, explain the issue of 'comfort women' as it is in the historical textbooks and all other open publications to carry out all social educations including school education on the basis of it.