

Japan / S. Korea: “The long awaited apology to ‘comfort women’ victims is yet to come” – UN rights experts

GENEVA (11 March 2016) – A group of United Nations human rights experts today raised concerns at the agreement on the issue of ‘comfort women’ passed between Japan and the Republic of Korea in December 2015, and urged the Japanese Government to implement without delay the recommendations* made earlier this week by the UN Committee on the Elimination of all Forms of Discrimination against Women (CEDAW).

The term ‘comfort women’ refers to hundreds of thousands of girls and women from several Asian countries abducted and forced into sexual slavery prior and during World War II by the Japanese imperial military. On 28 December 2015, the agreement between Japan and South Korea declared the issues arising from the widespread and systematic human rights violation of the ‘comfort women’ as final and irreversible.

In this context, Japan agreed to acknowledge and express regret for its role and to provide a one-time contribution of one billion yen (US\$ 8.3 million) to carry out joint projects with South Korea, including a foundation to be established by the country.

For its part, the South Korean Government agreed to consider the removal of a statue commemorating the ‘comfort women’ built in front of Japan’s embassy in Seoul. Both governments agreed to refrain from accusing or criticizing each other in the international community on this issue.

“We believe the agreement between Japan and South Korea falls short of meeting the demands of survivors,” said the independent experts on discrimination against women, transitional justice and torture.

“An unequivocal official apology recognizing the full responsibility of the then Japanese Government and military, as well as adequate reparations, would protect and uphold the victims’ right to truth, justice and reparation.”

“We are also deeply concerned that the Republic of Korea may remove a statue commemorating not only the historical issue and legacy of the ‘comfort women’ but also symbolizing the survivors’ long search for justice,” they added.

The human rights experts drew attention to the fact that the agreement does not meet standards of State accountability for gross human rights violations and was reached without a proper consultation process.

“Neither the surviving victims nor the organizations representing them for more than 20 years were consulted in the preparation of this agreement,” they stated. “This undermines decades of activism and efforts to seek truth and justice and naturally leaves the survivors in considerable distress.”

The experts stated that “the Governments of Japan and South Korea should understand that this issue will not be considered resolved so long as all the victims, including from other Asian countries, remain unheard, their expectations unmet and their wounds left wide open.” They underscored that this is now a race against time given the age of the survivors.

“It is the responsibility of States to put an end to impunity by condemning and addressing sexual and other violence against women and girls used as a war weapon, and by upholding women victims’ right to redress,” the experts said.

Japan has ratified the Convention on the Elimination of All Forms of Discrimination against Women and is therefore reviewed regularly by CEDAW on how it is implementing the Convention. In its last review during its 15 February – 4 March session in Geneva, CEDAW findings and recommendations are particularly important in the context of the bilateral agreement.

The Committee observed the continuing effect of the serious human rights violations of the ‘comfort women’ victims. It urged Japan to, among other things, recognize the rights of victims to remedy, to provide full and effective redress and reparation, including compensation, official apologies and rehabilitative services, to ensure that the views of the victims be taken into account as well as their rights to truth, justice and reparations ensured in the implementation of the 2015 agreement.

“We urge Japan to implement CEDAW’s new recommendations. This will grant effective access to justice, truth and adequate reparation to these women whose inalienable human rights were brutally violated by the State,” the experts concluded.

NOTE TO EDITORS:

These are some of the issues discussed between CEDAW and a delegation from the Japanese Government during the latest assessment of Japan's record on women's rights by the Committee, which took place in Geneva on 16 February 2016:

Banning the sale of video games or cartoons involving sexual violence against women; employment equality, illegal dismissal of women due to pregnancy and childbirth; sexual harassment in the workplace; reintegration into school textbooks of issue of 'comfort women'; compensation for women with disabilities sterilised against their will; effect on women, particularly pregnant women, of health programmes introduced after the Fukushima nuclear disaster; and difference in pension benefits for men and women, poverty among older women.

(*) Check CEDAW's recommendations:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1007&Lang=en

The experts: Ms. Eleonora Zielinska, Chair-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice; Mr. Pablo de Greiff, Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; and Mr. Juan E. Méndez, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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UN Human Rights, country pages:

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