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JAPAN

**Country visit follow-up report
for the Special Rapporteur on the promotion and protection
of the right to freedom of opinion and expression**

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1. Introduction

1. The Women’s Active Museum on War and Peace (WAM) was established in August 2005 with donations from people in Japan and abroad. WAM is the main project of the Women’s Fund for Peace and Human Rights, a non-profit organization authorized by the Tokyo Metropolitan Government in 2003. WAM focuses on violence against women in war and conflict situations, particularly the issue of Japan’s military sexual slavery, or the so-called “comfort women” issue. WAM holds exhibitions and other educational events, conducts fact-finding projects, archives data and testimonials, and acts as an advocate for victims of Japan’s military sexual slavery. WAM has submitted alternative reports on Japan’s military sexual slavery system to various UN human rights bodies, such as ICCPR, CESCPR, CEDAW, CAT, CERD, CED, CRC and UPR of the Human Rights Council.
2. WAM takes this opportunity to provide alternative information for the country visit follow-up on Japan to the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Due to our limited capacity and expertise, we will specifically focus on the issue related to **paras 69-70 (A/HRC/35/22/Add.1) on interference in history teaching and reporting, and relevant additional information in relation to the issue of Japan’s military sexual slavery system (euphemistically called the “comfort women” issue).**

2. Response to the table provided (extract)

Has the Government made efforts to ensure full transparency in the elaboration of public school curricula and the safeguarding of the Textbook Council from Government influence? (See: A/HRC/35/22/Add.1 para 69)
No such efforts have been made. Rather, the government has made further adverse efforts. Limit: 500 words
Has the Government requested a visit of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence? (See: A/HRC/35/22/Add.1 para 70)
No positive reaction or information has been received. Limit: 500 words

3. Additional information related to para 69

3-1 The State's oppression over expression related to "comfort women"

3. The Japanese government has taken adverse actions regarding ensuring the public to the information on past episodes of gross human rights violations, including the "comfort women" issue.

Objection to Memorials

4. The Japanese government has repeatedly interfered the erection of "comfort women" memorials overseas stating that they are "incompatible" with Japan's "position".

[ROK]

5. The Japanese government continues to demand the removal of the "girl statue for peace" that stands in front of the Embassy of Japan in Seoul. This statue was put in place on December 14, 2011, by citizens including "comfort women" survivors themselves. The memorial was erected on the day of the 1000th demonstration of protest that has been held there by survivors every Wednesday since 1992.¹ In response to the erection of this statue, the Japanese government made official requests to the ROK for its removal, claiming that the monument negatively affects the "dignity of diplomatic establishments abroad" and that it is in violation of the Vienna Treaties concerning consulatory relations. When another girl statue was built by citizens on December 30, 2016, in front of the Consulate-General of Japan in Busan, ROK, the Japanese government demanded the removal also of this second statue and, in protest, summoned back Japan's ambassador to the ROK.²

[The Philippines]

6. On December 8, 2017, a statue was erected on Roxas Boulevard in Metro Manila, the Philippines, in memory of the suffering of the women sexually abused by the Japanese military during WWII. The Statue was proposed by a civil society organization in the Philippines, authorized by the National Historical Commission of the Philippines, and handed over to Manila City on December 8, 2017.³ On December 12, the Japan's Chief Cabinet Secretary Yoshihiro SUGA said in a press conference that "erecting a comfort

¹ The "Wednesday Demonstration" started on January 8, 1992 in front of the Japanese Embassy in Seoul. Korean survivors of Japan's military sexual slavery and their supporters have continued to stand in front of the Embassy every Wednesday at noon calling for the restoration of their honor and dignity. The Wednesday Demonstrations have been carried out regardless of the weather with two exceptions. These were the Wednesdays just after the 1995 Great Hanshin Earthquake and the 2011 Great East Japan Earthquake and Tsunami. On December 14, 2011, at the 1000th demonstration, the "girl statue for peace" was erected.

² At the press conference held on February 17, 2017, Foreign Minister Kishida stated that he made the request again to the Foreign Minister of the ROK "in a strong manner," reported on the website of Ministry of Foreign Affairs.

http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4_000458.html#topic1

The Japanese government is treating the removal of the girl statue as if it is a definitive promise in the 2015 "agreement". For instance, on February 23, 2018, Chief Cabinet Secretary Suga responded to a question at his weekly press conference: "As for the comfort woman statue, Japan has implemented everything in the bilateral agreement [of 2015], and, as the comfort woman statue is a part of the agreement, intends to strongly ask the South Korean side to faithfully implement it, too."

https://www.kantei.go.jp/jp/tyoukanpress/201802/23_a.html

³ The Daily Manila Shimbun, December 11, 2017

women statue abroad is incompatible with the position of the Japanese government and extremely regrettable”.⁴ In February 2018, when Japan’s Minister for Internal Affairs and Communication, Seiko NODA, visited Manila, she again expressed regret about the erection of the “comfort women” statue.⁵ Although at first, the Philippines president, Rodrigo Duterte, stated that the statue was a symbol of “freedom of expression”,⁶ during the night of April 27, 2018, the statue was demolished by the government of the Philippines. Estelita Dy, a victim/survivor who was sexually enslaved by Japan’s military at the age of 13 in 1945, stated to the media that “it’s a personal insult to us comfort women,” “the world needs to know that here in the Philippines, there are comfort women, too...it’s like they want to erase our existence and for the world to forget about the crimes that the Japanese soldiers committed.”⁷

7. On December 28, 2018, a bronze girl-statue entitled, “Monument for Peace and Women’s Empowerment” was erected in an elderly home in the city of San Pedro, Laguna Province in the Philippines. However, on December 30, 2018, the statue was removed after representations were made by the Embassy of Japan in the Philippines to the Presidential Office of the Philippines and the Ministry of Foreign Affairs, claiming “we are extremely disappointed (in the installment) as it is incompatible with the Japanese government’s position”⁸.

[USA]

8. On February 22, 2017, the Japanese government filed an *amicus curiae* brief to the U.S. Supreme Court (in *Gingery et al. v. City of Glendale*) in support of the revisionist plaintiffs who sued the city of Glendale to demand the removal of a “comfort women” memorial that the city erected in July 2013. In this document the Japanese government argues that the girl statue “presents a significant impediment to Japan’s diplomatic efforts” as it is “incompatible” with the “spirit” of the bilateral “agreement” of 2015 between the ROK and Japan. The Japanese government also “strongly disagrees that the inscription on the Glendale monument accurately describes the historical record, which Japan has studied at length.”⁹ When the U.S. Supreme Court dismissed the case on March 27, 2017, Chief Cabinet Secretary SUGA again stated that setting up comfort women statues is “incompatible with Japan’s position” and “extremely regrettable”. SUGA also claimed that the Japanese government continues to promote an “accurate understanding” of its basic stance and activities relating to this issue.¹⁰
9. On June 30, 2017, a girl statue was erected in a Brookhaven park in Atlanta, USA. Prior to the installation, Takashi SHINOZUKA, the consul general of Japan in Atlanta, stated the

⁴ Asahi Shimbun, December 12, 2107

⁵ The Daily Manila Shimbun, January 10, 2018

⁶ The Daily Manila Shimbun, January 18, 2018

⁷ Philippine Star, May 20, 2018

⁸ Manila Shimbun, January 2, 2019

⁹ The website of Ministry of Foreign affairs, <http://www.mofa.go.jp/mofaj/files/000231732.pdf>

¹⁰ “US comfort woman statue: CCS calls for understanding of Japanese government’s position”, NHK, 28 March 2017. <http://www3.nhk.or.jp/news/html/20170328/k10010927181000.html>

following on June 16, 2017, in an attempt to block this installation:

No evidence has been found about [this issue]. So first of all, this is [a] fact of history. Not 200,000, not sex slaves and not taken by force. Maybe you know that in Asian culture, in some countries, we have girls who decide to take this job to help their family. [abbr.] The memorial which the city of Brookhaven would like to have is not a simple art object but a political tool which has many controversial implications. As you can see, this has been [a] symbol of hatred and resentment against Japanese.¹¹

This remark has not been condemned, refuted or rescinded by the Japanese government.

[Germany]

10. On March 8, 2017, a “girl statue” was erected by a private entity on private premises in Bavaria, Germany. The Japanese government again showed resentment and demanded its removal. At a press conference on March 10, 2017, then Foreign Minister Fumio KISHIDA noted that “the recent developments centering round comfort women statues, we are extremely disappointed as it is incompatible with [the position of] the Japanese government. We will continue to make every effort to explain the position of our country.”¹² At the end of April, due to persistent meddling by the Japanese government, the owner removed the plaque from the statue base which had provided an explanation of the “comfort women” statue.

Objection to safeguarding the documents

11. The Japanese government is openly against the civil society’s initiative to register documents related to Japan’s military sexual slavery with the UNESCO Memory of the World (MoW).
12. On May 15, 2015, Prime Minister Shinzo ABE noted “with emphasis” to members of his Liberal Democratic Party, including the head of the party’s Foreign Affairs Division: “It is important to start making all-out efforts now so as not to have [the materials concerning “comfort women”] registered [with MoW]”.¹³
13. In May 2016, civil society groups, including WAM, from 8 countries and regions, namely, the Republic of Korea, China, Taiwan, the Philippines, Indonesia, East Timor, the Netherlands, and Japan, together with the Imperial War Museum in the UK, nominated the series of more than 2,000 documents on Japan’s military sexual slavery to the MoW under the name “the Voices of Comfort Women.” For this nomination, national archives in places such as the US, Australia, China, Taiwan, the Republic of Korea and the Netherlands, gave permission for their documents related to the “comfort women” issue to be lodged with the

¹¹ Website of Reporter Newspapers on June 20, 2017

<http://www.reporternewspapers.net/2017/06/27/japan-consul-generals-comfort-women-comments-trigger-international-criticism/>

¹² The website of Ministry of Foreign affairs, http://www.mofa.go.jp/mofaj/press/kaiken/kaiken4_000467.html#topic2

¹³ “PM Abe: Memory of the World ‘requires close examination’: efforts for ‘comfort women’ non-registration”, Jiji Wire Service, 15 May 2015. Archived at: <http://archive.fo/nArGp>

MoW.

14. The Japanese government has made all-out efforts to pressure UNESCO not to register “comfort women” documents in the MoW, even suspending its fiscal contribution of US\$34 million to UNESCO.¹⁴ In April 10 2017, the Register Sub-committee of the MoW notified the nominators by letter that the “Voices of Comfort Women” documents are “irreplaceable and unique”. In October, 2017, however, the International Advisory Committee of the MoW made a recommendation to the Director General, Irina Bokova, that the registration of these documents be pended for “dialogue.”¹⁵ The Director General accepted this recommendation. Presently, the Japanese government is making another all-out effort to change the rules of the MoW to give relevant governments the right to intervene in decision making processes.¹⁶ This is a threat to the international human rights community which to date has safeguarded documents related to human rights violation by state actors through the UNESCO Memory of the World.

Objection to Museums

15. As the “comfort women” issue did not appear in textbooks in mandatory education, it is important to provide other means of educating the public about “comfort women”. However, the National Museum of Japanese History, or history museums run by the State of Japan to pass on the events during WWII, namely the National Showa Memorial Museum or *Shokei-kan*, only depict the suffering of Japanese nationals during and soon after the WWII. No national museum related to the history of WWII explains the facts regarding Japan’s military sexual slavery.
16. Furthermore, Japan objected to the establishment of museums focusing on the “comfort women” issue in the ROK, China and Taiwan. For example, when then President Ma Ying-jeou of Taiwan expressed interest in setting up a memorial museum on “comfort women,” Chief Cabinet Secretary SUGA said: “This is of course incompatible with Japan’s position”; “If such efforts seem likely to be formalized, then we intend to explain our position [to the government of Taiwan] through a variety of channels and thrash it out [with them] so that the plan is cancelled.”¹⁷

3-2 Threats by Rightists

Threats to the WAM

17. On October 5, 2016, the Women's Active Museum on War and Peace (WAM) received a

¹⁴ Sankei Newspaper, May7, 2017.

¹⁵ <https://en.unesco.org/news/international-advisory-committee-recommends-78-new-nominations-unesco-memory-world>

¹⁶ Sankei Newspaper, January 3, 2018

¹⁷ At the Cabinet Secretary’s press conference on June 5, 2015

postcard that said: “we will bomb you. Remove the war-related exhibits.” The sender signed the card as “*Asahi Sekihoutai*”, which suggests the name of the Japanese terrorist group who shot and killed an *Asahi Shimbun* reporter on May 3, 1987. WAM notified the local Totsuka police station, Tokyo, immediately. The suspect has not been identified till now.¹⁸

18. On May 3, 2017, WAM received another letter also signed by the “*Asahi Sekihoutai*”, repeating the same threats, but this time, with black powder in the envelope. WAM notified the Totsuka police station and asked them to identify this black powder. The police noted that identification efforts would take time due to the national May holiday season. They finally informed us five months later in October 1, 2017, that it was gunpowder, only after our repeated inquiries. To date, the government has never denounced these threats against WAM.

3-3 Revisionism in the Media (also in relation to para 66)

19. On November 30, 2018, the Japan Times, the most circulated English-language newspaper in Japan, published an “Editor’s Note”. The note said that, from then on, the paper would refer to “comfort women” as “women who worked in wartime brothels, including those who did so against their will, to provide sex to Japanese soldiers,” instead of the previous “women who were forced to provide sex for Japanese troops before and during World War II”.¹⁹ This note came under the new owner, who bought the paper in 2017, and the new Executive Editor, who declared his intention to get rid of “the anti-Japan label” of the Japan Times, and is close to one of the Prime Minister Abe’s advisory board members.²⁰ The government denied any involvement in this editor’s note, but did not try to refute its content either.²¹

[end]

¹⁸“*Sekihoutai*” is the same as the name of the group who claimed responsibility for the series of attacks against the *Asahi Shimbun* newspaper in 1987 and 1988, including the May 1987 shooting that killed the reporter and an attempted bombing. After the shooting, the group sent to news organizations letters that said: “There should only be executions to the anti-Japan elements.” To date, none of these cases has been solved nor culprits identified; the statute of limitations passed for all of them by 2003.

Source: “Asahi Shimbun remembers reporter killed in 1987 rightist attack”, Kyodo News, May 3, 2018

<https://english.kyodonews.net/news/2018/05/a0d7dce2f434-update3-asahi-shimbun-remembers-reporter-killed-in-1987-rightist-attack.html>

¹⁹<https://www.japantimes.co.jp/news/2018/11/29/national/crime-legal/south-koreas-top-court-orders-mitsubishi-heavy-pay-compensation-wartime-labor#.XG0F6fZuL4g>

²⁰ <https://jp.reuters.com/article/japan-times-korea-insight-editorial-idJPKCN1PJ050>

<https://www.kantei.go.jp/jp/singi/kyouikusaisei/dai32/siryou2.pdf>

https://www.kantei.go.jp/jp/singi/21c_koso/pdf/report_en.pdf

²¹At the Cabinet Secretary’s press conference on January 24, 2019