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2nd International Human Rights Seminar
"War and Human Rights:
Legal Analyses of Post-War Disposition"

The Japanese bar has for some time been concerned about the so-called "post-war disposition" issue, i.e., to what extent and in what manner Japan should compensate for its violations of human rights during World War II. Among the recent efforts of the Japanese bar in this connection are the Symposium "Review of Post-War Disposition by Japan" held by the Human Rights Protection Committee, the Japan Federation of Bar Associations (JFBA), on July 11, 1992 and the Symposium "Review of Post-War Disposition: 20 Years after Return of Okinawa" held by the Federation of Kyushu Bar Associations on October 24, 1992. However, these efforts have not resulted in thorough analyses of legal issues from the viewpoint of international law.

Recently, there have been charges made by non-governmental organizations (NGOs) against Japan at the United Nations Commission on Human Rights or its Sub-commission on Prevention of Discrimination and Protection of Minorities (the "Sub-Commission") or in its Working Group of Contemporary Forms of Slavery (the "Working Group"). The issues raised are Japan's gross violations of human rights during World War II, including JUGUN IANFU (Korean comfort women), FORCED LABOR OF KOREAN MEN and ABUSE OF PRISONERS OF WAR. The charged acts of Japan's Imperial Forces and the Japanese Government, in the opinion of many NGOs, did constitute war crimes and crimes against humanity or violation of the Forced Labour Convention of 1930 which established the freedom from slavery, and are not subject to the statute of limitations. Human rights and fundamental freedoms are inalienable and, therefore, the victims' right to compensation for violations of those rights and freedoms cannot be taken away from the victims by any governments. NGOs believe that any treaty whereby claims of the victims are abandoned by their government is against the rules of JUS COGENS and, therefore, null and void. Thus, NGOs demand that the Japanese Government fully compensate those victims.

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Furthermore, the Sub-Commission has recently adopted a resolution whereby the UN Secretary-General is requested to submit to the Special Rapporteur on Study concerning the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms information received by the Sub-Commission and the Working Group regarding the situation of JUGUN IANFU. Professor Theo Van Boven, the UN Special Rapporteur, is requested by the Sub-Commission to submit to the Sub-Commission at its session scheduled for August 1993, a final report which should include a set of conclusions and recommendations aimed at developing basic principles and guidelines with respect to said right to restitution, compensation and rehabilitation.

It is under these circumstances that we are holding the Second International Human Rights Seminar entitled "War and Human Rights: Legal Analyses of Post-War Disposition". We hope that the Seminar will provide both lawyers and the general public with the opportunity to have access to the analyses by world class scholars of principal legal issues from the viewpoint of international human rights law and that the success of this Symposium will lead to the earliest and fullest possible compensation for victims of gross violations of human rights in accordance with international law and moral principles.

Professor Theo Van Boven, Professor John P. Humphrey and Mr. Ameur Zemmali are among the lecturers at the Seminar. Professor Van Boven teaches international law at Limburg University in the Netherlands, and was at one time the Director of the UN Centre for Human Rights. Professor Humphrey teaches international law at McGill University in Canada, and is the drafter of the Universal Declaration of Human Rights. Mr. Zemmali is the Legal Advisor to the International Committee of Red Cross. It should be noted, however, that all the lecturers at the Seminar will visit Japan in their individual capacity and not in any official capacity related to UN or other international organizations.

Finally, I would like to express my heartfelt gratitude for the visiting lecturers, the International Hearing Preparation Committee and its supporters, the Niwano Peace Foundation and International Education Development, Inc., a Los Angeles-based NGO.