

(1) Recognition of the the Japanese government about recruitment of comfort women and the involvement of the Japanese military

First, I would like to make statements on the first point: about the participation of Japanese government or the Japanese military in the recruitment of comfort women.

On August 11, 1991, writer Uemura of Asahi Shimbun, a major Japanese newspaper, released an article on seizing comfort women by force. This is the beginning of so-called comfort women issue. Earlier in 1983 Seiji Yoshida, who was in the military, said in his book entitled "My war crime", that he seized comfort women in Cheju Island in South Korea.

In response to the coverage and publication, comfort women issue became a big political issue between Japan and South Korea. Then, the the Japanese government and the South Korean government jointly investigated the comfort women issue in the first half of the 1990s. However, the evidence showing the involvement of the Japanese government or the Japanese military was not found out at all.

Although there was no source material, Japanese government released so-called "Kono comment" by then Chief Cabinet Secretary Yohei Kono based on a political decision that it was "by force" when relations between Japan and South Korea considered comprehensively. (as described later, this comment has many problems.) During the process of making this judgment, Nobuo Ishihara who was then Deputy Chief Cabinet Secretary clarifies as follows.

The evidence of seizing comfort women by force was not found.

Despite the efforts to obtain testimonies of the persons who have said they seized former comfort women by force, we could not find any. There were only testimonies of 16 former comfort women, obtained in Seoul immediately before the announcement of Konos comment.

The Japanese government accepted that it was done by force, although there were no evidence and testimonies, in response to strong appeal of South Korean government for their honor.

Testimony of those 16 former comfort women have not been released for privacy reasons. Moreover, there were no descriptions suggesting seizing by force in the final report released by then Miyazawa cabinet. Furthermore, "Kono comment" itself was not the official one that went through formal procedure of the Cabinet Council in Miyazawa cabinet. That proves that the only evidence that the Japanese government and the Japanese military gathered comfort women by force is former comfort women's testimony. Moreover, Mr. Kono testified in an interview in 1997 that there were no direct seizing of comfort women, after a Japan-South Korea joint survey.

Furthermore, after an academic survey jointly conducted by Japan and South Korea, it was pointed out that "My war crime" written by Seiji Yoshida, which brought up this political issue, was not true. The writer admitted in 1996 in an interview with Shukan Shincho weekly magazine that his book was fake, saying that "I can't find any advantage in writing truth in a book. Even newspapers hide truths and mixes the writer's own opinion when writing articles". This also means that an article written by Mr. Uemura of Asahi Shimbun based on the book is totally without credibility.

Furthermore, United States military conducted hearing from Korean comfort women and Japanese citizen on the combat line in Burma. (UNITED STATES OFFICE OF WAR INFORMATION Psychological Warfare Team Attached to U.S. Army Forces India-Burma Theater APO 689, Japanese Prisoner of War Interrogation Report No. 49) The preface goes:

<http://www.exordio.com/1939-1945/codex/Documentos/report-49-USA-orig.html>

"The report shows how the Japanese recruited these Korean "comfort girls", the conditions under which they lived and worked, their relations with and reaction to the Japanese soldier, and their understanding of the military situation.

A "comfort girl" is nothing more than a prostitute or "professional camp follower" attached to the Japanese military for the benefit of the soldiers."

or,

"The majority of the girls were ignorant and uneducated, although a few had been connected with "oldest profession on earth" before. The contract they signed bound them to Army regulations and to war for the "house master " for a period of from six months to a year depending on the family debt for which they were advanced ..."

The source material which the South Korean government has presented as an evidence of seizing comfort women by force was a newspaper advertisement by a Korean prostitution broker. Even today, there are many newspaper ads left, on which expensive salary and advance borrowings are shown. This kind of recruitment was conducted in Japan as well. That is, recruitment of comfort women was based on contracts between private prostitution brokers and women who wanted to provide sex for money. How much difference is there between it and a prostitution house in a story "From Here to Eternity", which was the original of the Hollywood film?

(2) Doubts on the credibility of testimony of the former comfort women

Next, I would like to explain the doubts on the credibility of testimonies of comfort women . Two Korean women, Hwan Kumju and I Yonsu, actively deliver lectures on on comfort women .

- All of the followings are the testimonies by Hwan Kumju, famous comfort woman.

(1) “Comfort women and post-war compensation” Author : Ken-ichi Takagi

"I grew up in a poor family and was sold for 100 yen at the age of 12. I worked as a housemaid in a rich family in Seoul.

When I was working as a maid in Hamun county, Hamgyeongnam-do in 1938, it was taken away in place of a daughter of the house to Manchurian, and there I became a comfort woman.”

(2) United Nations, Economic and Social Council Coomara-Swamy report / January 4, 1996

"The wife of the captain of a Japanese village ordered all unmarried North Korean maids to go to the industrial plant of a Japanese military to work at the age of 17. I considered having been commandeered by me as work peoples then. "

(3) A TV program “Strange points of Japanese” of TBS (Tokyo Broadcasting System) (issue of comfort women)

" I was taken out by the Japanese military 25 days before graduating from a school at the age of 19, and went to the service club though I did not want to."

(4) Visit to South Korea by Japan-South Korea Social Studies Educational Exchange Team/ Summer 1997

" When I was 18 years old a man came and he said to offer young girls from our village."

(5) A gathering to hear from former comfort women for the Japanese military / December 5, 1997

“The village leader (Japanese) threatened village people to offer at least one girl from a family and I left Korea in 1941, finding myself at a house for comfort women. “

(6) A gathering to hear from Hwan Kumju /at the University of Tokyo 2001.07.17

When I was 14 years old, I was taken to Manchuria, and there I was treated as a sex object by Imperial Army soldiers. It was a hard experience. "

Consistency is not found among those testimonies above.

- Testimony of I Yonsu who lived in the house of Nanumu

(1) In 1944, I was seized by force and was sent to Taiwan at the age of 16. I was forced to be a comfort woman for the Japanese military for three years. (until 1947)

(This means she worked there about two years after the Japanese military left the place as the war ended)

(2) She revised the term she worked as a comfort woman from three to one after being pointed out the incoherence.

- Chong Soun's testimony

She said she was taken away to Indonesia at the age of 13 (1937) by force and worked as a comfort woman for seven years to 1946. She said she was treated as a sex slave. She died in 2004 at the age of 80.

(Japan occupied Indonesia in 1941. before that, it was a Dutch colony.)

In South Korea, professor An Byeong-jik at Seoul National University and the Council on South Korean Volunteer Corps interviewed above –mentioned former comfort women, and dismissed half of the testimonies of former comfort women based on the principle to stop investigation if the witness appears to be intentionally distorting the fact . Furthermore, except for some cases, former comfort women do not claim that they were taken away by force. Also, some of them said they were taken to Toyama Prefecture, Japan, and Pusan, Korea, with private prostitution houses, not to the facilities for comfort women for the Japanese military. As you can see, there are many doubts about the credibility of former comfort women even in the survey results of private organizations in South Korea.

Professor An Byeong-jik at Seoul National University also said: "First I started a survey jointly with the Council on South Korean Volunteer Corps to find out the evidence of seizing by force, but I stopped it after three years. It was because I found out that the intention of the Council was to contest with Japan, rather than to understand the comfort women issue and try to prevent comfort women phenomenon today. (MBC television of South Korea, December 6, 2006)

As you may know, the Council on South Korean Volunteer Corps is a completely pro-north organization, having many people caught as spy of the North around it. This organization immediately sent a condolence telegram when Kim Jong-il died.

(3) Doubts on the definition of comfort women issues as "holocaust in Asia" and as "a crime against humanity"

Let me move on to the third point. In Japan, it is reported that the New York State Legislator adopted a resolution requiring an apology from the Japanese government for the holocaust in Asia and a crime against humanity.

The term "holocaust" means the annihilation of a specific ethnic group by way of massacre. Japan does not have an intention of annihilating a specific nation, and it is not true that Japan annihilated other nation. There are some organizations and national governments which claim that comfort women were all Korean, but, more than half of them were Japanese. I can't find any reason why the Japanese government or the Japanese military aim at massacre or annihilation of comfort women, because half them are Japanese.

Definition of "a crime against humanity" is "a massacre, enslavement, deportation or other inhumane acts targeting ordinary citizens conducted by certain nation or organization with the aim of murder and annihilation. "Crime against humanity" is the term in the ex post facto law enacted after the World War II, and many international law scholars question whether it can be applied to war criminals of the World War II. Moreover, your country has not signed the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity. And in the International Military Tribunal for the Far East, "crime against humanity" is not applied to Japan. The war crimes of Japan have already been settled in the International Military Tribunal for the Far East. Can the New York State parliament judge Japan once more for a war crime with the absence of the accused? Isn't "the organon of double jeopardy" applied to the United States?

One important fact is that on February 21, 2006 the U.S. Supreme Court turned down an appeal for retrial of a class action to claim for damage compensation filed by a total of the 15 Chinese or South Korean women who claim that they were seized by force to work as comfort women of the Japanese military. The U.S. Supreme Court said the action has been settled in the San Francisco Peace Treaty. I believe that the final conclusion of the United States on this comfort women issue is that it has been settled by signing the San Francisco Peace Treaty.

There are no evidence which can prove that that our country and the military were involved in the taking of comfort women by force, and also the war criminals in Japan have already been punished in the International Military Tribunal for the Far East. Furthermore, as I stated earlier, your country has not signed the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity. On what grounds do you accuse our country? What about the issue of evidence and the judgment of the U.S.

Supreme Court?

Furthermore, as stated earlier, more than half of comfort women were Japanese. Consideration for them, protection of human rights, restoration of honor, and the solution of humanity issues, are not discussed or considered at all. Are the human rights and honor of Japanese women are inferior to those of South Korean women? Or do you think it is unnecessary to consider human rights of prostitutes of a defeated nation?

(4) Historic background and the Japanese government's response to the comfort women issue

The fourth point is the historical background of the response of Japanese government to the comfort women issue. The issue was raised by Japan side in the 1980s or 1990s of the 1980s. Why didn't South Korean government raise this issue for over 30 years after the war?

The only war criminal punished for comfort women issue in the International Military Tribunal for the Far East is the one who made a Dutch woman into comfort women in Indonesia, ignoring the superior's direction. (the defendant was announced capital punishment as B and a Class C war criminal). South Korean government is turning comfort women into a public issue, but if it considers comfort women a serious issue, what was the South Korean government doing until the 1980s? The San Francisco Peace Treaty, signed after South Korea achieved independence, comfort women issue was not the subject of discussion at all. In the wording of the Japan-ROK Basic Relations Treaty concluded in 1965, the term "comfort women" is not found at all.

In the right of claim and the Article 2 of the Economic Cooperation Agreement between Japan and South Korea, which were also signed in 1965, it was agreed that:

1 Both contracting states confirm that the issue of the assets, rights and profits, as well as the right of claim between the two states and its citizens (including legal persons), a claim, an advantage, both the contracting State, and its citizen, have been completely and finally settled, including what is set forth in the Article 4 of the Peace Treaty with Japan (a) signed in the San Francisco on September 8, 1951.

That is, issues between Japan and South Korea between 1910 and 1945 have completely and finally be settled in the Japan-ROK Basic Relations Treaty signed on June 22, 1965, the Japan-South Korea right of claim and the Economic Cooperation Agreement. Furthermore, South Korea has not taken an opportunity to raise a issue of comfort women and accuse Japan during a long period to 1980s. Why did the Japanese government raise the issue, not by South Korea? I hope the New York State Legislature to fully verify facts and make researches on the failure to act by South Korea until 1980s.

After the release of Kono comment, the Japanese government set up the Asian Women's Fund in 1995 with the contribution from the private sector (judicial foundation) for the compensation to former comfort women, such as provision etc. of the atonement money through carrying out medical and welfare support business and private donations and paid costs for operation and related activities. Also, prime minister of Japan apologized for comfort women issues several times and sent letter of apology to former comfort women.

However, in South Korea there were campaigns refusing receipt of the fund. South Korean government and private organizations said they will provide 3 million/2 million yen if they make an oath to refuse to receive the fund. Therefore, more than half of former comfort women refused the receipt of the fund.

Japan has repeatedly apologized to former comfort women and has also proposed paying compensations. What should be pointed out here is that our country makes apology and pays compensation, even if it considers that the comfort women issue has already been settled in the San Francisco Peace Treaty and the the Japan-ROK Basic Relations Treaty. Here I would like to clarify that these apologies and compensations are based on "Kono comment", whose argument, evidence and procedures are regarded as doubtful.

(5) **About criminal acts of of the United States servicemen to the Japanese citizens under GHQ occupation**

Lastly, as the fifth point, I would like to point out the criminal acts of the United States serviceman to the Japanese citizen under GHQ occupation. Our country recognizes that this issue has been settled in the San Francisco Peace Treaty. When Japan-U.S. Japan alliance friendly relations are taken into consideration, many Japanese think that it is better to cooperate for the prosperity and peace of the Asia-Pacific region rather than making a fuss about past tragedies. Based on this concept, I would like to point out your country's acts as the historical fact.

First, in the Battle of Okinawa before Japan's surrender, there were many records of sexual assault after U.S. military landed Okinawa. A research assumes that the number of women raped by the U.S. military soldiers to be 10,000. (3 Dead Marines and a Secret of Wartime Okinawa" New York Times, June 1, 2000)

When the U.S. military made an entry into Japan, during the first ten days, there were 1,336 sexual assault cases only in Kanagawa prefecture. (Schrijvers, Peter (2002). The GI War Against Japan. New York City: New York University Press. p. 212.)

The Japanese government, expecting such situation beforehand, issued "Notice from the Department of the Interior Police Bureau Chief on the consolation facility in foreign military posts " on August 18, 1945, and had begun preparations to set up consolidation facilities for U.S. military soldiers called Recreation and Amusement Association (RAA). After setting up 25 RAAs in Tokyo within 3 months after the end of the war, RAA spread throughout the nation.

On January 21, 1946, special consolation facilities (RAAs) were abolished by GHQ due to the opposition from Eleanor Roosevelt, wife of former U.S. President Franklin Roosevelt, and a spread of sexually transmitted diseases (Fumio Iwanaga " Fuzoku Shinkaron (evolution of prostitution)"). 60 percent of comfort women had sexually transmitted diseases such as syphilis. After the closure of RAA, women who lost their job became the nightwalker called "pan-pan", and moved to the red-light area (Keisen Jogakuen College Peace and Cultural Studies Center "Occupation and Sex").

Before the abolition of RAA, the number of rape cases and sexual assaults was 40 on average, while that after abolition of RAA increased to 330 in the first half of in 1946 (Svoboda Terese."Race and American Military Justice: Rape, Murder, and Execution in Occupied Japan" The Asia-Pacific Journal, Japan Focus.)

Aside from the U.S. military-related consolation service and sex crimes in RAA, during the Japanese

occupation by GHQ from 1945 to 1952, there were 3,738 murder cases and 2,071 injury cases by the occupation army. (including only those notified to the police) (the history of the Defense Facilities Administration Agency, Vol. 2). The exact figure has not been recorded about sexual assaults.

Japan is not asking for nothing, apology nor compensation, to the allied nations for cases that should be human rights charges, because these have been solved in the San Francisco Peace Treaty.

During eight months after the termination of the U.S. occupancy, U.S. soldiers committed 1,878 sexual assault cases (Diet member Fujiwara's question in February 27, 1953 and the 15th Parliament.)