

Asian Women Await December 2000

by Suvendrini Kakuchi

TOKYO, Dec 17 (IPS)—Women's groups across Asia have set December 2000 as the launch date for what will be the first war crime tribunal focusing on violence against women in armed conflicts situations.

The Women's International War Crime Tribunal is actually a response to the cry for justice made by thousands of women forced to be sex slaves of Japanese soldiers during World War II. But women's rights activists say it will also address other conflicts during which women faced systematic rape, sexual slavery and other violence.

"The tribunal is one of the most important initiatives in the struggle for justice for women whose suffering has gone and continue to go unnoticed by the world," says Yayori Matsui, of the Japanese chapter of the umbrella group Violence Against Women in War Network (VAWW), which comprises women's organisations from around the world.

She adds that while the tribunal will really be a formal legal proceeding, non-government organisations will nonetheless be presenting evidence that will support the points of view of women who have been abused but have been denied the opportunity to have governments acknowledge what happened to them, much less get justice.

Foremost among these cases are those of the so-called "comfort women" forced to provide sex to the Japanese troops who had invaded and occupied their countries in World War II.

Research by various scholars indicates that Korean and Chinese women made up the bulk of the comfort women, although many Filipino, Indonesian, Thai and even Dutch women

also became the sex slaves of the Japanese soldiers.

Some were even merely girls at the time, with recorded cases of 11-year-olds among the soldiers' sex slaves.

For several years, the Japanese government denied the existence of "comfort stations" set up by the now defunct Japanese Imperial Army all over Asia to service soldiers.

But following research by Japanese scholars that proved their existence as well as the growing international uproar regarding the plight of the comfort women, Tokyo decided to set up an Asian Women's Fund to provide medicine

and social welfare and financial help to the former comfort women.

The Fund, however, is privately financed. Many of the comfort women, now in their late 60s and 70s, have said they want compensation to come from the Japanese government itself, as well as an official apology for what they had to go through.

Several lawsuits seeking precisely these have been filed against the Japanese government, but so far none have brought satisfactory results.

According to Matsui, several court proceedings have been held in the past "to judge Japan's acts in Asia" but none of them—not even the most famous Tokyo Tribunal that held more than 400 hearings—really focused on the violence that had been done on the women.

However, it must be stressed that the tribunal will not only address the issue of the comfort women, but also other instances of violence women have had to go through in other armed conflicts across postwar Asia.

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Among these are the rape of some 200,000 women during the war for independence in Bangladesh in the 1970s and the Burmese military's use of rape as a means of torture during the country's internal conflict in the 1980s.

Activists also hope that the tribunal will tackle the rape and sexual enslavement of women in East Timor under Indonesian colonial rule and rape committed by the security troops during the India-Kashmir war conflict in 1990s.

Australian legal consultant Ustina Dolgopol, who co-authored the UN report 'Comfort Women: The Unfinished Ordeal', says the many legal disadvantages faced by women are rooted in discrimination and are inherent in the societal structure. "The tribunal aims to change this attitude," she says. "By holding the tribunal, [we will be raising the awareness of] the Japanese people [on the situation of] women within Japan and elsewhere in the region. [We will also stress that we] believe in the equality of women and want new laws based on the perspective of women's rights."

Women's groups are now collecting evidence across Asia for presentation at the tribunal—an awesome task, considering much of crucial evidence in many of the cases have either been destroyed or are still being hidden particularly those that relate to the cases of "comfort women."

Lawyers and researchers working with Matsui say Asian comfort women will testify for the first time against ex-military police, and former top military men who were involved in the system. Notes Taiwanese lawyer Wang Ching Feng: "It is a civil case and will be a landmark not only for the comfort women but also in the now increasing consciousness of people's power that hopes to change the world for the better."

Lawyer Apong Herlina, who is working with Indonesian comfort women, expresses firm support for the tribunal. "Former comfort women in Indonesia have kept their suffering silent for more than five decades," she relates. "There is a lot of expectation for the tribunal because it brings them justice and restores their dignity."

"The tribunal is important because it sets a precedent for achieving justice even today when ethnic Chinese women are struggling to regain their dignity after being raped by Indonesian soldiers," Herlina adds.

Meanwhile, Chinese historian Chen Lifei of the Huadong Educational College Press says Chinese scholars have started to gather evidence after years of suppression of pertinent data.

Their research so far indicates that there were at least 77 comfort stations in Shanghai



Filipino World War II comfort women hold portraits of others who have already died during a rally at the Japanese Embassy. The Tokyo District Court has rejected the claims for compensation and official apology.

and that some 200,000 Chinese women were "conscripted" into the service.

Lawyer Wang, for her part, says there are currently 45 women in Taiwan who have revealed their stories as comfort women. However, some researchers report that at least 1,200 women from the island were forced to become sex slaves of the Japanese soldiers between 1938 and 1945.

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Appeal to women of the world

Adopted at the International Symposium:

How to hold the Women's International War Crimes Tribunal 2000

December 12, 1998 Tokyo

Let us work together for the success of the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery 2000

The 20th century is said to be a century of progress but it has certainly been a century of violence. No previous century has witnessed such a vast number of lives destroyed by war and genocide and such a huge number of women victimised by violence as in this century.

Among others, Japan's military sexual slavery which is believed to have victimised 200,000 Asian women as "comfort women" during the fifteen years of the Asia-Pacific War represented one of the most blatant war crimes committed against women in this century. Nevertheless, after WWII, sexual violence of the Japanese Imperial Army was hardly prosecuted at the Tokyo Trial.

But a new page of history was turned in the last decade of this century as "comfort women" broke their decades of silence and came forward. They encouraged women of the world who suffered from violence against them in war and armed conflict situations, including mass rape-survivors of former Yugoslavia, Rwanda and elsewhere. A growing number of women of the world have taken action to fight war crimes against women to form a new international tide.

At the Fourth United Nations World Women's Conference in Beijing, the Platform for Action adopted declared that systematic rape, sexual slavery and other violence against women in war and armed conflicts are war crimes and urged full investigation, full redress for the victims and prosecution of all criminals responsible for such crimes. In 1998, it was agreed to establish the International Criminal Court as a permanent war crimes court, whose statute recognises sexual violence in war and armed conflict situations as war crimes and crimes against humanity.

In 1998, the Sub-commission on Prevention of Discrimination and Protection of Minorities of the UN Commission on Human Rights adopted the McDougall Report on Contemporary Forms of Slavery, Systematic Rape, Sexual Slavery and Slavery-like Practices during Armed Conflict, which stressed the importance of criminal prosecution of perpetrators as well as reparation for victims in order to prevent such violence. It includes recommendations on the issue of "comfort women," to take both measures of compensation and prosecution.

Now we demand strongly for the Japanese government to take legal responsibility as soon as possible by disclosing the wartime documents needed for full investigation and providing state compensation with official apology to the victims. We call on an international campaign so that recommendations by the McDougall Report

addressed to the Japanese government and the UN High Commissioner for Human Rights are implemented.

In order to face the end of this century in which women of the world have turned their pains into power and become subjects of moving history forward, we propose to hold a Women's International War Crimes Tribunal in December 2000 in Tokyo as part of "Justice and Honor to 'Comfort Women'! Global Campaign 2000." It is a non-governmental tribunal originally proposed by Japanese women and will be jointly organised by women of the offending country Japan, women of victim countries and women who are fighting wartime sexual violence. We urge all of you to participate in our process toward the Tribunal.

Since this is a non-governmental tribunal, it cannot actually punish anyone. It aims at making the fact established that Japan's military sexual slavery constituted a war crime against women, identify the perpetrators of the crime, define proper modes of their punishment, and record the complete proceedings of the Tribunal as historical documentation. For that purpose, women should take initiative in the preparation for the Tribunal with cooperation of experts and international solidarity. It is vitally important that as many grassroots women and men as possible to participate in the process, especially Japanese women should take responsibility as women of the offending country. Two years from now, it is imperative to make all efforts for investigation and documentation.

The success of the Tribunal will contribute, firstly, to pressurise the Japanese state to meet its responsibilities for its aggressive war and colonial rule of the Asian people and, thus, to cultivate the ground for a shared future in Asia based on reconciliation. Secondly it will promote to establish women's human rights and to develop further international law by ending the cycle of impunity of wartime sexual violence.

Let us work together, women of the whole world, at the close of this century of war and violence, to usher in a new century free from violence and discrimination against women, based on human dignity and peace.

Participants of the International Symposium:
"How to hold the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery, 2000"
organised by VAWW-NET Japan

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