

August 27, 2015

Dear Board of Supervisors of the City and County of San Francisco,

I would like to notify you that I have read the “Resolution Urging the Establishment of a Memorial for ‘Comfort Women’” currently pending in the Board of Supervisors of the City and County of San Francisco.

I am aware that this resolution is still under deliberation, and will be referred to the committee for further consideration, and presumably there will be a public meeting in which public opinions will be openly expressed. I would therefore like to take this opportunity to express my thoughts at this moment as the mayor of one of your sister cities.

Please allow me to respond to your resolution in detail in the form of an open letter, so that the citizens of San Francisco can directly read the letter and understand my views. I hope that this may be of some use during the decision-making process.

**We must bring about efforts to strive for a world where the dignity and human rights of women, both having universal value, are protected on the battlefield as well**

In today’s 21<sup>st</sup> century, women’s dignity and human rights have been recognized as having universal value. This is indeed an enormous achievement made by humankind. However, in reality, the issue of violations of the dignity of women by soldiers has not been eradicated. We must strive for a future where women’s rights are respected all over the world.

What is essential for that purpose is to directly face what has happened in the past and what is happening right now. Each nation in the world, including Japan, should squarely face the past violations of women’s rights on the battlefield by its own soldiers. Each nation and its citizens should come together, be fully determined not to repeat the same mistakes in the future, bring about efforts to protect the dignity of women who are under threat in areas of regional conflict in the present-day world, and create a future where women’s rights are respected all over the world.

I am in favor of activities to protect the dignity and human rights of women. However, if the purpose is to protect the human rights of women, I would suggest that some of the special attention currently being given to Japan’s “comfort women” issue should be broadened to memorialize all the women who have been sexually assaulted and abused by soldiers of countries in the world, and should represent a pledge to the world that we will never allow the same offense and tragedy to happen again.

The violation of the dignity of women by soldiers during wartime is a common problem in many parts of the world. Each nation in the world, including Japan, should address this unacceptable problem as a “common” issue for human beings. It is also an undeniable historical fact that troops of countries around the world as well as those of wartime Japan used women for sexual purposes on the battlefield. It is regrettable that even to this day, there are many news reports on women and children being sexually abused on the battlefield.

**Reject the denial of the “comfort women” issue; expressing understanding and remorse towards the indescribable pain and suffering inflicted on “comfort women”**

It goes without saying that the use of “comfort women” by Japanese soldiers before and during World War II was an unforgivable act that violated the dignity and human rights of women. I am aware that the great pain inflicted on those who were forced to work as “comfort women” against their will and the deep emotional scars they have borne afterwards are beyond description.

Therefore, I am not on the side of any attempts to justify Japan’s “comfort women” issue in any sense, nor do I intend to do so in the future. Japan must express deep remorse and offer a sincere apology to former “comfort women,” and show determination not to repeat the same mistakes and tragedies in the future.

**However, trivializing the issue by singling out Japan will not lead to resolving it as a global issue**

On the other hand, the issue of sex on the battlefield is not a problem particular to the former Japanese army. This problem was present during World War II with the American, British, French, German, and Soviet armies, as well as during the Korean War and Vietnam War with the South Korean Army.

I have no intention to legitimize or defend the problem of “comfort women” by the former Japanese Army just because the other countries have had the same issue. Still, attempts to single out and criticize only Japan will make us blind to other past atrocities and also to contemporary problems of the same kind. This issue should not be treated as an issue specific solely to the Japanese military. As long as widespread sexual problems on the battlefields by countries other than Japan are not openly recognized, past offenses, which the whole world must face, will go uncorrected, and those violations in other parts of the world will not be resolved. This is my biggest concern.

### **Counterargument for Japan's case being called "exceptional"**

There are two reasons behind why Japan's comfort women issue is called "exceptional." One is the change in attitude by the Republic of Korea, and the other is the clever development of their argument to persuade people to accept mistaken notions as true.

Firstly, the change in attitude by the Republic of Korea is a big factor. Disputes between Japan and the Republic of Korea from the colonial period have already been resolved through signing the Treaty on Basic Relations between Japan and the Republic of Korea and Agreement between Japan and the Republic of Korea Concerning the Settlement of Problems in Regard to Property and Claims and Economic Cooperation. However, the Republic of Korea has recently claimed that the "comfort women" issue has not been included in the agreements.

There is a big difference in acknowledgement between the two countries with regard to legal responsibilities. From Japan's standpoint, the government acknowledges that they have inflicted indescribable suffering on "comfort women," but believes that the issue has been resolved with the signing of treaties, and therefore does not need to accept further legal responsibility, whereas the Republic of Korea disagrees because they do not believe the legal disputes were resolved by the peace treaties.

I agree that Japan bears moral responsibility in global society. However, with the Japanese Government having already provided the appropriate compensations according to the above treaties, as well as from an international law standpoint, it is unrealistic to expect Japan to take on any further legal responsibility for this issue.

If there are exceptional cases in which we could hold people accountable, then it should be for "incomparable" acts of genocide or crimes against humanity such as the Holocaust, where individuals involved would be charged for committing such war crimes, with no statutes of limitation.

It is similar to what is stated in the United Nations Security Council Resolution 1325 of 2000, Article 11, which emphasizes the need to exclude "genocide, crimes against humanity, and war crimes...from amnesty provisions" indicating the need to prosecute those responsible without statutes of limitations or regardless of treaties.

In recent years, the Korean side has strengthened its criticisms now, repeatedly claiming that Japan's "comfort women" issue involves a crime against humanity.

This leads to the second factor, which is the clever development of their argument to emphasize the "comfort women" issue as if it were an act of genocide or crime against humanity, when it is not. There seem to be activists and reports that argue

that the use of “comfort women” during wartime is an act of genocide or crime against humanity, but these are not correct.

If we focus on the argument that the “comfort women” issue is genocide or a crime against humanity, then the accuracy of the terminology in the inscription of the “comfort women” memorial, such as “kidnapped by the Imperial Japanese Army,” “forced into sexual slavery,” and “200,000” women and young girls, is an important point to clarify. To seek the true nature of the problem, there needs to be some verification regarding the inhumane treatment of “comfort women,” including further investigation on whether the state authority of Japan was systematically involved in the coercive recruitment of “comfort women.” It is obvious that these terms are not accurate, from the information that was recently made public and in the light of other actively debated topics.

To give an example, the Coomaraswamy Report (submitted in 1996 by Ms. Radhika Coomaraswamy, the Special Rapporteur on violence against women to the UN Commission on Human Rights) states that “comfort women” were “military sex slaves.” The testimony of Seiji Yoshida is used as evidence, in which he states that he had “taken part in the slave raids where as many as 1,000 women were obtained for ‘comfort women’ duties.” Yoshida himself has acknowledged that his testimony had been fabricated, and the *Asahi Shimbun*, which had been reporting on the “comfort women” issue, also concluded Yoshida’s testimony as false on August 5, 2014 and retracted a series of articles that said many Korean women were “forcibly taken away” to become “comfort women.” This caused a big controversy in Japan and is still fresh in our memories.

Against this backdrop, in October 2014, the Japanese Government requested that part of the Coomaraswamy Report (the portion based on Yoshida’s falsified testimony which stated that the Imperial Japanese Army had forcibly taken away “comfort women” from the Republic of Korea) be retracted, but was rejected because Coomaraswamy argued that Yoshida’s testimony was only one part of the evidence. In addition, the Coomaraswamy Report uses *The Comfort Women* written by the journalist George Hicks as the main source of reference; however, researchers have pointed out that this book lacks sufficient evidence.

The Coomaraswamy Report itself is a 50-page-long report on violence against women. The “comfort women” issue is mentioned in the “Report on the mission to the Democratic People’s Republic of Korea, the Republic of Korea and Japan on the issue of military sexual slavery in wartime,” which is one of the two documents attached to the report. The United Nations Commission on Human Rights adopted a 6-page resolution called “The Elimination of Violence against Women,” which uses Coomaraswamy’s special report as a reference. The resolution states that it “welcomes” the work of the Special Rapporteur. However, it only “takes note” of the attached document, which means that the document was not highly evaluated enough to be “welcomed.” If the Coomaraswamy report had been appreciated at the

highest level, the resolution would have “commended” it. Therefore, we can conclude that the UN Commission on Human Rights does not “endorse” the notion that “comfort women” were “sex slaves.”

Let me show you another example. During World War II, according to the high school world history textbook *Traditions & Encounters: A Global Perspective on the Past*, published by McGraw-Hill, a major U.S. textbook publisher, “the Japanese army forcibly recruited, conscripted, and dragooned as many as two hundred thousand women age fourteen to twenty to serve in military brothels, called ‘comfort houses’ or ‘consolation centers,’” “others were killed by Japanese soldiers, especially if they tried to escape or contracted venereal diseases,” and “at the end of the war, soldiers massacred large numbers of comfort women to cover up the operation.” The textbook contains many false statements like these that have been introduced in classroom environments as if they were true, even though they are based on the wrong perception and completely contrary to fact. When the Japanese Government asked McGraw-Hill to retract these statements as they contained serious factual errors, the author responded that this request was “an infringement on his freedom of speech and academic freedom.” This is simply wrong. It is he who criticizes the individual pointing out the factual errors who is the one infringing on the freedom of speech and academics.

On May 5, 2015, American scholars remarked in their “Open letter in support of historians in Japan” statement, “Among the many instances of wartime sexual violence and military prostitution in the twentieth century, the ‘comfort women’ system was distinguished by its large scale and systematic management under the military, and by its exploitation of young, poor, and vulnerable women in areas colonized or occupied by Japan.” However, this is not an issue of scale, nor is it one of whether or not there was systematic management by the military. We must approach this issue as a “common” problem regarding the human rights of women by military groups from countries all over the world regardless of the scale or systematic management. If people do not squarely face what was done by their own countries, treating the issue as a problem unique to Japan, it will only cause us to avert our eyes from the pain and suffering experienced by young, poor and vulnerable women in other parts of the world.

In addition, the “comfort women” issue is often regarded as the same kind of problem as the Holocaust. However, the Holocaust was an unprecedented historical crime involving an attempt at the extermination of an ethnic group. Although the “comfort women” system was an inexcusable act that violated the dignity and human rights of women, equating the issue of “comfort women,” which is one of the “common” phenomena as wartime violations of the dignity of women by soldiers, with the Holocaust, which is an incomparable act of genocide in the history of mankind, is far beyond my understanding.

In addition, organized rape that occurred during the Rwanda Genocide in 1994 was

judged as an act of genocide at the International Criminal Tribunal for Rwanda (ICTR). In the case of the genocide in Rwanda, rape was part of an organized act of hostility with the intent to exterminate an entire group of people, whereas the comfort women system by the former Japanese Army was of a different nature in its purpose and method.

Currently, there is no concrete evidence that shows that the state authority of Japan had systematically been involved with the coercive recruitment of “comfort women.” As long as this is the case, we must conclude that Japan cannot take further legal responsibility for this issue.

There are many expressions that describe the former Japanese Army’s “comfort women” issue as “exceptional” and “distinguished.” However, this is because the depiction of Japan’s “comfort women” issue as “a clear act of genocide” has wrongly been spread across global society, on top of countries not accepting Japan’s apologies and existing peace treaties, and not being aware of Japan’s efforts.

#### **If Japan must take legal responsibility, so must the rest of the world**

If the global society persists in believing that Japan has not fulfilled its duty for accepting responsibility after signing treaties and bilateral agreements, and that Japan’s “comfort women” issue is comparable to genocide or crimes against humanity, then those countries must also be guilty of the same crime.

It is an undeniable historical fact that troops around the world as well as Japan used women for sexual purposes on the battlefield. Aside from the contentious point of whether or not the military was systematically involved, no matter what authority the orders come from and no matter what nationalities partake, the deed of making women into sexual targets violates women’s dignity.

As I said before, each nation in the world should address this problem as not just unique to Japan but as a common issue for all human beings, in other words, accept it as one of their own problems and squarely face the past. If not, the violations of women’s dignity by soldiers that still occur today will not be eradicated.

#### **Concerns about the resolution and the problem with the inscription of the “comfort women” memorial in Glendale**

My concern about the resolution is that there will be inaccurate statements written on the inscription of the memorial based on the wrong perception of the “exceptional” behavior of the former Japanese Army.

The “comfort women” memorial established in the City of Glendale in July 2013 states, “In memory of more than 200,000 Asian and Dutch women who were removed from their homes in Korea, China, Taiwan, Japan, the Philippines,

Thailand, Vietnam, Malaysia, East Timor and Indonesia, to be coerced into sexual slavery by the Imperial Armed Forces of Japan between 1932 and 1945...” This statement has no historical evidence behind it. The “Open letter in support of historians in Japan” released on May 5, 2015 and signed by 187 scholars mainly from the United States has confirmed that there is disagreement among historians regarding the precise number of “comfort women” and regarding the degree to which the former Japanese Army was involved in the recruitment of these women. Regardless, due to this memorial inscription and the wide media coverage, many people around the world will have an unconfirmed, one-sided view and will accept this as historical truth. I find this highly regrettable.

Although this resolution does not specifically state what will be included in the inscription on the memorial, I am concerned that expressions similar to those on the Glendale memorial may be used, as the resolution already contains words such as “200,000” women and young girls who were “kidnapped” and “forced into sexual slavery by the Imperial Japanese Army.”

The inscription of the memorial in Glendale concludes with, “It is our sincere hope that these unconscionable violations of human rights shall never recur.” I fully agree with the sentiment of this sentence. However, the problem resides in the rest of the inscription, which is what will be presented as being historically true.

As indicated in the UN Security Council Resolution 1325, during armed conflicts women and children have been particularly adversely affected by violence including sexual abuse, and this has been observed all over the world. I believe that all countries must bring about efforts to fight against sexual violence on the battlefield.

Meanwhile, the statement “of the few top Japanese military leaders who were investigated and convicted as war criminals...many escaped prosecution” is false. In the postwar war crimes tribunals, many relevant parties convicted as war criminals were prosecuted. In the Batavia Military Tribunal, Japanese military officers were found guilty for forcibly taking Dutch women from camps in Semarang, Java, and other areas in Indonesia to work at comfort stations, and one of the Japanese officers responsible was sentenced to death. In this way, those who deserved to be punished were prosecuted, including the officers who had been involved in the “comfort women” system.

**Accurate understanding and perception of the truth is what will truly prevent future mistakes; that is why it is essential to eliminate inaccuracies and present the truth if the memorial is established**

Allow me to repeat myself in order to avoid any misunderstandings: I have no intention of legitimizing or defending the institution of “comfort women” on the grounds that other countries besides Japan have had the same problem. Japan must face its past mistakes and express sincere remorse.

If there is any significance in establishing a “comfort women” memorial, it should be that it serves as a declaration to squarely face the past and strive for a world where every country respects the dignity and human rights of women as a universal value. Thus, if such memorial were to be established, the inscription should be written from this standpoint so that the message can be shared by the whole world.

Regardless of what soldiers from other countries have done, the violation of the dignity and human rights of women by Japanese soldiers is an unforgivable act. That is why, in addition to squarely facing the past, Japan has worked through this issue as its own problem, and has contributed to resolving the issue by making public apologies and providing compensation.

**The stance of the Japanese Government, and how it has given sincere care to former “comfort women,” and the determination to create a world that protects the dignity and human rights of women**

Currently, some former “comfort women” are requesting reparations from the Japanese Government. However, legal disputes (including individual compensation) between Japan and the Republic of Korea have been completely resolved with the 1965 “Treaty on Basic Relations between Japan and the Republic of Korea,” and the “Agreement between Japan and the Republic of Korea Concerning the Settlement of Problems in Regard to Property and Claims and Economic Cooperation.” In addition, China had declined Japan’s offer of compensation for individual victims, as communicated to the Ministry of Foreign Affairs of Japan, based on the premise of renouncing war reparations claims in the 1972 “Joint Communiqué of the Government of Japan and the Government of the People's Republic of China,” and therefore there are no legal disputes between Japan and China.

Since resolving its legal disputes with the Republic of Korea and China, Japan has also made extra effort to demonstrate its acceptance of moral responsibility for “comfort women” with the establishment of the Asian Women’s Fund in 1995 by soliciting donations from Japanese citizens. The Asian Women’s Fund was started for “comfort women” all over the world, and has provided compensation for “comfort women” from four countries and one region, which include not only the Republic of Korea, but also the Philippines and Indonesia, after discussing the appropriate solutions according to each country’s circumstances. Compensation was offered to former comfort women from China as well, but it is said that the Chinese Government had declined the offer. The Asian Women’s Fund has also sent the Japanese Prime Minister’s letter of apologies and messages from Japanese citizens today. It has taken part in activities to advocate women’s dignity by supporting projects on contemporary issues, such as violence against women, in a manner reflective upon the harm done by Japan’s past atrocities to women’s dignity. In this



way, the Japanese Government has made sincere efforts along with the Asian Women's Fund's activities.

In his statement on the 70<sup>th</sup> anniversary of World War II, Prime Minister Abe displayed determination that Japan will squarely face the fact that the dignity and honor of many women were severely injured during the wars, and that Japan will lead the world in making an era in which women's human rights are not infringed upon.

**Request for consideration of Japanese in the U.S., concern about the influence on sister city relations, responsibility to create environment where young generations can live in cooperation without disputes**

For today's generation, directly facing past mistakes and tragedies and remembering the people who have suffered in order to not repeat such mistakes and ease the pain of the victims is a task to be undertaken by everyone across borders. Furthermore, it is also our responsibility to create an environment for the younger generation where people can cooperate without disputes for a better future.

There are many Japanese people living in San Francisco. I am concerned that the establishment of a "comfort women" memorial will likely cause disruption amongst communities. As the mayor of Osaka, one of your sister cities, I request that you give careful consideration for the greater relationship between the United States and Japan.

By building on the strong foundation of friendship that both cities have enjoyed over many years, I sincerely hope that we can create an even better future by deepening our mutual cooperation.

Sincerely,

Toru Hashimoto  
Mayor  
The City of Osaka