

Press Conference

Center for Research and Documentation on Japan's War Responsibility (JWRC)

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and Peace**

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15:00-16:30 Tuesday, 17 April, 2007

Latest research on Japan's military sexual slavery ("comfort women")

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Japan Action Network for the "Military Sex Slavery" Issue
- (2) Leaflet of Women's Active Museum on War and Peace

Appeal on the issue of Japan's military "comfort women"

In the United States, the resolution bill on the issue of Japan's military "comfort women" (H.Res.121) is currently being processed in the House of Representatives. Meanwhile, Japanese government officials and members of the ruling LDP, including ASO Taro, the Minister of Foreign Affairs, are raising their voices to deny basic, well-established historical facts regarding the "comfort women" issue. The Japanese government spent as much as \$60,000 per month to hire lobbyists in order to influence Congressional discussion on a similar resolution in the fall of 2006. This was widely reported in the international media.

If we allow the Japanese government to quash this resolution, the result will be not only a distorted view of historical fact, but also a discrediting of the Japanese people as a whole in the eyes of the international community. The resolution's co-sponsors in Congress hope that, by promoting a lasting solution to the "comfort woman" issue, the resolution will have a positive influence on East Asian relations, helping to secure peace in the region.

Based on our concern over the activities of the government and ruling party of Japan as described above, we hereby re-iterate the following facts, already well-established, and request that the government of Japan and its associates take appropriate action.

1) Many official documents concerning Japan's "comfort women" system, including those of the Army, Navy and other governmental agencies, have already been disclosed. The facts documented in these materials are as follows: The former Japanese Army and Navy created the "comfort women" system to serve their own needs. The military decided when, where, and how "comfort stations" were to be established, and implemented these decisions, providing buildings, setting regulations and fees, and controlling the management of "comfort stations." The military was well aware of the various methods used to bring women to "comfort stations" and of the circumstances these women were forced to endure.

2) Some argue today that, because before and during World War II the term *jugun ianfu* (literally, military-accompanying comfort women) did not exist, the entire "comfort women" phenomenon is a myth. However, terms used in military documentation of the time include *ianfu* (comfort women), *gun ianjo jugyo-fu* (women working at military comfort stations), and *gun ianjo* (military comfort stations). Therefore, referring to women confined in "comfort stations" set up for the Japanese troops as *jugun ianfu* or *Nihon-gun ianfu* (the Japanese military's "comfort women") is in no way inaccurate, however problematic the term "comfort woman" may be in and of itself.

3) Among those who were made "comfort women" for the Japanese troops, women from Korea and Taiwan, both under the Japanese colonial rule at the time, were bought and sold, or deceived, and removed from their own countries to be used in "comfort stations" against their will. These acts constituted the crimes of human trafficking and abduction, as well as the crimes of abduction overseas and transfer across international borders as provided in the Criminal Code of the time. While these

acts were mainly carried out by private procurers assigned by the Government-Generals of the colonies or the military, it is reasonable to assume that the military authorities, who set up “comfort stations” in the areas they occupied, were well aware of the fact that some of these women were procured through trafficking and abduction.

4) Among those who were made “comfort women” for the Japanese troops, the cases of women from China, South East Asia and the Pacific region (including Dutch women detained in Indonesia) involved not only trafficking, but also cases in which local leaders offered certain women to the Japanese troops in order to save other female members of their communities, and of the Japanese military or officials under their control abducting women by force or through deception. These women were finally confined in “comfort stations,” where they were forced to provide sex to the troops against their will. It is impossible to believe that the military authorities that set up “comfort stations” in areas under their occupation were not aware of these facts.

5) A significant percentage of those who were made “comfort women” for the Japanese troops were minors. In light of the international agreements concerning the prohibition of trafficking in women and children that Japan was party to at the time, it can hardly be claimed that the servitude of under age girls in “comfort stations” was a matter of their own free will.

6) Scholars have convincingly shown that the system of licensed prostitution that existed in Japan until 1946 was a system of sexual slavery with trafficking and restriction of freedom as its crucial elements. Licensed prostitutes had no freedom to choose or change their residences. Although provided under law with the freedom to leave the vicinity temporarily or to quit altogether, the women were often kept in ignorance of this fact. Those aware of their rights often faced violent opposition when they tried to exercise them. In rare cases in which a woman was able to bring her case to court, the judgment would require her to pay off her debt to her procurer, making it virtually impossible to escape the degrading and inhuman cycle of licensed prostitution.

7) Japan’s military “comfort women” system did not provide women with the freedom to quit, to change or choose their residence, or even to leave the vicinity temporarily. Women confined in “comfort stations” were denied even the extremely limited freedoms given to licensed prostitutes in Japan. Women transported to areas under Japanese occupation far from their homes found escape utterly impossible, as all transportation routes were under Japanese military control. While licensed prostitution in Japan may be called a *de facto* system of sexual slavery, Japan’s military “comfort women” system was literally sexual slavery, in a far more thorough and overt form.

8) Today, the issue of “coercion” is sometimes interpreted in a very narrow sense, as referring only to violent abduction of victimized women by police or government officials, and claim that such “coercion” did not take place. This is an instance of tunnel vision, in which crimes such as trafficking, abduction overseas and transfer across international borders through deception are ignored. Those who hold this narrow view also refuse to accept the fact that the actions of private agents involved, as well as the transportation of the women, were actually carried out under the control of the Japanese military or police. We would also like to point out that the miserable lives these women were forced to lead in “comfort stations” often ended in premature death, either by disease, being caught in the cross fire, or through suicide, including “love-pact suicides” in which women were murdered by desperate soldiers

who did not want to die alone.

9) The government of Japan claims that it has already apologized to the “comfort women”. It is true that each of the women who accepted “atonement money” from the Asian Women’s Fund received, along with the money, a copy of a letter signed by the Prime Minister of Japan at the time which reads: “As Prime Minister of Japan, I thus extend anew my most sincere apologies and remorse”. This letter, however, accepts only Japan’s “moral responsibility”, while rejecting legal responsibility and liability to provide compensation as a prerequisite. The Japanese government uses the term “moral responsibility” in a relatively light sense, which implicitly denies any legal responsibility. Some women survivors who initially received this “letter from the Prime Minister” have come to realize that it is a mere token apology, and returned their letters to the Japanese Embassy in their locale.

10) The “letter from the Prime Minister” described above also states as follows: “I believe that our country, painfully aware of its moral responsibilities, with feelings of apology and remorse, should face up squarely to its past history and accurately convey it to future generations.” Nevertheless, explicit references to “comfort women”, once included in all junior high school history textbooks, have now been totally eliminated. While the history textbooks were being revised, the former Minister of Education and Science stated that he was “very glad” to see that fewer textbooks referred to the “comfort women” issue. Moreover, it is well known that a significant number of politicians now holding important posts in the government and LDP, including Prime Minister Abe himself, actively supported the movement to have references to “comfort women” deleted from history textbooks, or to discourage the use in schools of the few textbooks that still included such references. Although Abe has toned down his stance since becoming Prime Minister, members of his cabinet continue their efforts to deny the existence of the “comfort women” system. Thus the government of Japan has failed to keep even the promise it voluntarily made in the “letter from the Prime Minister”.

We strongly hope that the world will acknowledge the facts listed above, and that the “comfort women” issue will soon be fundamentally and finally resolved.

Center for Research and Documentation on Japan's War Responsibility

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Open Letter to Prime Minister Abe Shinzo

26 March 2007

Dear Prime Minister Abe,

It has now been seventeen years since the surviving women of Japan's system of military sexual slavery broke their silence and called on the government of Japan for a clear apology and compensation. For them, the 1993 "Kono Statement" was but an opening towards remedying their long-suffered damage. Since the "Statement" was first issued, survivors have repeatedly called on the government of Japan to implement what is acknowledged by it and the commitment the government made in it in a manner acceptable to them. Many survivors rejected the Asian Women's Fund's "atonement" money because they were unable to feel genuine "apology" or "remorse" in it.

The government of Japan claims it has "apologized many times". But what is the meaning of apology when it fails to reach the heart of those to whom it is made? Apology is not an alibi. The few surviving women do not want token words or charity money. They want an apology that would finally restore their sense of dignity. They also seek compensation with an unequivocal acceptance of the government's state responsibility for its past wrongdoing.

Prime Minister Abe, you have seized on the opportunity of the introduction of the "comfort women" resolution in the U.S. House of Representatives on January 31, 2007 to make public your long-held theory of breaking "coercion" into two categories: in the "narrow sense" and the "broad sense." You define the "narrow sense of coercion" as "government authorities breaking into private homes and taking [women] like kidnappers". You have openly stated that "it is a fact that no evidence was found to support the coercion as initially defined", and that "there is no evidence that [the government or military] forcibly recruited and managed [the women]."

As such, we have the following questions for you:

1. On the issue of coercion, the "Kono Statement", to which you have publicly declared that you will adhere, states that "in many cases their recruitment, transfer, control, etc., were conducted generally against their will, through coaxing, coercion, etc.", and that "at times, administrative/military personnel directly took part in the recruitments." The "Statement", therefore, expresses the view that, as far as the "comfort stations" are concerned, the women there were made into "comfort women" under coercion. **Are we to understand from your public statements that you mean to change the definition of coercion from what is expressed in the "Kono Statement"? If so, please state the grounds and reasons for such a change.**

2. While denying that the military forcibly recruited women, Prime Minister Abe has asserted that private agents and not the military itself coerced the women, by stating that, "in some cases the go-between private agents coerced the women in effect so that there was coercion in the broad sense". **Please explain in an unambiguous manner what it is you mean when you say that, while you deny the military involvement as acknowledged by the "Kono Statement", you "adhere to" the "Kono Statement".**

3. Prime Minister Abe has asserted that "there is no testimony establishing that there was anything like the forcible taking [of the women] such as 'a hunt for comfort women by officials'". There are many women,

however, who were forcibly thrust into sexual slavery through abduction or threat among those made into “comfort women” throughout Asia. In particular, most cases in occupied areas such as in China and the Philippines involve abduction. **Whose and what kind of testimony do you mean when you refer to testimony that fails to “establish” coercion? Also, as regards the testimony of the survivors that you have heard, please explain in full, whose testimony and about what? In addition, please make clear your view about survivor testimony in general: do you believe it all to be lies?**

4. The “Kono Statement” reads as follows: “The Government of Japan would like to take this opportunity once again to extend its sincere apologies and remorse to all those, irrespective of place of origin, who suffered immeasurable pain and incurable physical and psychological wounds as comfort women.” **Prime Minister Abe claims that the testimony of the survivors is “not established”. If this is so, please clarify what “sincere apologies and remorse” as expressed in the “Kono Statement” and to which the Prime Minister has vowed to uphold are all about? In the Prime Minister’s understanding, to whom are these apologies made and for what is there remorse?**

5. The “Kono Statement” reads as follows: “We shall face squarely the historical facts as described above instead of evading them, and take them to heart as lessons of history. We hereby reiterated our firm determination never to repeat the same mistake by forever engraving such issues in our memories through the study and teaching of history.” **Please express in an unambiguous manner that this commitment as expressed in the “Kono Statement” is also the commitment of the Prime Minister himself. Furthermore, recording this issue in textbooks and teaching it to younger generations must be a part of the commitment expressed in the “Kono Statement”. Please explain the Prime Minister’s views and thoughts concerning references to “comfort women” in textbooks and the teaching the issue in junior high schools.**

We are profoundly concerned that the Prime Minister Abe’s recent statements have brought further pain to the survivors and a significant divide in building peace and trust throughout Asia. To reconsider one’s own past wrongdoing and to face responsibility is not a matter of self-torment or shame. To deny perpetration and evade responsibility, by contrast, is. If Japan does this, then it is not a beautiful country. It is ugly. We demand that Prime Minister Abe face the “Kono Statement”, and as an obligation of the highest authority of the present government of Japan, start moving as soon as possible towards making an official apology to the surviving women and fulfilling the government’s responsibility in a clear manner.

Please send the reply to the questions above by facsimile to VAWW-NET Japan at 03-3818-5903. We look forward to your response on or before April 4, 2007.

Violence Against Women in War- Network Japan (VAWW-NET Japan)
Co-chairpersons: Nishino Rumiko, Shoji Rutsuko
And all the members of the Steering Committee

Outline for the Foreign Correspondents' Club of Japan, 17 April 2007

Yoshimi Yoshiaki

I. Prime Minister Abe's Stance

- 1) "There was no 'coercion in the narrow sense'." "I will not apologize."
- 2) Later, the PM justified himself saying he would sustain the Kono Statement. He did not, however, take back his first comment as shown above. He does not reprimand Deputy Chief Cabinet Secretary Shimomura, who has openly denied the military involvement.
- 3) Mr. Abe's basic stance as seen in his essay of 1997:
"There was completely no documents whatsoever...pointing to the fact of forcible taking [of the comfort women] by the troops or the government"; "It has been so revealed that the Kono Statement ...accepted (the charges) of military involvement and the direct involvement of government officials and so issued, although there was no evidence to support such claims." (Nihon no Zento to Rekishi Kyoiku wo Kangaeru Wakate Giin no Kai (Young MP's League to Consider Japan's Future and History Education) eds. "Rekishi Kyokasho e-no Gimon"(Questions about History Textbooks), Tenten-sha, 1997, p.449)

II. Is the "abduction by force of the military or governmental officials" the only problem?

- 1) How the women were recruited should not be discussed on its own, separate from the conditions the women found themselves in, and how they were used. Looking at the issue only as a problem of "abduction by force" minimizes the scope of the matter.
- 2) For example, Article 226 of both the pre-war and present Criminal Codes treat the following four categories a crime of the same level when providing for the crimes of sending people overseas:
 - A. crime of trafficking: taking and putting under control a person based on selling and buying of the person. (Art 226-2)
 - B. crime of abduction by enticement (*yukai*) with the purpose of transporting the person outside the country: taking a person by "sweet words"/coaxing or deception and putting the person under control. (Art 226)
 - C. crime of abduction by force (*ryakusyu*) with the purpose of transporting the person outside the country: taking a person by physical violence or threat and putting the person under control. (Art 226)
 - D. crime of transportation to overseas: transporting outside the country a person bought or sold, or abducted by force or enticement. (Art 226-3)

Prime Minister Abe sees only C above as a problem, while the Criminal Code treats all these acts as crimes of the same gravity.

III. Is the Government or the military not responsible if no officials directly committed such crimes?

Of course they are responsible, for the following reasons:

- 1) The system of “comfort stations” was set up, maintained and enlarged by the Japanese military itself. The military oversaw and controlled “comfort stations”. Even if the military made use of private agents in recruiting “comfort women” or running “comfort stations”, the military was the primary body. If those private agents caused any problems, the military was also responsible for what happened.
- 2) The system of “comfort stations” was in fact a system of sexual slavery. The women in “comfort stations” were gathered through trafficking, abduction by force or enticement, and confined there. The women had no freedom to reject to provide service, no freedom to choose or remove residence, no freedom to leave the premises temporarily, and no freedom to quit altogether.

IV. The cases of abduction by force committed by officials (or PM Abe’s “coercion in the narrow sense”) did take place.

- 1) The case of the women in Shanxi Province, China: the details were found as established by the Japanese court.
- 2) Testimony of many Filipino women survivors.
- 3) The report by the Dutch government lists nine such cases (including attempts).

V. The question is “What kind of human rights values is PM Abe willing to share with the world?”

- 1) At a bare minimum, he and others must maintain the integrity of the Kono Statement.
- 2) The Kono Statement, however, is problematic in its own right. Who “severely injured the honor and dignity of many women”? It should be made clearer that the military and government of Japan did it. The GOJ should also accept legal responsibility. A clearer message is necessary for the sake of human rights and the future.

PENAL CODE (Act No.45 of 1907)

(through the revisions of Act No.36 of 2006(Effective May 28, 2006))

From the Web site of Translation Project of Japanese Statutes(<http://www.kl.i.is.nagoya-u.ac.jp/told/>)

Chapter XXXIII. Crimes of Kidnapping and Buying or Selling of Human Beings

Article 224. (Kidnapping of Minors)

A person who kidnaps a minor by force or enticement shall be punished by imprisonment with work for not less than 3 months but not more than 7 years.

Article 225. (Kidnapping for Profit)

A person who kidnaps another by force or enticement for the purpose of profit, indecency, marriage or threat to the life or body shall be punished by imprisonment with work for not less than 1 year but not more than 10 years.

Article 225-2. (Kidnapping for Ransom)

(1) A person who kidnaps another by force or enticement, for the purpose of causing the kidnapped person's relatives or any other person who would be concerned about the kidnapped person's safety to deliver any property, taking advantage of such concern, shall be punished by imprisonment with work for life or for a definite term of not less than 3 years.

(2) The same shall apply to a person, who having kidnapped another by force or enticement, causes or demands the kidnapped person's relatives or any other person who would be concerned about the kidnapped person's safety to deliver any property, taking advantage of such concern.

Article 226. (Kidnapping for Transportation out of a Country)

A person who kidnaps another by force or enticement for the purpose of transporting another from one country to another country shall be punished by imprisonment with work for a definite term of not less than 2 years.

Article 226-2 (Buying or Selling of Human Beings)

(1) A person who buys another shall be punished by imprisonment with work for not less than 3 months but not more than 5 years.

(2) A person who buys a minor shall be punished by imprisonment with work for not less than 3 months but not more than 7 years.

(3) A person who buys another for the purpose of profit, indecency, marriage or threat to the life or body, shall be punished by imprisonment with work for not less than 1 year but not more than 10 years,

(4) The preceding paragraph shall apply to a person who sells another.

(5) A person who sells or buys another for the purpose of transporting him/her from one country to another country shall be punished by imprisonment with work for not less than 2 years.

Article 226-3 (Transportation of Kidnapped Persons out of a Country)

A person who transports another kidnapped by force or enticement or another who has been bought or sold, from one country to another country, shall be punished by imprisonment with work for not less than 2 years.

Article 227. (Receiving Kidnapped Person)

(1) A person who, for the purpose of aiding another who has committed any of the crime proscribed under Articles 224, 225 or the preceding three Articles, delivers, receives, transports or hides a person who has been kidnapped by force or enticement or has been bought or sold, shall be punished by imprisonment with work for not less than 3 months but not more than 5 years.

(2) A person who, for the purpose of aiding another who has committed the crime proscribed under paragraph 1 of Article 225-2, delivers, receives, transports or hides a person who has been kidnapped shall be punished by imprisonment with work for not less than 1 year but not more than 10 years.

(3) A person who, for the purpose of profit, indecency or threat to the life or body, receives a person who has been kidnapped or sold, shall be punished by imprisonment with work for not less than 6 months but not more than 7 years.

(4) A person who, for purpose proscribed under paragraph 1 of Article 225-2, receives a person who has been kidnapped shall be punished by imprisonment with work for a definite term of not less than 2 years. The same shall apply to a person, who has received a kidnapped person and causes or demands such person's relative or any other person who would be concerned about the safety of the kidnapped person to deliver any property, taking advantage of such concern.

Article 228. (Attempts)

An attempt of the crimes proscribed under Articles 224, 225, paragraph 1 of Article 225-2, Articles 226 through 226-3 and paragraphs 1 through 3 and the first sentence of paragraph 4 of the preceding Article shall be punished.

Article 228-2. (Reduction of Punishment in the Case of Release)

In cases where a person who has committed the crime proscribed under Article 225-2 or paragraph 2 or 4 of Article 227 releases the kidnapped person in a safe location before being prosecuted, the punishment shall be reduced.

Article 228-3. (Preparation for Kidnapping for Ransom)

A person who prepares for commission of the crime proscribed under paragraph 1 of Article 225-2 shall be punished by imprisonment with work for not more than 2 years; provided, however, that the person who surrenders him/herself before the person commences the crime shall be reduced or exculpated.

Article 229. (Complaints)

The crimes proscribed under Articles 224 and 225, the crimes proscribed under paragraph 1 of Article 227 which are committed for the purpose of aiding the person who has committed the crimes above, the crimes proscribed under paragraph 3 of Article 227 and the attempts of these crimes shall be prosecuted only upon complaint unless committed for the purpose of profit or threat to the life or body; provided, however, that when the person who has been kidnapped or sold has married the offender, the complaint shall have no effect until a judgment invalidating or rescinding the marriage has been rendered.

Press Release of the National Police Agency, 25 April, 2005 concerning a suspected case of abduction committed by DPRK

[translation of press release]

National Police Agency

25 April, 2005

RE: The suspected case of abduction of a former restaurant employee.

I. Victim:

Name: Tanaka, Minoru

Age: 28 (at the time of the incident)

Address: Higashinada-ku, Kobe-shi, Hyogo-ken (at the time of the incident)

Occupation: Former restaurant employee

II. Incident overview:

In June 1978, the victim, who had frequented a Kobe restaurant, was lured overseas by the “sweet words”/coaxing of the manager of the restaurant, and then taken to North Korea. The manager was a North Korean resident of Japan who had received orders from North Korea.

III. Reasons for considering this a case of abduction:

1. In all of the cases of suspected abduction recognized by the police, the victims are thought to have been taken to North Korea against their will, in such a way that the existence of the intentions of the state of North Korea is inferred.
2. On the other hand, in this case, while the fact of the victim leaving Japan had been confirmed, not enough evidence was collected in previous investigations as to the circumstances of deception and temptation under which the victim was taken out of the country, or the circumstances in which there was a plan of his transport to North Korea. A thorough re-investigation against the backdrop of changing circumstances surrounding the investigation in recent years, however, has yielded testimony and other evidence, including multiple witness depositions that strongly suggest that the victim was lured in by “sweet words”/coaxing and sent into North Korea.
3. To summarize after integrally considering the results of a series of investigations, including newly obtained evidence as discussed above, the conclusion of the Police is that it now considers this incident a case of the suspected abduction of a Japanese national by North Korea.

Judgment of the International Military Tribunal for the Far East(Tokyo Tribunal)

Chapter VIII Conventional War Crimes(Atrocities)

The War was extended to Canton and Hankow

.....

After the Japanese forces had occupied Changsha, they also freely indulged in murder, rape, incendiarism and many other atrocities throughout the district. Then they drove further down southward to Kweilin and Liuchow in Kwangsi Province. During the period of Japanese occupation of Kweilin, they committed all kinds of atrocities such as rape and plunder. They recruited women labour on the pretext of establishing factories. They forced the women thus recruited into prostitution with Japanese troops. Prior to their withdrawal from Kweilin in July 1945, the Japanese troops organized an arson corps and set fire to buildings in the entire business district of Kweilin.

.....

< Exhibits presented to the Tribunal >

Exhibit No.1702(Prosecution Document No.5330)

Report on enforced prostitution in Western Borneo prepared by Netherlands Forces Intelligence Service(NEFIS) (Case of Pontianak)

.....

The brothel for Naval personnel were run by the garrison. Under the C.O. the signal Officer, Lt. SUGASAWA AKINORI was placed in charge and the daily business was attended to by the duty warrant Officer, Sergt. Maj. WATANABE SHOJI. Women who had had relations with Japanese were forced into these brothels, which were surrounded by barbed wire. They were only allowed on the streets with special permission. Permission to quit the brotherl had to be obtained from the garrison commander. The Special Naval Police(Tokei Tai) had ordered to keep the brothels supplied with women; to this end they arrested women on the streets and after enforced medical examination placed them in the brothels. These arrests were mainly effected by the Sgt. Majors MIYAJIMA JUNKICHI, KOJIMA GOICHI, KUSE KAZUO, and ITO YASUTARO.

.....

In their search for women the Tokei Tai ordered the entire female staffs of the Minseibu and the Japanese firms to report to the Tokei Tai Office, undressed some of them entirely and accused them of maintaining relations with Japanese. The ensuing medical examination revealed that several were virgins. It is not known with certainty how many of these unfortunates were forced into brothels. Women did not dare to escape from the brothels as members of their family were then immediately arrested and severely maltreated by the Tokei Tai. In one case it is known that this caused the death of the mother of the girl concerned.

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Exhibit No.1701A(Prosecution Document No.5326)

Report on Interrogation of HAYASHI SHUICHI dated March 13th 1946 on Pontianak massacre

(Taken from the official records of the NEFIS, June 7th 1946)

<Suspect is confronted with the report of interrogation of Witness RAFIAH>

It is true that these women, together with PONTEM and AMINAH were interrogated by UESUGI, during which interrogation I acted as Malay interpreter. The women in question were accused of having 'fraternized' with Japanese, which had been prohibited by an order of UESUGI. I admit to have slapped these women with the flat of my hand; I also ordered them to undress, this by order of UESUGI. The girls remained undressed for an hour.

.....

I agreed with the order that these women should undress. I do not think that these women were actually punishable, but their arrest by order of UESUGI was only a pretext in order to put them in a brothel. The undressing was ordered in order to force the women to admit that they had had contact with Japanese. In the end the women were not placed in a brothel after all, but they were released by order of UESUGI. I do not know why.

.....

*HAYASHI SHUICHI was a military employee of the Navy.

Exhibit No.1794(Prosecution Document No.5591)

Case of Moa Island, Indonesia

Statement by Lt. OHARA Seidai, 13 January, 1946

(Taken from the official records of the NEFIS, June 7th 1946)

.....(About 40 natives were captured and killed in September 1944.)

Q: How were the men killed?

A: They were lined up in threes in column of route and then the 21 soldiers mentioned above charged them with bayonets, killing three at a time.

Q: A witness has said that you raped women and that women were brought to the barracks and used by the Japs. Is this true?

A: I organized a brothel for the soldiers and used it myself.

Q: Were the women willing to go into the brothel?

A: Some were willing, some were not.

Q: How many women were there?

A: 6.

Q: How many of these women were forced into the brothel?

A: Five.

Q: How were these women forced into the brothel?

A: They were daughters of the men who attacked the KEMPEI TAI.

Q: Then these women were forced into the brothels as a punishment for the deeds of their fathers.

A: Yes.

Q: For how long were these women kept in the brothel?

A: For 8 months.

Q: How many men used this brothel?

A: 25.

.....

* OHARA was commander of MOA Island in September 1944.

Exhibit No.1792A(Prosecution Document No.5806)

Summary of examination of Lois Antonio Numes Rodreigues: occupation, Doctor's clerk, of Portuguese nationality and born in Portuguese Timor, and 30 years of age, and residing at **Dilli, Portuguese Timor**, being duly sworn states:-

.....

I know of a lot of places where the Japanese forced the chiefs to send native girls to Japanese brothels, by threatening the native chiefs by telling them that if they did not send the girls, they, the Japanese, would go to the chiefs houses and take away their near female relatives for this purpose.

.....

Exhibit No.2120(Prosecution Document No.2772E-5)

Affidavit: Nguyen-thi-Thong, born 28 Feb. 1915 at Thai-Binh Tonkin. Case in **Lang Son, Vietnam**

.....

I was arrested in the town by the Japanese and taken to their Military Police H.Q. situated behind the hospital of the Indo-China Guard. I remained shut up in Japanese military police H.Q. for 8 days and then let go. After that I was arrested on several occasions and violently beaten. The Japanese rebuked me for my relations with the French.

.....

In the course of their investigation at Lang Son, the Japanese forced several of my fellow-countrywomen who were living with French soldiers, to follow them to a brothel which they had set up at TIEN YEN. By means of a trick I was able to escape them.

Exhibit No.1725(Prosecution Document No.5770)

Case of Maenglang, Indonesia

Exhibit No.353(Prosecution Document No.2220)

Case of Kweilin (Guilin)桂林

Report of a study of Dutch government documents on the forced prostitution of Dutch women in the Dutch East Indies during the Japanese occupation [excerpts]

Introduction and summary

In August 1993, the Minister for Foreign Affairs and the Minister of Welfare, Health and Cultural Affairs commissioned a study into the forced prostitution of Dutch women during the Japanese occupation of the Dutch East Indies. The study was to result in a list of the documents kept in government archives, an analysis and summary of the information contained in them and a detailed list of sources. Access to and information on such documents had been requested on a number of occasions, but, in view of the provisions of the Government Information (Public Access) Act concerning the protection of privacy, public access to them could not always be granted. The Minister for Foreign Affairs and the Minister of Welfare, Health and Cultural Affairs therefore felt that an internal study was called for.

For the purposes of this study, the official documents drawn up by the various government bodies responsible for investigating, prosecuting and trying war criminals and collaborators in the Dutch East Indies were consulted. Forcing women into prostitution was regarded by the government of the Dutch East Indies as a war crime and material on the subject was therefore collected by the various government bodies concerned. The annex contains an overview of the archives and index numbers of the documents consulted. These documents consist largely of statements submitted by witnesses, victims and suspects and a number of judgments, with the relevant documents, of the temporary war tribunal at Batavia, which was responsible for trying war criminals and collaborators. As a result, accounts of personal experiences - with the exception of letters used as evidence which were encountered in the case files - were not consulted for the purposes of this study. However, there is no reason to suppose that the overview presented below would have been significantly different had such sources been used.

The study shows that during the Japanese occupation, the Japanese military forces or military authorities were responsible for procuring the services prostitutes for Japanese soldiers and civilians on the five large islands and a number of the smaller islands of the Dutch East Indies. The women involved were not only of indigenous origin but also European (Dutch and Indo-Dutch).

The extent to which these women were forced into prostitution or provided their services voluntarily could only be established with any certainty if sufficient information were available on the general and specific circumstances in which they were recruited and on ensuing events. However, the term "voluntary" must generally be seen as relative within the context of the Japanese occupation and the circumstances in the internment camps, where the cruelty of the guards and extreme food shortages led to disablement, chronic illness and a very high death rate among the internees. The financial and social circumstances of the European women living outside the camps were equally dire. In such circumstances, the women who agreed to the proposals put to them - after having been provided with insufficient information or threatened with action on the part of the Japanese authorities - could hardly be regarded as acting voluntarily. There are as many cases of European women refusing to agree to the proposals put to them, but refusal was impossible if the Japanese authorities applied physical force, and this was how the temporary war tribunal at Batavia interpreted the term "forced prostitution". This interpretation has also been adopted for the purposes of this report.

The study shows that in recruiting European women for their military brothels in the Dutch East Indies, the Japanese occupiers used force in some cases. Of the two hundred to three hundred European women working in these brothels, 65 were most certainly forced into prostitution.

A brief summary of the findings is given below.

(I – V abbreviated)

VI Conclusion

From the evidence contained in the documents, it may be concluded that military brothels were established on all the larger islands of the Dutch East Indies during the Japanese occupation and that European women were put to work in these establishments on Java, Sumatra, Celebes, Ambon, Flores and Timor. Though their number cannot be determined exactly on the basis of the material available, some two hundred to three hundred European women were probably involved, most of whom on the island of Java. In 1944, the approximately one hundred women working in military brothels on Java were transferred to Kota Paris internment camp at Buitenzorg, and later to Kramat camp near Batavia. However, an unknown number of European women were still working in the remaining military brothels and, by 1944, some women had left the brothels to live with a Japanese man or had been interned in the camps.

The following is of relevance with regard to the number of European women that were forced into working as prostitutes. Account must be taken of the possibility that the women outside the camps who were recruited for the brothels were not only in serious social and financial straits and under pressure from the civil and military police, but were also the victims of direct physical force on the part of the Japanese authorities. However, the information available contained no information on force of this type being exerted to procure women for the privately-run brothels,

Nonetheless, force was most certainly used during the second stage (mid-1943 to mid-1944) to recruit European women from the camps for Japanese military brothels or for transport to brothels elsewhere. The incidents in question concern the thirty to thirty-five European women from Muntilan camp and the camps near Semarang on Central Java who were recruited for the Japanese military brothels, the seven women who were transported from Semarang to Flores, the unknown number of women transported to the military brothels at Pekalongan and Bondowoso (at least three and six respectively), the five to ten women who were transported from Java to Timor and the unknown number of women who were transported from Java to Ambon.

This group does not include the women from the camps who volunteered for work in the brothels. An exception may, however, be made for those women who volunteered to take the places of those who were forcibly taken to Magelang and Semarang. However, evidence must show that these women acted purely with this intention in mind; consequently, their activities prior to internment and their conduct in the brothels should also be taken into account.

In view of the above, the conclusion must be drawn that the majority of the women concerned does not belong to the group of women forced into prostitution. Too little information is available on the circumstances in which the other European women were recruited for the military brothels to establish with any certainty whether force was exerted in their cases.

To conclude, the documents available reveal that of the two hundred to three hundred European women working in the Japanese military brothels in the Dutch East Indies, some sixty-five were most certainly forced into prostitution.

Where "Comfort Stations" Were

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