



Economic and Social Council

Distr.: General
10 December 2012

Original: English

Commission on the Status of Women

Fifty-seventh session

4-15 March 2013

**Follow-up to the Fourth World Conference on Women and
to the special session of the General Assembly entitled
“Women 2000: gender equality, development and peace
for the twenty-first century”: implementation of strategic
objectives and action in critical areas of concern and
further actions and initiatives**

Statement submitted by New Japan Women’s Association, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



Statement

Since its founding in 1962, New Japan Women's Association has been working for the abolition of nuclear weapons, the rights of women and children and the solidarity of women around the world for peace. The Association has attended United Nations-sponsored World Conferences on Women and sessions of the Commission on the Status of Women. The Association is committed to the promotion of the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Declaration and Platform for Action and all other international agreements on gender equality and women's rights at the international, regional and national levels. About 150,000 members of the Association are engaged nationwide in various campaigns to achieve women's demands in communities and workplaces. In 2012, members commemorated the Association's fiftieth anniversary by carrying out a national campaign on the theme "Mainstream gender perspectives and the principles of the Constitution to remake our society into a life-first society".

Regarding the priority theme of the fifty-seventh session of the Commission on the Status of Women, "Elimination and prevention of all forms of violence against women and girls", the Association draws attention to two issues: the Japanese military's "comfort women" and the sexual violence committed by United States military personnel stationed in Japan.

Issue of "comfort women"

The survivors of the sexual slavery system operated by the Japanese military during the Second World War, who are euphemistically called "comfort women", broke their silence and came forward to restore their dignity and to make sure that the tragedy they had to endure would not be inflicted on any other woman on earth. Despite the attacks from the backlash groups refusing to admit the historical facts and discrediting the victims by asserting that they were "prostitutes" or that they came forward "for money", for more than 20 years the survivors have continued to urge the Government of Japan to provide, through legislation, an official apology, redress and compensation and to include the issue in the teaching of history for the generations to come. We would like to note that the courageous acts of victimized women contributed to the investigation and punishment of perpetrators of sexual violence, which was used as an instrument of the systematic ethnic cleansing in the former Yugoslavia, and to the creation of international instruments for eliminating violence against women, such as the Declaration on the Elimination of Violence against Women in 1993. The Association emphasizes that the settlement of the "comfort women" issue will be a significant step towards breaking the cycle of impunity, thus eliminating sexual violence, and towards achieving a peaceful world without sexual violence.

As far as the Republic of Korea is concerned, the Government of Japan consistently maintains that the issue was settled by the Treaty on Basic Relations between the two countries signed in 1965. The Government now faces criticism internationally after it demanded the removal of the "comfort women" monuments put up in the Republic of Korea and the United States of America and protested against the contents of the War and Women's Human Rights Museum, recently built in Seoul. The Government has received recommendations from different United Nations bodies, such as the Committee on the Elimination of Discrimination against

Women, the Committee against Torture, the Committee on Economic, Social and Cultural Rights and the Human Rights Committee. Most recently, during the second universal periodic review of Japan by the Human Rights Council in October 2012, seven countries referred to this issue and five countries issued recommendations on the settlement.

In addition to the resolutions adopted by the parliaments of different countries in Asia, North America and Europe calling for the settlement to meet the victims' demands, the Constitutional Court of the Republic of Korea ruled in August 2011 that it was unconstitutional for the Government of the Republic of Korea not to negotiate with its Japanese counterpart over the "comfort women" problem. The Government of the Republic of Korea has repeatedly requested the Government of Japan to engage in consultations. In Japan, actions have been spreading nationwide to enact legislation for the settlement. A total of 39 local governments have approved the proposals to the Government to this effect. As survivors are ageing, delaying the settlement any longer would mean a lost opportunity not only for the victims to restore their dignity but also for Japan to restore its honour.

In Japan at this moment, the backlash movement is using the territorial disputes with China and the Republic of Korea to vociferously assert that there is no such evidence that "comfort women" were forcibly recruited. They also demand a review of the statement issued in 1993 by the then Chief Cabinet Secretary Yohei Kono, which has been reaffirmed by successive Governments. The statement, based on the investigation, acknowledged the coercive nature of recruitment, offered an apology and expressed remorse, with references to the prevention of a recurrence through education. Now that there is no reference to the issue in school textbooks, young generations do not have a chance to learn the truth of history and remain blind to the issue. This stands as a serious barrier to the promotion of the elimination of violence against women.

Sexual violence committed by United States military personnel in Japan

Japan hosts more than 130 military bases and facilities of the United States, and 70 per cent of them are concentrated in Okinawa, the southernmost prefecture in Japan. In Okinawa, many women and young girls, including infants, have been made victims of sexual assault by United States servicemen. The people of Okinawa also continue to be exposed to many cases of murder and mayhem committed by United States military personnel. Owing to an agreement between the Governments of Japan and the United States that Japan would not exercise the primary right of jurisdiction over members of the United States military and their dependants other than in cases considered to be of material importance to Japan, victims have to bear the injustice.

On 16 October 2012, amidst the growing protest by citizens of Okinawa and the adoption by prefectural and all municipal assemblies of resolutions against the deployment by the United States military of Osprey aircraft, known for many cases of accidents and damage to the environment, two United States servicemen raped a woman in Okinawa, only to fuel the people's anger. Even after the overnight curfew was issued by the military authorities, on 2 November a serviceman broke into a private house and injured a junior high schoolboy.

In October 2012 the National Police Agency released data that show that over the past 23 years, 67 United States soldiers in 55 rape cases were arrested across

Japan; of those, 33 soldiers in 29 cases were based in Okinawa, 18 soldiers in 12 cases in Kanagawa, which is second to Okinawa in terms of military presence, and 8 soldiers in 6 cases in Nagasaki. Rape cases reported to the police would be larger than the number of arrests, and, given that rape victims hesitate to report the crime, the number would increase drastically if unreported rapes were taken into account.

It is intolerable that the rape victims are always to be blamed for their carelessness. This can partly be attributed to the weakness of Japan's penal code, which requires the victim's complaint for prosecution, while the penalty remains low. It is also a reflection of discrimination against women rooted in society and Japan's lag in terms of gender equality, shown by the low standing of Japan in the *Global Gender Gap Report* (101 among 135 countries).

The New Japan Women's Association calls upon the Governments gathering at the fifty-seventh session to:

- Support the settlement of the “comfort women” issue as part of the global effort to eliminate sexual violence against women.
- End impunity for all forms of violence against women, including the cases committed by military personnel stationed abroad against citizens of host countries.
- Implement Security Council resolution 1325 (2000) on women and peace and security and its follow-up resolutions, make national action plans and change national security policies into ones that centre on conflict prevention, war eradication and human security.
- Integrate gender perspectives into all policies and increase the number of women in all decision-making processes so that the whole society shares the recognition that sexual violence is a serious human rights violation and permissible under no circumstances.
- Address poverty and other root causes of violence and conflict that hinder the empowerment of women and girls and refrain from reducing or abolishing social services and programmes for women and girls during the economic crises.
- Implement with urgency measures against climate change and review energy and security policies to ensure that everyone can live free of fear in a peaceful and sustainable society.
- Fulfil their obligations under Article 26 of the Charter of the United Nations by drastically cutting military spending to redirect the resources to meet human needs, including the attainment of the Millennium Development Goals.