The Decades-Long Struggle of 'Comfort Women' for Justice

Erika Miyamoto
University of Barcelona, Spain

erika.miyamoto.ub@gmail.com

Abstract: During World War II, several thousands of women were forced into sexual slavery, known as 'comfort women', by the Imperial Japanese Army in comfort stations throughout Asia. After the war, the International Military Tribunal for the Far East was established in 1946 to prosecute the Japanese war criminals, however, it was the 'victor's justice' and failed to adequately prosecute crimes related to the 'comfort women'. The truth of 'comfort women' remained untold in public until the victims started to speak about their experiences at the establishment of the Korean Council for Women Drafted for Military Sexual Slavery by Japan. Kim Hak-soon, a Korean 'comfort women', was testified about her experiences, and it resulted in encouraging other 'comfort women' to share their own experiences in 1990s. On the other hand, the Japanese government has continuously denied state responsibility for the 'comfort women'. In addition, between 1991 and 2001, the 'comfort women' from South Korea, China, the Philippines, Taiwan and the Netherlands filed 10 trials against the Japanese government in Japanese courts, however, all the cases were eventually dismissed. In 1996, the Japanese government established an Asian Women's Fund to provide compensation, medical welfare and letters of apology to the 'comfort women', however, the Fund has been criticised by the United Nations due to the lack of the admission of state responsibility. The debate over the 'comfort women' lasting to date has shown the complexity of the legal and political issues, causing continuing sufferings to the 'comfort women'. This research will analyse the historical context of the 'comfort women' to identify the reason why these victims are still not able to obtain their rights to reparation and an effective remedy. It will also examine to what extent the development of international law on sexual slavery can contribute to enhance the right to justice and the right to reparation of the 'comfort women'. I argue that the Japan's acknowledgement of violations of international law and the inclusion of a victim-oriented and gendered approach into the reparations are crucial.

Keywords: Sexual slavery, Sexual violence, Comfort women, Victims´ rights, Right to reparation

1. Introduction

The United Nations Commission on Human Rights (1998) reported that the Japanese Imperial Army forced over 200,000 women into sexual slavery in 'comfort stations' during World War II across Asia. It was estimated that 80% of whom were from Korea and the rest were from China, the Philippines, the Dutch East Indies, Japan, Taiwan, East Timor and other territories occupied by Imperial Japan. Within the ´comfort women' system, these victims were deprived of freedom and control over their autonomy, and subjected to rules on their reproductive health. After World War II, the International Military Tribunal for the Far East (IMTFE) was established in 1946, however, Henry (2013) argued that it failed to sufficiently prosecute crimes related to 'comfort women' since the Tribunal resulted in the 'victor's justice'.

It was not until 1990s that the 'comfort women' begun to speak about their experiences in public. According to Soh (1996), along with the increasing concern over the issue on the sexual violence in international law due to the prosecutions of sexual offenders in the *ad hoc* International Criminal Tribunals for the former Yugoslavia and Rwanda, there emerged a group of progressive Korean women who started questioning on the 'comfort women'. At the creation of the Korean Council for Women Drafted for Military Sexual Slavery by Japan (Korean Council) in 1990, Kim Hak-Sun officially testified and revealed the personal experience as 'comfort women' for the first time. The 'comfort women' redress movement can be seen in international terrains. For instance, the 'comfort women' has been put on agenda of the United Nations Commission on Human Rights (1996 and 1998) and the United Nations General Assembly (2022).

On the other hand, the Japanese government has constantly denied state responsibility. Japan has argued that the victims' right to claim has been expired in pursuit of the post-war peace treaties and international agreements based on the 1951 San Francisco Peace Treaty (Furuya, 2018). Furthermore, from 1991 to 2001, the 'comfort women' filed 10 lawsuits against Japan before the domestic tribunals, but all the cases were eventually dismissed. In 1996, the Japanese government established the Asian Women's Fund to provide reparation to the 'comfort women', however, the Fund has been criticised by the United Nations (UN) due to the lack of the admission of state responsibility (United Nations Commission on Human Rights, 1996 and 1998). More recently, although 34th Civil Division of the Seoul Central District Court of South Korea (2021) provided the judgment granting human rights exceptions to sovereign immunity, 15th Civil Division Seoul Central District Court of South Korea (2021) reversed the judgement in April 2021, granting sovereign immunity to Japan based on the traditional view of international law.

McDougall (2013) criticises that the ´comfort women´ system is the crime of sexual slavery, involving both chattel slavery and forced labour, which violated international law. Besides, although Shin (2016) asserted that international human rights law helped the 'comfort women' with promoting the reparation demands at the UN, the redress movement of ´comfort women´ over 70 years has showed the complexity of the legal and political issues, causing additional harm to the 'comfort women'. This research will analyse the historical context of the 'comfort women' to identify what have been preventing the 'comfort women' from justice to be delivered. It will also examine to what extent the development of international law can contribute to enhance the right to justice and the right to reparation of the 'comfort women'.

I argue that Japan has completely ignored a peremptory norm of prohibition of slavery and should acknowledge that it bears state responsibility for the systematic sexual slavery of the 'comfort women'. Japan must incorporate a victim-oriented and gendered approach in reparation measures for the 'comfort women' considering the evolving principle in international law regarding a remedy and a reparation for victims of serious human rights violations.

2. 'Comfort Women' in the International Military Tribunal for the Far East

During World War II, numerous women were taken to the comfort stations across Asia by the Japanese Imperial Army, military and civilian police and their private agents. These victims were abducted, falsely recruited, or otherwise coerced or deceived into the 'comfort women' (Dolgopol and Paranjape, 1994). Argibay (2003) and McDougall (2013) held that the 'comfort women' were sexually enslaved under thread of severe abuse, as a result, these victims suffered the deprivation of freedom and loss of their autonomy. Most of the comfort stations were managed by private owners, however, effectively controlled by the Imperial Japanese Army and used particularly by the military officers and its civilian employees (Dolgopol and Paranjape, 1994).

After World War II, the IMTFE was created in 1946 to prosecute Japanese war criminals, being conferred jurisdiction to try perpetrators committed crimes against peace, crimes against humanity and crimes against the laws and customs of war. In the IMTFE, only 28 major Japanese 'A' class war criminals who were charged with crimes against peace were prosecuted. On the other hand, 'B' and 'C' class Japanese war criminals were prosecuted in the Asia-Pacific region by the Allied Powers (Piccigallo, 1979). The indictments of the IMTFE illustrated that sexual and gender-based crimes were committed by the Japanese soldiers, including the 1937 'Rape of Nanking' which several thousands of local people were raped during the Nanking invasion by the Imperial Japanese Army (Brook, 2001). However, sexual and gender-based crimes were not clearly stipulated as a separated crime in the Tokyo Charter and included in 'inhumane treatments' or 'failure to respect family honour and rights' (International Military Tribunal for the Far East, 1981). Under the laws of war, the sexual and gender-based crimes have been recognised as crimes against honour, hence, the victims' actual physical and psychological damage caused by violence were generally disregarded.

Contrary to the 1937 'Rape of Nanking,' the issue of 'comfort women' was fully removed from the IMTFE's agenda. Henry (2013) points out that the IMTFE mainly focused on the responsibility of Japan for waging a war against Allied Powers. In this regard, I contend that it was because not only the focus on the charge of waging a war, but also the 'comfort women' were recognised and tolerated as 'military prostitutes' as if there were victims' voluntary participation in the name of the army. Originally, the establishment of comfort stations corresponded to the order of the Japanese military authorities, aiming at reducing anti-Japanese sentiment stem from the outrage at mass rape committed against local people by the Japanese military and preventing the Japanese military personnel from venereal diseases (Yoshimi, 1995). This motivation well represents a conventional military culture existed anywhere in wars, in which sexual and gender-based crimes were often tolerated and women were generally seen as being inferior to men. In the 'comfort women' case, this culture was reinforced by institutionalising the 'comfort women' system as a favoured policy of the Imperial Japanese Army, calling them as 'military prostitutes.'

On the other hand, regarding the 'B' and 'C' class Japanese war criminals, the judgements of the Batavia war crimes tribunals held in the Dutch East Indies are quite significant because the Japanese military officers were found guilty of rape and/or forcing the Dutch 'comfort women' into prostitution (Orentlicher, 2020). However, I argue that these trials showed the existence of discrimination between the victims in the colonial era in which colonial powers prioritised the protection of their nationals. Consequently, these trials failed to address many cases involving Indonesian 'comfort women' who had suffered as the Dutch 'comfort women' did.

3. ´Comfort Women´ Lawsuits Filed in the Domestic Courts in Japan

Since the ´comfort women´ broke the science in 1990s, 10 'comfort women' lawsuits were filed by the 'comfort women' from South Korea, China, the Philippines, Taiwan, the Netherlands in the domestic courts in Japan. Through the series of lawsuits, these victims have sought to demand compensation and an apology from Japan, however, all the cases were finally dismissed by the courts based on statute of limitations and the expiration of the individual right to claim against Japan in accordance with the post-war peace treaties and bilateral agreements adopted by Japan. Nonetheless, fact-findings were recognised by the courts in 8 of these lawsuits (Tsubokawa and Omori, 2011). For instance, in *Asia-Pacific War Korean Victims' Compensation Claims* case, the first 'comfort women' lawsuit filed by Kim Hak-sun and 24 other victims and 15 family members of deceased victims, the court found that the Japanese military involved and controlled all aspects of the acquisition and transportation of the 'comfort women' and the establishment and management of comfort stations. As a result, numerous women were taken away against their will by fraud or intimidation. Even comfort stations managed by private owners were effectively controlled by the Imperial Japanese Army as they set terms of services and conducted the hygiene management (*Asia-Pacific War Korean Victims' Compensation Claims* Case, 2001).

On the other hand, the domestic courts continued to deny the claims of the 'comfort women' under Article 3 of the Hague Convention as well as customary international law and other conventions such as the 1930 Forced Labour Convention and the 1910 International Convention for the Suppression of the Traffic in Women and Children. The courts constantly remarked that, in order for international law to serve as the basis of individual claims, it should be clearly stipulated in the convention, and that the intention of the State Parties to establish such right should be confirmed (*Asia-Pacific War Korean Victims' Compensation Claims* Case, 2001, *Philippine Sexual Slavery* Case, 1998, and *Dutch Ex-Prisoners of War and Civilian Detainees* Case, 1998).

In comparison, the ruling of the district court in *Kampu* case is the only judgement that the Japanese court found in favour of the 'comfort women'. This case was brought before the Yamaguchi Prefectural Court in 1992 by Korean war victims including 3 'comfort women'. The 'comfort women' plaintiffs demanded an official apology and compensation from Japan (*Kampu* Case, 1998). Significance of this trial was that the Court found a cause of action in tort based on the failure of Japan's legislative duty, namely, the absence of the necessary law to compensate the victims suffered during the aggression of Imperial Japanese Army in pursuant to the Japanese State Liability Act (*Kampu* Case, 1998 and Hanafusa, 2021).

Regarding the fact-finding, the Court concluded that, although the credible evidence showing how the plaintiffs became 'comfort women' nor the details of the location of comfort stations were not presented, the testimonies were reliable enough considering their poverty-stricken origin, advanced age, and the fact that they had to hide their experiences until this proceeding. Therefore, the Court admitted that the 'comfort women' plaintiffs were taken away by means of deception and violence, and forced to have sexual intercourse with Japanese soldiers in the comfort stations which was controlled by the Imperial Japanese Army (*Kampu* Case, 1998).

Kampu case is notable because the district court focused on the continuing suffering of the 'comfort women' and demonstrated that the lack of specificity in their testimonies in relation to sexual and gender-based violence did not undermine its credibility (Tsubokawa and Omori, 2011). Besides, the court considered the 'comfort women' as severe human rights violations left behind for decades and attempted to deliver the ruling as close as a legislative order with the prospect that a necessary legislation would be enacted (Kampu Case, 1998). Nevertheless, it can be argued that this judgement showed minimum endorsement of human rights, since legal responsibility of Japan for the human trafficking were not adequately addressed. This case was eventually dismissed at the Supreme Court in 2001 (Tsubokawa and Omori, 2011).

Given that all the cases were eventually dismissed by the domestic courts based on statute of limitations and the expiration of the individual right to claim against Japan under the peace treaties and bilateral agreements, I argue that the courts should have considered the continuing suffering of the 'comfort women' and the principle of non-application of statute of limitations for serious human rights violations which has been increasingly present in human rights treaties (United Nations General Assembly, 2006). Furthermore, serious violations of the prohibition of slavery, a peremptory norm of international law, entail state responsibility, cannot be derogated by such peace treaties and agreements with economic nature that human rights violations of the 'comfort women' were not particularly addressed (McDougall, 2013).

4. 'Comfort Women' as Sexual Slavery

Slavery has prohibited prior to World War II, since the 1926 Slavery Convention was established, defining slavery in Article 1(1) as 'the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised' (League of Nations, 1926). This definition has become authoritative in international law, as evidenced by its reproduction in Article 7(a) of the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery as well as in Article 7(2)(c) of the Rome Statute of the International Criminal Court (ICC) (Economic and Social Council, 1956 and International Criminal Court, 1998). As a result, the prohibition of slavery constitutes a principle of customary international law and has attained *jus cogens* status (Rassam, 1999). Namely, the violation of prohibition of slavery constitutes a breach of *erga omnes* obligation, which legally binds international community (Rassam, 1999).

Considering the developments in international law, the 'comfort women' can constitute crimes against humanity of sexual slavery. Bellows (1999) stated that the widespread or systematic enslavement of civilians has been recognised as a crime against humanity over decades as Article 5 of the IMTFE's Tokyo Charter and Article 6 of the Nurnberg Charter of the International Military Tribunal contained enslavement and deportation to slave labour as crimes against humanity. Moreover, sexual slavery has clearly stipulated as a separated crime against humanity in Article 7(g) of the Rome Statute of the ICC (International Criminal Court, 1998). According to the Elements of Crimes, there are 4 elements of a crime against humanity of sexual slavery; 1) 'deprivation of liberty' by the perpetrator, 'exercising any or all of the powers attaching to the right of ownership' over a person or persons; 2) 'a sexual nature' of acts which deprive victims' autonomy; 3) 'a widespread or systematic' nature of the attack; 4) *mens rea*, which is the intention or the state of mind of the perpetrator that the act was likely to occur (International Criminal Court, 2011). In the 'comfort women' case, these victims were taken way against their own will and deprived their liberty and their bodily and sexual autonomy due to the continuing offences by the Japanese soldiers within the 'comfort women' system across Asia under the control of the Imperial Japanese Army. Consequently, these acts constitute a crime against humanity of sexual slavery, thus, not only the military and politicians who are the conductors of these crimes, but also the Japanese government bears state responsibility.

5. State Responsibility of Japan for the 'Comfort Women' in International Law

Draft Articles on Responsibility of States for Internationally Wrongful Acts reads that a State is responsible at the international level for internationally wrongful act and has a duty to provide 'full reparation' for the damage caused by its acts (International Law Commission, 2001). This principle can already be found in the decision of the Permanent Court of International Justice in the 1927 *Chorzów Factory* case (*Germany v. Poland*, 1927).

While the Japanese government has constantly denied state responsibility, it established the Asian Women's Fund in 1995 to express the acceptance of moral responsibility. Through the projects of the Fund, *tsugunai kin* (atonement money), medical welfare and/or an apology letter from the then Japanese Minister were planned to provide to the 'comfort women' in South Korea, the Philippines, Taiwan, Indonesia and the Netherlands (Asian Peace National Fund for Women, 2004). However, the Fund failed to offer satisfactory and comprehensive reparation for the 'comfort women', ignoring the needs of these victims. For instance, these projects caused the internal struggle of the 'comfort women', splitting into the supporters and the opponents of the Fund, particularly in South Korean and Taiwan. Precisely, although it was established as a fund led by the Japanese government, the purpose was to raise *tsugunai kin* from the private sector and the projects were provided without the admission of the state responsibility. As a result, the 'comfort women' who received *tsugunai kin* resulted in being difficult position surrounded by the pressure and criticism from the public who demanded the state compensation (Soh, 2003).

Moreover, although the reparation programme should be provided directly to the victims, in Indonesia, for instance, the medical welfare programme was implemented not for the 'comfort women', but for the elderly in general (Ministry of Social Affairs Republic of Indonesia, 2006). Besides, the apology letters from the then Japanese Prime Minister were delivered only to the 'comfort women' who received *tsugunai kin*. In fact, the project in Indonesia largely reflected the consideration of the Indonesian government that the investigation and registration of the huge number of the 'comfort women' would be difficult and the dignity of the 'comfort women' and their families should be secured from the religious (Islamic) perspective (Asian Peace National Fund for Women, 2004). Additionally, it should be noted that the 'comfort women' in East Timor were excluded from the Fund's agenda. The compensation for the victims in East Timor has been ignored to date, because East Timor was not recognised as 'belligerent', but as a territory of a neutral country, in accordance with the 1951 San

Francisco Peace Treaty, since it returned to Portugal after Japan's defeat in World War II (Women's Active Museum on War and Peace, 2007) Consequently, a large number of 'comfort women' did not receive satisfactory reparation from Japan due to the lack of a victim-oriented approach in the negotiation process and the narrow scope of the reparation programme. The Fund symbolised how inter-state reparation programme can easily leave victims' needs behind.

6. The Need for Reparations With a Victim-Oriented and Gendered Approach

According to the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation, the full reparation must contain restitution, compensation, satisfaction, rehabilitation and guarantees of non-repetition (United Nations General Assembly, 2006). In order to provide the full reparation to the victims of wide-reaching violations, collective reparations, including moral reparation, can play a significant role to deliver restorative justice. Furthermore, considering the ideology underpinning the 'comfort women', namely the gender inequality that unfortunately exists in many societies, including Japan, the reparation for the 'comfort women' should go beyond compensation and includes transformative reparation together with structural changes. In a broad sense, merely compensating women according to their harm and restoring their pre-violence status may serve as the most limited option for material reparations, because there exists inequality between women's legal status and opportunities and those of men's in many societies (Rubio-Marin and Greiff, 2007). From this perspective, structural changes of societies such as legal and institutional reforms and establishing a prohibition of discrimination can contribute to excluding sex oppression.

As a result, a national reparation programme should be established by Japan through a special mechanism to address reparation for the 'comfort women', containing not only monetary compensation, but also symbolic and transformative reparation. In this regard, the participation of the 'comfort women' in the negotiation process of the reparation programme is crucial. Otherwise, it would not end up achieving the needs of the 'comfort women'. Furthermore, given the barriers that many societies place in the way of women's participation, the involvement of the victims in the negotiation process has a reparative impact, in addition to provide the insights to design more efficient reparation programme (Couillard, 2007). Moreover, implementing reparation measures which directly aim at individual victims should be primal, therefore, such measures are a prerequisite for transformative reparations (Greiff, 2006).

Consequently, rehabilitation programme should come first on the consideration of the continuing suffering caused to the 'comfort women' and their families as well as the actual damage they suffered. Especially, in the male-dominated societies to which the vast majority of the 'comfort women' belonged, these victims have tended to be rejected by their communities on their return. Furthermore, their families also suffered loss of loved ones, the stability of the family, and the ability to determine one's way of life (Rubio-Martin, 2009). By providing services and social benefits sensitive to the needs of the victims and their families, rehabilitation programme can be a future-oriented reparation. Moreover, symbolic reparation must include the verification of the fact in relation to the 'comfort women' together with the Japan's acknowledgement of state responsibility and the meaningful apology to the individual victims. The disclosure of relevant information is also important if it does not cause further harm to the victims and their families. Additionally, the memory preservation can assist in psychological healing of the 'comfort women' and their families by enhancing respect for them in their societies. In order to prevent the re-occurrence of further atrocities, the education for future generations regarding the 'comfort women' should be provided. Finally, Japan must recognise the underpinning ideas of the 'comfort women and girls' and address the challenges that exist in social structures that justify gender inequality.

7. Conclusion

I argue that Japan must consider the development of international law and acknowledge that it bears state responsibility for the systematic sexual slavery of the 'comfort women'. Japan should provide not only material reparation, but also symbolic and transformative reparation, involving the victims in the negotiation process, which have lacked to date. A certain restraint will be that the initial step to implement the satisfactory reparations will be Japan's acknowledgement of the crimes. Hence, international community will be required to support the victims by keeping demanding Japan to deliver justice and reparations to the 'comfort women', complying with the development of international law. The justice for the 'comfort women', which they have sought for nearly 80 years, can thus be achieved.

References

15th Civil Division Seoul Central District Court of South Korea. Judgement to the Second Lawsuit Claiming Compensations for Japanese Military 'Comfort Women' (21 April 2021).

34th Civil Division of the Seoul Central District Court of South Korea. Judgement. 505092 (re) (8 January 2021).

Argibay, C. M. (2003) "Sexual Slavery and the 'Comfort Women' of World War II", *Berkeley Journal of International Law*, Vol 21, No. 2, pp 375–389.

Asia-Pacific War Korean Victims' Compensation Claims Case. (Wa) No.17461. Judgement. 26 March 2001. Toyko District Court.

Asian Peace National Fund for Women. (2004) "Ianfu Mondai to Ajia Jyosei Kikin", [online], https://www.awf.or.jp/pdf/0169.pdf

Bellows, T. J. (1999) "An Analysis of the legal Liability of the Government of Japan for ´Comfort Women Stations´ Established during the Second World War", *American Journal of Chinese Studies*, Vol 6, No. 1, pp 73-102.

Brook, T. (2001) "The Tokyo Judgment and the Rape of Nanking", *The Journal of Asian Studies*, Vol 60, No. 3, pp 673–700.

Convention to Suppress the Slave Trade and Slavery. Geneva, 25 September 1926. *United Nations Treaty Series*, vol 60, No. 1414, pp 234.

Couillard, V. (2007) "The Nairobi Declaration: Redefining Reparation for Women Victims of Sexual Violence", *International Journal of Transitional Justice*, Vol 1, No. 3, pp 444–453.

Dolgopol, U., and Paranjape, S. (1994) *Comfort Women: An Unfinished Ordeal.* International Commission of Jurists, Geneva.

Dutch Ex-Prisoner of War and Private Internment Case. (Wa) No. 1218. Judgement. 30 November 1998. Tokyo District Court.

Furuya, Shuichi. (2018) "Waiver or Limitation of Possible Reparation Claims of Victims", *Heidelberg Journal of International Law*, Vol 78, No. 3, pp 591–595.

Germany v Poland. Ser. A, No. 9. 26 July 1927. Jurisdiction. Permanent Court of International Justice.

Greiff, P. D. (2006) "Justice and Reparations", in Greiff P D (ed.) *The Handbook of Reparations.* Oxford: Oxford University Press, pp 451–477.

Hanafusa, T. (2021) *Kampu Saiban Ga Mezashitamono*, Hakutakusha, Tokyo.

Henry, N. (2013) "Memory of an Injustice: The 'Comfort Women' and the Legacy of Tokyo Trial", *Asian Studies Review*, Vol 37, No. 3, pp 362-380.

International Criminal Court. (2011) "Elements of Crimes", [online], https://www.icc-cpi.int/sites/default/files/ElementsOfCrimesEng.pdf

International Law Commission. (2001) "*Articles on the Responsibility of States for Internationally Wrongful Acts 2001",* [online], https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf

International Military Tribunal for the Far East. (1981) "International Military Tribunal for the Far East, Judgment of 12 November 1948 Vol. 22", in Pritchard J and Zaide S M (ed.) *The Tokyo War Crimes Trial*. New York: Garland Publishing.

Kampu Case. LXDB28033107. Judgement. 27 April 1998. Yamaguchi District Court.

McDougall, G. J. (2013) "Addressing State Responsibility for the Crime of Military Sexual Slavery during the Second World War: Further Attempts for Justice for the 'Comfort Women'", *Korean Journal of International and Comparative Law*, Vol 1, No. 2, pp 137-165.

Ministry of Social Affairs Republic of Indonesia. (2006) "Report on the Handle of Ex Jugun Ianfu by Indonesia Government in Cooperation with Asian Women's Fund", [online], https://www.awf.or.jp/pdf/196e.pdf

Orentlicher, D. (2020) "The Tokyo Tribunal's Legal Origins and Contributions to International Jurisprudence as Illustrated by Its Treatment of Sexual Violence", in Dittrich V E *et al* (ed.) *The Tokyo Tribunal: Perspectives on Law, History and Memory*. Brussels: Torkel Opsahl, pp 85-102.

Philippine Sexual Slavery State Compensation Claim case. (Wa) No. 5966. Judgement. 9 October 1998. Tokyo District Court.

Piccigallo, P.R. (1979) *The Japanese on Trial: Allied War Crimes Operations in the East, 1945-1951*, University of Texas Press, Austin, TX.

Rassam, A. Y. (1999) "Contemporary Forms of Slavery and the Evolution of the Prohibition of Slavery and the Slave Trade Under Customary International Law", *Virginia Journal of International Law*, Vol 39, No. 2, pp 303–352.

Rome Statute of the International Criminal Court. Rome, 17 July 1998.

Rubio-Marin, R., and Greiff, P. D. (2007) "Women and Reparations", *International Journal of Transitional Justice*, Vol 1, No. 3, pp 318–37.

Rubio-Martin, R. "The Gender of Reparations in Transitional Societies", in Rubio-Martin R (ed.) *The Gender of Reparations: Unsettling Sexual Hierarchies While Redressing Human Rights Violations*. Cambridge: Cambridge University Press, pp 63–120.

Shin, E. (2016) "The Comfort Women Reparation Movement: Between Universal Women's Human Right and Particular Anti-colonial Nationalism", *Florida Journal of International Law*, Vol 28, No. 1, pp 87-158.

Soh, C. S. (1996) "The Korean 'Comfort Women': Movement for Redress", *University of California Press*, Vol 36, No. 12, pp 1226–1240.

Soh, C. S. (2003) "Japan's National/Asian Women's Fund for 'Comfort Women'", *Pacific Affairs*, Vol 76, No. 2, pp 209–33.

Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Geneva, 7 September 1956. *United Nations Treaty Series*, vol 266, No. 3822, pp 3.

Tsubokawa, H., and Omori, N. (2011) *Shihou Ga Nintei Shita Nihongun Ianhu: Kagai, Higaijijitsu Ha Kesenai.* Kamogawa Booklet, Tokyo.

United Nations Commission on Human Rights. *Contemporary Forms of Slavery: Systematic Rape, Sexual Slavery and Slavery-like Practices during Armed Conflict*. E/CN.4/Sub.2/1998/13 (22 June 1998).

United Nations Commission on Human Rights. *Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences*. E/CN.4/1996/53/Add.1 (4 January 1996).

United Nations General Assembly Resolution 60/147. *UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law.* A/RES/60/147 (21 March 2006).

United Nations General Assembly. *Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, Fabián Salvioli.* A/HRC/51/34/Add.1. (19 July 2022).

Women's Active Museum on War and Peace. (2007) *Higashi Thimoru: Sensou Wo Ikinuita Onna Tachi.* Women's Active Museum on War and Peace, Tokyo.

Yoshimi, Y. (1995) *Comfort Women: Sexual Slavery in the Japanese Military During World War II*. Columbia