

## MEMORANDUM

TO: Prof. David Kaye, United Nations Special Rapporteur

COPIES TO: Mr. Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights  
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Mr. Valentin ZELLWEGER (Switzerland), Vice President of the Human Rights Council

FROM: Kase Hideaki, Chairman  
ALLIANCE FOR TRUTH ABOUT COMFORT WOMAN

DATE: February 20, 2017

SUBJECT: Our Position on “Preliminary Observations by the United Nations Special Rapporteur on the Right to Freedom of Opinion and Expression, Mr. David Kaye, at the End of His Visit to Japan”

The Alliance for Truth about Comfort Women was established in 2014, when 15 private organizations united behind a commitment to discovering the truth about comfort women and disseminating that truth both locally and globally.

Your “Preliminary Observations,” issued on April 19, 2016, contain some serious problems that pertain to our objectives and demand our close attention. Our position on these problems is as follows.

- (1) “Preliminary Observations” includes three arguments that we would like to address. The first is freedom of expression in Japan. The second is misconceptions about the “comfort women” who serviced Japanese military

personnel during World War II. The third is misinterpretations of the textbook-approval system used in Japan.

Viewers and Listeners for Legal Compliance in Broadcasting has already addressed the first argument in an open letter dated January 25, 2017 (see Attachment 1), which we hope you will take the time to read. We are in complete agreement with the content of that letter and, accordingly, shall confine our comments to the second and third problems.

- (2) “Preliminary Observations” contains critical misconceptions about the comfort women who serviced Japanese military personnel during World War II. You describe Japan’s comfort-women system as the “comfort women crimes of World War II.” We object to your choice of words as inaccurate and inappropriate for the following reasons.

First of all, even today prostitution is recognized as a lawful profession in many countries, including some European nations. It was legal in Japan as well during World War II. The Japanese military built special facilities for the convenience of brothel keepers, who ran them, and of their customers, Japanese soldiers. To prevent abuse of the comfort women, military authorities established guidelines for their operation; they also provided regular medical examinations. The comfort women, to use the euphemism applied to the prostitutes, had contractual relationships with the brothel keepers, and were paid handsomely because they were working in war zones. Therefore, comfort women had no connection with any crime.

- (3) Second, when you wrote “Preliminary Observations,” you may have been laboring under the impression that the fiction woven by the late Yoshida Seiji about the “forcible taking of women” was fact. However, we now know for certain that his tales about the abduction of women are just that — tales, and no more. The Japanese government has already, and publicly, stated that military authorities never forced women into military prostitution before an international organization. I refer to Sugiyama Shinsuke, the vice-minister for foreign affairs. On February 16, 2016 Mr. Sugiyama spoke at a CEDAW (Committee on the Elimination of Discrimination against Women) meeting held to discuss the combined seventh and eighth periodic reports submitted by the Japan government (see Attachment 2).

- (a) The Japanese government has been conducting exhaustive research into the comfort-women controversy since the early 1990s, when it became a bone of political and diplomatic contention between South Korea and Japan. However, none of the resources examined yielded any proof that Japanese military authorities or military police coerced women into serving as prostitutes.

- (b) *Asahi Shimbun*, one of Japan’s leading dailies, printed Yoshida’s

fantasies, presenting them as factual accounts. The newspaper article had a tremendous influence on not only Japanese and Korean public opinion, but also on the international community. However, the results of research conducted by multiple investigators have proven beyond a doubt that the events Yoshida describes existed only in his imagination. Their work was sufficiently convincing that *Asahi Shimbun* published formal retractions of its coverage of Yoshida's stories in their August 5 and 6, 2014 editions, and again in September, apologizing to its readers for grave factual errors.

- (c) There is no evidence to support the claim that there were 200,000 comfort women. In an article appearing in its August 5, 2014 edition, the newspaper refers to the Women's Volunteer Labor Corps. The corps was formed during the war when Japanese women, as well as women residing in Korea and Taiwan, former colonies of Japan, were encouraged to work in industrial sectors.

(...)

The purpose of the Women's Volunteer Labor Corps was to provide a supplementary labor force, not sexual partners for military personnel. Somewhere along the way, the newspaper's writers conflated women volunteers with comfort women, when in fact there was absolutely no connection between the two. Their next mistake was to apply the number of women volunteers to the comfort women. *Asahi Shimbun* acknowledged these errors.

- (d) The term "sex slaves" is inconsistent with fact.

We have demonstrated, and decisively so, that the claim of coercion by the Japanese military was manufactured, and goes against historical fact. To base a report emanating from a respected international organization on a fallacy is absolutely unacceptable. We strongly urge you to delete the words "comfort women crimes of World War II" from your report without delay.

- (4) Third, in the context of the foregoing, we would like to comment on the Coomaraswamy Report (a special report pertaining to the comfort women) issued by the United Nations on January 4, 1996.

We now know for certain, for reasons given above, that the Coomaraswamy Report has no basis in reality. Our organization has already submitted a formal request to the United Nations Human Rights Council for the revision of that report. In fact, Professor Fujioka Nobukatsu, one of our officers, made a statement on September 16, 2016 at a session of the Human Rights Council. He criticized the Coomaraswamy

Report, citing evidence supporting his arguments, and asked that a new rapporteur be appointed to review the report (see Attachment 3).

- (5) The “Preliminary Report” states further that “[t]he “comfort women” issue is also subjected to Government influence by authorities in the preparation of school textbooks. This claim is patently false.

First of all, the Textbook Investigation Council’s activities are limited to verifying accounts included in textbooks. It does not “enforce” the government’s value system.

Second, it is true that the number of references to comfort women in textbooks has been decreasing, but there are good reasons for this trend. Alarmed by the discovery that accounts relating to comfort women in many textbooks are based on fabrications and fallacies, private organizations and scholars have issued protest after protest to the government, at the same time appealing to the public for support. As the facts come to light, the fictitious accounts have been disappearing from the textbooks. This has nothing to do with “Government influence.” It is solely a matter of an awakening on the part of authors and publishers of textbooks.

Third, since you have misunderstood the function of the Textbook Investigation Council, your suggestion that the council “be insulated from government influence” is particularly unfortunate and subjective.

We sincerely hope that you will correct the many factual errors contained in the “Preliminary Observations” when you prepare the final version.

Contact: MOTEKI Hiromichi: [moteki@sdh-fact.com](mailto:moteki@sdh-fact.com)

Attachment 1. Open Letter to Prof. David Kaye from Viewers and Listeners for Legal Compliance in Broadcasting

<http://www.sdh-fact.com/CL/Open-Letter-to-Prof-Kaye.pdf>

<http://www.sdh-fact.com/CL/Statement-on-the-Reporters-Without-Borders-World-Press-Freedom-Index-and-on-Special-UN-Rapporteur-David-Kaye.pdf>

Attachment 2. Sugiyama Shinsuke’s statement made at the CEDAW meeting held on February 16, 2016.

[http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/JPN/CEDAW\\_C\\_SR-1375\\_24489\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/JPN/CEDAW_C_SR-1375_24489_E.pdf)

Attachment 3. Prof. Fujioka’s speech delivered on September 16, 2016 at a session of the

Human Rights Council.

Paper: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/205/80/PDF/G1620580.pdf?OpenElement>