

I cut all my hair off so that I would look ugly, but still the soldiers lined up outside my bedroom to take turns raping me every night... I gave testimony here... eight years ago, but the Japanese government has done nothing.

— **Jan Ruff-O'Herne**, The Netherlands

I was taken to a cave. I was raped there. Five soldiers came in and raped me at the same time.

— **Wan Aihua**, China

It was so shameful so we dug a deep hole and covered it.

— **Maxima Regala De la Cruz**, Philippines

I wanted to go home, but I was still forced to provide service, eight months into my pregnancy.

— **Man-Mei Lu**, Taiwan

I was given a Japanese name, and forced to have sex with between 10 and 20 Japanese soldiers every day. I got pregnant, and had a baby.

— **Rosalyn Saw**, Malaysia

We didn't come here to lie. We didn't come here to see Japan. We came here to tell the truth.

— **Esmeralda Boe**, East Timor

I don't want to die as the ghost of a virgin.

— **Mun Pil-gi**, Korea

I was raped by ten to fifteen men yeverday for three years. I had an abortion when I was only fourteen years old.

— **Mardiyem**, Indonesia

We want Japan to ask for forgiveness.

— **Yuan Zhulin**, China

After ten hard years of seeking justice, I have finally found it at the Women's International War Crimes Tribunal. This is the first trial to truly listen to us, to help us in our search for the truth, and to restore our dignity.

— **Tomasa Dioso Salinog**, Philippines

Women's International War Crimes Tribunal On Japan's Military Sexual Slavery



The Judgment

3-4 December 2001

The Hague

The Netherlands

The Women's International War Crimes Tribunal thanks NOVIB for its support and assistance.



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About The Tribunal

On Dec. 8, 2000, in Tokyo, Japan, the Women's International War Crimes Tribunal began prosecution of charges against Japan for institutionalized military sexual slavery before and during the Second World War. The number of women affected by this wartime military practice was estimated at roughly 200,000 from nine countries. Only a handful survived Japan's systematic massacre of the women when it became obvious that the country would lose the war. This issue was therefore never addressed by the International Military Tribunal for the Far East at the close of World War Two.

Created by popular mandate, the Women's Tribunal remains unique in the history of international jurisprudence. It was organized as a people's court using the same methodology governing official international courts. Its charter was composed in a lengthy process that included twenty-one revisions in eleven cities in ten different countries. Its formation was initiated by an International Organizing Committee chaired by representatives from Japan, the Philippines, and South Korea.

The Tribunal consisted of a panel of four judges who heard arguments from two chief prosecutors and testimony from various historians and expert witnesses, over 75 survivors, and 2 Japanese former soldiers who confessed to participating in the atrocities.

Several Asian women's human rights organizations pioneered the formation of the Tokyo Tribunal. Some of them had worked for a decade for official recognition of the crimes and for an apology and reparations from Japan for the so-called "comfort women" of WWII. Support for the formation of the Tribunal was immediate and wide-spread among NGOs worldwide. Through the Tribunal, popular outcry against Japan was consolidated into a moral force, which began exerting pressure on international jurisprudence to recognize gender-based crimes and acknowledge them as war crimes and crimes against humanity.

More than a half-century after the war, judgment day arrives, signaling a new dimension in the search for justice and reparations for hundreds of thousands of Asian and Pacific women. Despite Japan's rigorously maintained policy of silence, so indicative of the heinous and shameful essence of what was done to these women, and so telling of government guilt, the survivors of the military sexual slavery gather in The Hague, to receive their vindication.

The convenors for the Tribunal are VAWW-Net Japan, the Korean Council, and Ascent-Philippines.

The Convenors

Yayori Matsui



perpetrating country – a new step towards the twenty-first century and continue our struggle to abolish our crimes against women."

"Actually, the Japanese government has never prosecuted a single war criminal. On the contrary, it glorifies former military men including all criminals and also enshrined them as heroes or gods, even paying huge amounts of military pension to them, which is equivalent to forty times of the total reparation to the Asian war victims. ...Let us make this Women's International War Crimes Tribunal held in the last month of this century at Tokyo – the capital of the

Yun Chung-Ok



"This hall will unravel newly discovered facts that will make certain the delivery of justice to the women who have risked their lives and reputations to teach us never again to ignore crimes against humanity. We hope you will allow yourselves to accept that even the most rigorous of institutions and individuals can be tainted with guilt and should be made to account for their act. Those found guilty should not escape."

Indai Sajor



and moral boundaries they have imposed on themselves. Because together nations have the capacity to raise the bar on what constitutes being civilized." "Our goal is to do away with the unexamined life and we look to our judges to help us fulfill this goal. ... We are humbled to the core by the suffering and the fortitude that stare us in the face today. We are tested. Can we be as staunch, as brave, and as worthy as they are?"

Schedule of Activities

December 3, 2001 Reprise of the Tokyo Tribunal

Morning Session

- 0830 *Registration*
0930 *Message from the International Organizing Committee*
Yun Chung-Ok, Korea
Yayori Matsui, Japan
Indai Sajor, Philippines
1000 *Message from the Judges of the Tribunal*
Presiding Judge Gabrielle Kirk McDonald
1015 *Presentation of Common Indictment*
Patricia Viseur-Sellers
Ustinia Dolgopol
1030 *Message from the Amicus Curiae* 3 1/2 hrs
Tusguo Imamura 10 1/2 oral
1045 *Summary of Charges from the Country Prosecutors* 10 1/2 video
North and South Korea, China, the Philippines, Taiwan
1200 *Recess*

Afternoon Session

- 1300 *Summary of Charges from the Country Prosecutors (continued)*
East Timor, Indonesia, the Netherlands, Japan, Malaysia, Papua New Guinea
1445 *Presentation of Expert Testimony*
Frits Kalshoven, Lepa Mladjenovic
Akira Yamada, Hirofumi Hayashi
Yoshiaki Yoshimi, Isomi Suzuki, Artano
1515 *Closing Remarks*

December 4, 2001 The Judgment

Morning Session

- 1000 *Formal Opening of the Court*
1030 *Promulgation of the Judgment*
1300 *Adjournment*
Press Conference Comfort Women & Prosecutors

Afternoon Events

- 1400 *Open Time:*
Judges, Convenors, and Representatives of women's human rights organizations will be available to the media.
1600-1800 *Reception (invitation only)*
Het Lucent Dans Theater, Spuiplein 152
The Hague, The Netherlands

The Judges



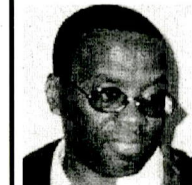
Gabrielle Kirk McDonald
Presiding Judge Gabrielle Kirk McDonald was President of the International War Crimes Tribunal on the Former Yugoslavia (USA).



Carmen Maria Argibay
Judge Carmen Argibay is the former President of the International Women's Association of Judges (Argentina).



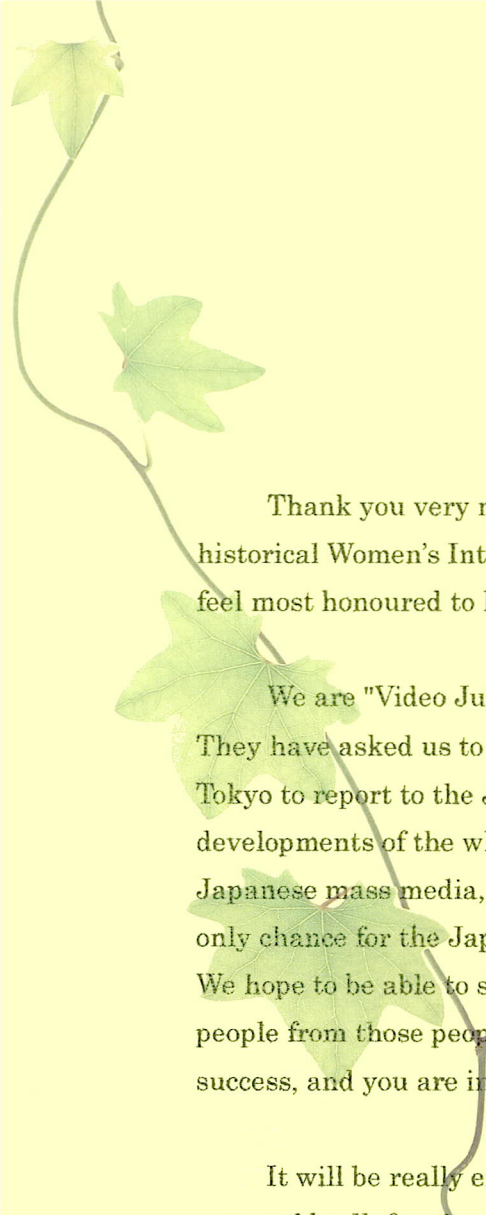
Christine Chinkin
Judge Christine Chinkin is a Professor of Law at the University of London (United Kingdom).



Willy Muntunga
Judge Willy Muntunga is a Professor of Law at the University of Kenya (Kenya).

The Accused

Emperor Hirohito; Iwane Matsui, commander, Shanghai Expeditionary Forces, 1937; **Shoruko Hata**, Commander, China Expeditionary Forces, 1941-1944; **Hisaichi Terauchi**, commanded invasion of Philippines, Indonesia, Malaysia, Timor, and Burma; **Seishiro Itagaki** commanded the 7th Area Army which operated in the areas of Java, Sumatra, Malaya, Borneo, and other surrounding islands in Indonesia; **Hideki Tojo**, Prime Minister, Minister of War, and Head of Home Ministry, 1941-1944; **Yoshijirou Umezu**, commander of Kwantung Army, 1939-1944; **Seizo Kobayashi**; Governor General of Taiwan, 1936-1940; **Rikichi Ando**, Commander, Taiwan Army, 1942-1944; **Tomoyuki Yamashita**, Commander General, 14th Area Army (Philippines), 1944-1945.



Thank you very much for all your efforts for the success of this historical Women's International War Crimes Tribunal. We are really happy and feel most honoured to have been your colleague in the whole project!

We are "Video Juku", a women's video group supporting VAWW-NET Japan. They have asked us to help them for their conference scheduled on 22 Dec in Tokyo to report to the Japanese public on the final judgement and other Hague developments of the whole project. Looking at the recent situation of Japanese mass media, we believe that grass-root women like ourselves are the only chance for the Japanese public to learn fully about the Tribunal. We hope to be able to show at the report conference the messages to Japanese people from those people who have worked so hard to make this Tribunal a real success, and you are indeed one of such people.

It will be really encouraging and educating for the Japanese public if you could talk for about 5-10 min to our camera about your feelings, efforts, challenge etc about the Tribunal. We are willing to come at any time, anywhere to film your interview. We are well aware that all of us here have very limited time, and will be most grateful if you agree to help us with this.

Thank you very much in advance,
IKEDA Eriko, SEYAMA Noriko, WAKAI Makiko, WATANABE Mina
(Video Juku)

Please contact



**People of the Tribunal
Tokyo, Japan
December 8-12, 2000**

Chief Prosecutors

Patricia Viseur-Sellers, Legal Advisor for Gender-Related Crimes in the Office of the Prosecutor for the International Criminal Tribunal on the Former Yugoslavia, and the Rwanda Tribunal (USA)
Ustinia Dolgopol, Senior Lecturer in International Law, Flinders University (Australia)

Prosecutors

South Korea

Kim Myung-gi, Chief Prosecutor; Professor of International Law, Myunggi University, **Cho Si Hyun**, Prosecutor; Professor of International Law, Sungsin University Law School, **Kim Chang Rok**, Prosecutor; Professor of History of Japanese Law, Pusan University of Law, **Chang Wan-Ick**, Prosecutor; Lawyer, ANSAN, **Park Won-Soon**, Prosecutor; Lawyer; General Secretary, People's Solidarity for Participatory Democracy, **Kang Jeong-Sook**, Prosecutor; Research Staff, Korean Institute of Jungshindae, Women's History, **Ha Jong-Moon**, Prosecutor; Professor, Hanshin University, **Yang Hyun-ah**, Lecturer, Seoul University

North Korea

Jong Nam Young, Lawyer; Executive Member, COCOPA
Hwang Ho Nam, Secretary General, COCOPA

China

Zhou Hong-Jun, Professor of Law and Deputy Chief of the International Economic Law Institute of East China University of Politics and Law, **Su Zhi Liang**, Professor of History, Shanghai Teachers University

Taiwan

Chuang Kuo-Ming (Henry), Lawyer, International Law, **Liao Ying-Chih**, Lawyer, International Law, **Lu Chia Hsiang**, Lawyer, Taipei Women's Rescue Foundation, **Jau-Yuan Hwang**, Professor of Law, Taiwan University, **Chiang Huang-Chih**, Professor, Police University, **Mei-Nu Yu**, Lawyer

The Philippines

Merlin Magallona, Chief Prosecutor; Former Dean, College of Law, University of the Philippines; Director, Institute of International Legal Studies, University of the Philippines, **Sedfrey Candelaria**, Associate Dean, Ateneo de Manila University, College of Law, **Eleanor C. Conda**, Legal Advisor, Asian Center for Women's Human Rights (ASCENT), **Aurora Javate de Dios**, Dean, Miriam College, **Ricardo Jose**, Professor of History, University of the Philippines, **Purificacion Quisumbing**, Head, Research and Publications, Philippine Judicial Academy, Supreme Court of the Philippines, **Evalyn Ursua**, Lawyer, Women's Legal Bureau

Indonesia

Nursyahbhani Katjasungkana, Secretary General of Indonesian Women's Coalition for Justice and Democracy
Antarini Ama, Indonesian Women's Coalition for Justice and Democracy, **Asnifriyanti Damanik**, Legal Aid Indonesia Women Justice, **Paulus R. Mahulette**, Lawyer, LBH Jakarta (Jakarta Legal Aid Institute)

East Timor

Carmelita Caetano Moniz, Lawyer
Maria Natercia Gusmao, Lawyer

The Netherlands

Henry Grant, Professor of Law; Former Prosecutor, ICTY

Japan

Kazuko Kawaguchi, Lawyer, VAWW-Net Japan
Yasushi Higashizawa, Lawyer, VAWW-Net Japan, **Yuichi Yokota**, Lawyer, VAWW-Net Japan, **Koki Abe**, Professor of Law, Kanagawa University
Shin Hae Bong, Associate Professor of Law, Aoyama Gakuin University

Legal Advisors

Rhonda Copelon, Professor of Law, City University of New York, **Kelly Dawn Askin**, Professor of Law, Washington University, **Betty Murungi**, Human Rights Lawyer, FIDA-Kenya

People of the Tribunal

(continued)

Barbara Bedont, Lawyer, Women's Caucus for Gender Justice

Expert Witnesses

Frits Kalshoven, Honorary Professor, Leiden University: *State Responsibility*

Gay McDougall, Director, International Human Rights Law Group: *Racism and Wartime Sexual Violence*

Akira Yamada, Professor of History, Meiji University: *The Emperor's Responsibility*

Hirofumi Hayashi, Professor of History, Kantou Gakuin University: *The Japanese Imperial Army*

Lepa Mladjenovic, Autonomous Women's Center Against Sexual Violence: *Post-Traumatic Stress Disorder (PTSD)*

Yoshiaki Yoshimi, Professor of History, Chuou University: *The Structure of the "Comfort Women" System*

Amicus Curae

Tusguo Imamura, Lawyer

Registry

Rowena Guanzon, Lawyer

Susan Macabuag, ASCENT

Survivors of Military Sexual Slavery

The Netherlands Jan Ruff-O' Herne, Elly Corry Van Der

Korea

South Korea Kim Gunja, Kim Bokdong, Kang Sune, Kang Il-Chol, Kim Bok-Seon, Kim Sang Heui, Kim Urle, Kim Wha-Seon, Mun Pil-gi, Park Ok-Myun, Sin Hyon-Sun, Sim Daron, An Bob-Sun, Yang Jomsun, Yun Sun-Man, Lee Yangun, Lee Yong-Nye, Lee Yong-Su, Chong Seo-Un, Chong Wha-Sun, Choi Kap-Sun, Han Do-Sun, Whan Kum-Ju. Son Shindo (from Japan)

North Korea Pak Yongsim, Kim Youngsuk. Ha Sangsuk (from China)

China Yang Mingzhen, Yuan Zhulin, Wan Aihua, Li Xiumei, Guo Xicui, Chen Yabian, Huang Youliang

Taiwan Teng Kao Bao-chu, Chin Lien-hsu, Yeh-chen Yu-chih, Huang Wu Hsu-mei, Pung Su Yin-chiao, Tsai Kueo-ying, Lu Man-mei, Liu Chun Rung-mei, Liu Hwang A-tau, Teng Chen Tao, Ian Apai (Chinese name: Lin Shen-chung), Iwar Tanah (Chinese name: Tsai Fang-mei)

The Pilippines Tomasa Salinog, Januaria Galang Garcia, Maxima Regala dela Cruz, Virginia Bulaon Manalastas, Leonor Lapuz Hernandez, Florencia Tuliao Macapagal, Fermina Payawal Bulaon, Belen Alonso Sagum, Teodora Marin Hernandez, Caridad Lansangan Turla, Carmencita C. Ramel, Hilaria Bustamante, Ortencia G. Martinez, Piedad N. Nobleza, Pillar F. Prias

Indonesia Mardiyem, Ms. Suharti, Suhanah, Ema Kastimah

East Timor Esmeralda Boe, Marta Abu Bore

Malaysia Rosalind Saw

International Organizing Committee

South Korea Korean Council for the Women Drafted for Military Sexual Slavery by Japan

North Korea Committee on Measures for Compensation to the Former Comfort Women for Japanese Army and Pacific War Victims (COCOPA)

China Shanghai Research Center on Comfort Women

Taiwan Taipei Women's Rescue Foundation

Philippines Asian Center for Women's Human Rights (ASCENT)

Indonesia The Indonesian Women's Coalition for Justice and Democracy

Japan Violence Against Women in War Network (VAWW-NET Japan)