

It will deal with responsibilities of both individuals and states ~~with respect to~~ for the Japanese military sexual slavery committed against Comfort Women in the context of Japanese colonial domination and

Dear (fill in name), military occupation of various Asian countries before and during the Second World War.

We are honoured to write to you and request that you consider (sitting as a judge) (undertaking the task of acting as Chief Prosecutor) (undertaking the task of being a prosecutor) (acting as a legal assistant to one of the judges) during the Women's International War Crimes Tribunal 2000. The Tribunal is being organised by women's organisations throughout the Asia Pacific region in order to highlight the continuing violations of the rights of the Comfort Women. It will be held from 8-10 December 2000. In order to emphasise the importance of justice to women affected by armed conflict a Public Hearing will be held on 11 December which will focus on contemporary conflicts and the violations of women's rights that continue to occur and for which women find it almost impossible to attain justice.

Individuals and nongovernment organisations throughout the Asia Pacific region have long recognised the importance of vindicating the rights of the Comfort Women. The continuing injustice they suffer emanates from the failure of the international community including Japan to recognise the gravity of the war crimes committed against them immediately following World War II and for the next 50 years.

It was not until the mid-1990's that the international community began to certify this situation by specifically referring to the crimes committed against the Comfort Women in resolutions and reports of the Commission on Human Rights and the Subcommission on the Prevention of Discrimination. The government has long while agreeing that war crimes were committed against the Comfort Women and agrees to offer restitution which restores the dignity of the women and provides meaningful compensation. The holding of the Tribunal will provide a mechanism for vindicating the rights of the Comfort Women.

The organisers of the Tribunal envisage that it will achieve the following goals:

- the receipt of evidence from each country highlighting the grave nature of the crimes committed against the Comfort Women and demonstrating the responsibility of the Japanese military and government for the crimes committed against the Comfort Women;
- an exploration and analysis of the gendered nature of the crimes and the necessity for a gender sensitive approach to the issues of war crimes, crimes against humanity and genocide,
- A finding from eminent personalities about the nature of the crimes committed against the Comfort Women and the identification of the steps to be taken by the Japanese government; and
- the creation of an international movement to influence the attitude of the Japanese government.

The Tribunal will follow a format similar to other such gatherings organised by civil society. There will be a panel of judges to hear and receive evidence (both oral and written) as well as legal arguments from prosecutors for each of the geographic areas represented at the hearing. The panel will be given an opportunity to consult and will deliver a judgement.

Prosecutors have been or will shortly be appointed for the following areas: The Republic of Korea, the Democratic People's Republic of Korea, the Republic of Taiwan, Japan, the People's Republic of China, The Republic of the Philippines and the Republic of Indonesia. Groups from each of these places have been participating in the organisation of the Tribunal. It is also possible that prosecutors will be selected to present evidence with respect to places such as Burma, Malaysia and the Netherlands.

(Paragraph to judges)

If you agree to act as a judge it is our hope that you will listen carefully to the evidence and legal arguments in order to reach a conclusion about the responsibility of the Japanese government for the crimes committed against the Comfort Women and to comment on the general issue of violence against women during armed conflict. The organisers believe that it would be useful for each of the judges to receive material summarising the legal arguments and evidence prior to the Tribunal so that the work of the panel can take place within the three day period set aside for the Tribunal. This material would be provided by both the prosecutors and legal advisers for each of the judges. We trust that you will agree to this course of action.)

(Paragraph for prosecutors)

If you agree to act as a Prosecutor the organisers hope that you will consult with all individuals and groups working on the Tribunal in the country that you are representing in order to ensure your familiarity with the available evidence concerning your country. One of the important roles of the Prosecutor will be to present persuasive evidence representative of the various crimes committed against the Comfort Women and the role of the Japanese military and/or government in perpetuating those crimes. The Prosecutors will also be working with one another to develop gender sensitive, legal arguments concerning the responsibility of Japan for the crimes committed against the Comfort Women. To some extent the culmination of this work will be the indictments presented by the Prosecutors to the Tribunal. These should set out the crimes, the names of the defendants if evidence is available which connects high ranking individuals to specific crimes and the connection between the crimes and the Japanese government and military.

During the coming year it will be important that the Prosecutors appointed for the various regions consult with the Chief Prosecutor as well as one another to ensure

(Paragraph for Chief Prosecutor

In order to ensure the smooth working of the Tribunal it will be important that the Chief Prosecutor, in conjunction with the Prosecutors provide the Judges with a summary of the evidence and legal arguments they will present at least two months prior to the holding of the Tribunal.)

The costs (airfare, accommodation, transport and meals) associated with your attendance at the Tribunal will be borne by the organisers. Although your official duties will end at the conclusion of the Tribunal, we would be most honoured if you would stay for the Public Hearing on 11 December. The organisers will cover the costs of your attendance at this hearing if you are able to remain in Tokyo.

