

The Historical Significance of the Women’s International War Crimes Tribunal 2000
—Overcoming the Culture of Impunity for Wartime Sexual Violence—

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“Haunting Mirrors”

Haunting mirrors
show
reflections of girls
not fully formed
show
thieves of innocence their blood-drenched deeds
no hiding place
no escape from echoes of desperate cries
... ..
Their punishment is our redemption—our liberation
impunity is the last comfort station
shake it
rattle it
tear it down

Jaribu Hill

(The above is an excerpt from “Haunting Mirrors” by Jaribu Hill, African-American poet and Civil and Human Rights Attorney who was the Tribunal’s Artist in Residence. Hill performed this poem on Asian Culture Night after the third day of hearings, December 10, 2000.)

Sixty-four Survivors from Eight Countries; 5,000 Participants

On the last day of the Women’s International War Crimes Tribunal, the judges read the Summary of Findings, which found the Emperor Hirohito guilty of crimes against humanity, and determined that the government of Japan had incurred state responsibility. It was a historic moment. The hall filled with cheers as the aged survivors sitting in the front row, weeping with joy, climbed onto stage one after another to express their gratitude to the judges, and the country prosecutors opposite them embraced one another

The initial motivation for the “Women’s Tribunal” came from a picture entitled “Punish the Perpetrators!” painted by Korean former “comfort woman” Kang Duk Kyung before her death in 1997. At the 1998 Asian Solidarity Conference on “Comfort Women” Issues in Seoul, Violence Against Women in War Network, Japan (VAWW-NET Japan) proposed that a Tribunal be held as a means of responding to her call. After a difficult two and a half years of preparations, the Tribunal was finally held in December 8-12, 2000.

On each of the first three days, more than 1,000 participants (about 500 from abroad, including 200 from Korea; 600 from within Japan, and more than 300 representatives from the international and domestic media) gathered in Kudan Hall to hear the proceedings and to watch over the sixty-four survivors from eight countries. On the 12th, the last day, the venue moved to Nihon-Seinenkan, where 1,300 participants listened for two hours and a half as the four judges read the Summary of Findings. Thus, during the four days of the Tribunal, the number of participants reached a total of about 5,000.

Judgement Handed Down By Internationally Renowned Legal Experts

Chief Justice Gabrielle McDonald (former President of the International Criminal Tribunal for the former Yugoslavia, African-American) and the four judges, Ms. Christine Chinkin (Professor of International Law, University of London), Ms. Carmen Mari Argibay (Argentine judge and former President of the International Women’s Association of Judges; recently

chosen to serve on the International Criminal Tribunal for the former Yugoslavia), Mr. Willie Mutunga (President of the Kenya Commission on Human Rights and Professor of Kenya University), lined stage right in their black judges' robes.

Chief Prosecutors Patricia Viseur-Sellers (Legal Advisor for Gender-Related Crimes for the International Criminal Tribunals for the former Yugoslavia and Rwanda; African-American) and Ustina Dolgopol (Senior Lecturer in International Law at Flinders University, Australia), seated at center stage, wore similar attire. Prosecutors from ten countries: North and South Korea, China, Taiwan, the Philippines, Indonesia, Malaysia, East Timor, the Netherlands, and Japan, arose one by one to present their arguments.

Survivors' testimonies and documentary evidence were projected onto large screens on either side of the stage, while backstage a team of simultaneous interpreters transformed English, the Tribunal's official language, into Japanese, Korean, Chinese, and other languages.

The Tribunal was sponsored by the International Organizing Committee (IOC), composed of women from the perpetrating country Japan, six of the victimized countries, and activists specializing in armed conflict from throughout the world who joined to form an International Advisory Committee. The IOC cooperated with teams of prosecutors from each country to draft the Charter of the Tribunal, on which the hearings were based.

Ten years have passed since survivors of the "comfort woman" system began to speak out, and now the aging survivors are dying one by one. No longer able to deny its involvement, the Japanese government finally admitted to moral responsibility for wartime sexual slavery in 1993, but on the grounds that the issue of reparation was resolved by the San Francisco Peace Treaty and bilateral reparation agreements, it continues to deny its legal responsibility. Furthermore, since the fiftieth anniversary of the end of World War II in 1995, nationalistic rightwing forces such as the so-called "liberal historical view group", which affirms Japan's pre-war ideology, and denies responsibility for both wartime and colonial aggression, have suddenly gained new strength. These rightwing advocates repeatedly insult former "comfort women" by declaring that there is no evidence that they were kidnapped and forced into service, that they were professional prostitutes, or that they volunteered their services in order to make money.

Restoring the Honor of the Survivors by Punishing Those Responsible

The survivors ask, "Why must we end our lives in pain while the perpetrators go unpunished and unrepentant?" They know that if their honor is to be restored, sexual slavery must be recognized as the crime it is. The international community is in agreement concerning war crimes and crimes against humanity: the three essential points are investigation into the facts, reparation for the victims, and punishment of the perpetrators. With reference to the "comfort women" issue, great efforts have been and are being made to uncover the facts, and eight civil suits have been instigated to demand the Japanese government reparation for former "comfort women." Six of these, however, have ended in rejection of the plaintiffs' claims, and in denial of state responsibility on the part of the Japanese government. Although a movement to enact a new compensation law has been initiated, with the current political situation, there is little hope of its success.

In addition, punishment of the perpetrators is a taboo in Japanese post-war society. The Japanese government has never prosecuted a single war criminal, either for the "comfort women" system, or for any other war crime. Even activists have been lukewarm on the issue of punishment. In 1994, when the Tokyo District Court refused to accept a letter of indictment presented by survivors and members of The Korean Council for Women Drafted for Military Sexual Slavery by Japan; even the movement on the issue of "comfort women" didn't support the Korean demand for prosecution.

How, then, were we to deal with the problem of punishment? In Japanese courts, which refuse to recognize even the claims of civil suits, the prospects for criminal prosecution are dim indeed. Setting up an international tribunal would also have been difficult. Since prosecution by the state was impossible, we would have to resort to judgement by the people. And so, taking the Russell Tribunal, which found the United States guilty of war crimes during the Vietnam War in the 1960s as our model, we decided to set up a Peoples' Tribunal.

This Tribunal has two major purposes. The first is to clarify the criminality of Japan's military sexual slavery, and to force the Japanese government to take legal responsibility for it. The second is to end the cycle of impunity for wartime sexual violence, and to prevent its reoccurrence, thus addressing a universal women's human rights issue. The judges, who met in the Hague in October, 2000, agreed that the three major characteristics the Tribunal were to be: 1) that it be a trial based on people's sovereignty, and not on state sovereignty, 2) that it be an appendix of the Tokyo Trial, which failed to prosecute Japan's military sexual slavery and other wartime sexual violence, and 3) that its principal aim be the restoration of the dignity and honor of the

survivors.

Survivors' Testimony: "Give Me Back My Life!"

The three days of hearings began with the two Chief Prosecutors reading their common indictment, which stated that Japan's military sexual slavery was a crime against humanity, and indicted the Emperor Hirohito and ten top military and government officials, including, Tojo Hideki, Matsui Iwane, and Yamashita Tomoyuki. The indictment inquired into the criminal responsibility of these individuals, as well as the state responsibility of the Japanese government. There is a photograph of four Korean "comfort women," one of whom is in an advanced stage of pregnancy, taken by the American military which captured them on the Burmese border after the defeat of Japanese forces. The pregnant woman in this photograph is Pak Yong-Sim, who came from North Korea to participate in the Tribunal. Ha Sang-Suk who was taken from Korea to a "comfort station" in Wuhan, China, and is still living there, unable to return home, wept as she testified at the court that she was raped so many times it was too painful to walk.

Wan Ai-Hua, from Xiansi Province in China, was a 14-year-old anti-Japanese guerilla when she was kidnapped and repeatedly raped. When she was caught after trying to escape, she was hung from a tree and severely beaten, then stripped naked and thrown into a freezing river. As she gave her testimony, she rose to show the court her scarred, shortened body--the most striking evidence of the brutal treatment she had received--but overwhelmed by anger, she fainted and had to be carried from the hall on a stretcher. One survivor of the Rape of Nanking dissolved in tears as she told of how Japanese soldiers barged into her home to first murder her father, then rape and murder her mother. She herself, a child of nine at the time, was then raped, and left as an orphan to beg and sleep on the streets.

Teng-Kao Pao-Chu, one of three witnesses from Taiwan, was deceived and taken to Burma. "I want the younger generation to know what their parents did to us," she declared. Lu Man Mei, also from Taiwan, was taken to Hainan Island, where she became pregnant. Her child died 38 days after it was born. She ended her testimony with a poignant request: "My youth was stolen from me. I want it back." Lin Sen Chung, an aborigine from Taiwan, told of how the Japanese police took her from her village to work at the near by garrison of the Japanese army. She was imprisoned in a pitch-black cave where Japanese soldiers came to rape her every day; her life was a series of pregnancies and abortions. She married after the war without knowing she got pregnant again; when her husband learned that she had been a "comfort woman," he brutally beat her, and divorced her. She had to divorce three times; she made numerous attempts at suicide. Wiping away her tears, she said, "The Japanese government ruined my life. I want them to apologize."

From the Philippines, a former "comfort woman" and a survivor of the mass rape of Mapanique Village came to testify. The former, Tomasa Dioso Salinog, from Panai Island, told how Japanese soldiers came to her house when she was thirteen. After watching them cut her father's head off, she was kidnapped and forced to be a "comfort woman." "I never married. I have been alone since the war. What I want is justice," she said. Maxima Regala de la Cruz, from Mapanique Village, was raped nightly together with her mother although she had not yet begun to menstruate. "I escaped with my mother, but we were so ashamed that we dug a deep hole and buried our memories in it," she said through her tears.

Voices from the Netherlands and East Timor

Ms. Suhana, from Bandung, Indonesia, told her story. "I was playing outside my house when Japanese soldiers drove up in a jeep. They dragged me in by the hair, and took me to a 'comfort station.' I tried to fight back, but they asked me if I wanted to live or die. I wanted to live, so I gave up." She returned home three years late to find that her father had been cut down in the street by Japanese soldiers, and her mother had become sick with grief and died as well. "I am old now, and I can't wait much longer for an apology and compensation." Ms. Mardiyem was thirteen when she was taken with 47 other girls from Yokyakarta to a "comfort station" in Borneo, where she was given the Japanese name "Momoe," and raped repeatedly every day. When she became pregnant, the child was aborted. She also expressed her hopes that the Japanese government would apologize and provide her with compensation, as well as telling the younger generation of these crimes.

The Tribunal provided an opportunity for former "comfort women" from East Timor to speak out for the first time. This was an important achievement. Three women legal experts from East Timor were sent by the UN to participate in the prosecutors' meeting, held in Taipei in September, 2000. When they informed the meeting that they knew some East Timorese former "comfort women," they were immediately asked to arrange for their participation in the Tribunal and writing indictment.

Esmeralda Boe, in traditional East Timorese dress, told of how Japanese soldiers had threatened to kill her entire family. Only then did her parents reluctantly relinquish their daughter. She was forced to work in the fields during the day, and was raped every night. There were tears in Marta Abu Bore's voice as she said, "On the first day I was raped by ten soldiers. Blood was pouring out of my vagina, and I couldn't walk. I was so sad. They treated me like an animal," but the tears turned to anger as she finished her testimony. "We didn't come here to see Japan. We came to tell the truth!"

Two Dutch women also participated in the Tribunal. One came directly from Holland, while the other, Jan Ruff O'Herne, now lives in Australia. Both women were living in the Dutch colony of Indonesia, where they were put into prison camps after the Japanese invasion, and then recruited as "comfort women." "I prayed to God but the Japanese officer threatened me with a Japanese sword, and I couldn't escape," recalled O'Herne. "I cut all my hair off so that I would look ugly, but still the soldiers lined up outside my bedroom to take turns raping me every night. After the war I got married, but I still have bad dreams, and although I love my husband, I have never been able to enjoy sex with him." Holding a copy of her book *Fifty Years of Silence*, O'Herne said angrily, "I gave testimony here in Tokyo eight years ago, but the Japanese government has done nothing."

Afraid to come to Japan to give public testimony, a survivor from Malaysia told her story on videotape. She is now over 80, living alone, was separated from her two children and taken to a comfort station. "I was given a Japanese name, and forced to have sex with between 10 and 20 Japanese soldiers every day. I got pregnant, and had a baby. With the three children, I suffered every imaginable hardship after the war."

Testimony of Japanese Veterans and Testimony about Japanese "Comfort Women"

Fujime Yuki, assistant professor at Kyoto University of Foreign Studies, appeared as an expert witness to give testimony about Japanese "comfort women." Because many Japanese survivors had worked in the sex industry before the war, very few have spoken out. There were over 130 comfort stations in Okinawa. Almost all of the 1,000 Korean women brought to work in them died, but in addition, about 500 Okinawan *juri* (courtesans) were brought from the licensed quarter in Naha city to serve in comfort stations. Survivors have published accounts of their experiences in book form. "The legalized prostitution system of those days in Japan was itself extremely militaristic, and extremely violent," Fujime declared, asserting that women engaged in prostitution before the war are also victims of Japan's military sexual slavery.

The testimony, including that on videotape, of survivors from nine countries was shocking, both to Japanese participants and to those from abroad. Their stories made it clear that the "comfort women" system was practiced on an extremely broad scale, from Harbin, near the Siberian border in the north, to the southernmost islands of the Pacific, and that it resulted in very young girls being deceived, kidnapped, threatened, imprisoned, beaten, and gang-raped. Under Japan's military sexual slavery, women and young girls were subjected to forced labor, and endured unwanted pregnancies and forced abortions. They were sometimes murdered and abandoned in the jungle. Those who survived were either unable to return home, or were rejected by their families. Today, more than half a century after the war, they continue to suffer from poverty, loneliness, and trauma.

The hall was silent as two Japanese veterans confessed to having raped women in China, and helped to transport "comfort women." Their testimony showed that soldiers were taught to regard the Chinese with utter contempt, and that rape in the field was an everyday affair, not alleviated in the slightest by the presence of comfort stations. Although these former soldiers had assumed at first that the "comfort women" were volunteers, they realized that this was not true on hearing that the women had been deceived by an advertisement offering positions as nurses. Thus, their testimony corroborated that of the survivors.

Expert Witnesses Clarify the Emperor's Role

Some of the voluminous evidence collected by the teams of prosecutors of participating countries was projected onto two large screens on either side of the stage, to back up the survivors' testimony. In addition, expert witnesses clarified the structure behind the violent, inhuman system of military sexual slavery. The issue of the Emperor's criminal responsibility was particularly crucial. At first, the Western members of the International Advisory Committee, who did not fully understand the Emperor system, felt that it would be difficult to link the "comfort women" system to the Emperor, and feared that this might obscure the essential nature of wartime sexual violence.

The majority of members from the victimized countries, however, strongly believed that unless it addressed the issue of the Emperor's war responsibility, the Women's International War Crimes Tribunal would be meaningless. Accordingly, VAWW-NET Japan organized a special "H (Emperor) Team" of historians and legal experts, and submitted the documentary evidence they compiled, along with the written statement they drafted, to the Chief Prosecutors. Relieving the Emperor of all

responsibility for the war was an important political objective of the US Occupation forces stationed in Japan during the post-war period. The task of judging the Emperor, left untouched by the Tokyo Trial, was therefore perfectly suited to a people's tribunal, free of all political vested interests. The Chief Prosecutors expressed a serious interest in addressing this issue.

After the war, in order to protect the Emperor, the US Occupation forces intentionally created and circulated the myth of his total ignorance of the war. At the Tribunal, Yamada Akira, assistant professor at Meiji University, delivered testimony that destroyed this myth. His research shows that as Supreme Commander, the Emperor not only received detailed reports on the situation of the Japanese military, but also gave orders concerning military operation. The testimony of Professor Hayashi Hirofumi (Kanto Gakuin University) on the organizational structure of the Japanese military, and of Professor Yoshimi Yoshiaki (Chuo University) on the "comfort women" system, also showed that responsibility for the establishment of comfort stations ultimately lies with the Emperor, who was the Supreme Commander.

Other expert witnesses included Professor Fritz Kalshoben (Reiden University), addressed the issue of state responsibility, pointing out that since there is no statute of limitations for war crimes, the Japanese government is obligated to pay reparation in cases where international law has been violated. In addition, Serbian feminist Lepa Mladjenovic, Director of the Autonomous Women's Center Against Sexual Violence in Belgrade, emphasized that punishment of the perpetrators is a necessary condition for the realization of justice, which helps ease the survivors' trauma.

In her closing statement, Chief Prosecutor Dolgopool stated, "What went on in the comfort stations was rape, and sexual slavery is a crime against humanity. What the survivors need is justice, and this Tribunal hopes that justice will be done." Chief Prosecutor Sellers added, "As we listened to the testimony of the survivors, we also heard the muted voices of those who did not survive. Let us all put ourselves in the place of these survivors, at the age when they experienced this horror, and experience vicariously the possibility of being raped tonight ourselves." She concluded, "How could those in command not be responsible? The Emperor Hirohito had the greatest power: the power to know, to investigate, to control, to command. How could he not be responsible?"

The Summary of Findings in Tokyo and the Judgment rendered in the Hague

The Summary of Findings was read aloud on the 12th of December, the final day of the Tribunal. It begins with a section entitled "Breaking the History of Silence," which praises the courage of the survivors, and includes direct quotations from their testimonies. It clearly states that this Tribunal was set up by global civil society, and that its authority comes not from a state but from the peoples of the world. The Tribunal judges the Japan's military sexual slavery, which was not prosecuted at the Tokyo Trial, according to the laws of the time; they found state responsibility of the government of Japan and Emperor Hirohito criminally guilty.

It was one year after the Tribunal in Tokyo that the final judgment was rendered in the Hague on December 4, 2001. It is a book of 245 pages with 1066 paragraphs and, in addition to Emperor Hirohito, nine highest level leaders of the Japanese government and military during the war were found guilty for crimes against humanity. Besides, the judgment argues against the potential arguments of the Accused and the Japanese government, including lack of jurisdiction, denial of due process or violation of double jeopardy, and also statute of limitation, no individual standing to claim reparations and individual claims settled by peace treaties. It also elaborates the history, characteristics and continuing harm to victims of the Military Sexual Slavery.

It is useful for further action after the Tribunal that the judgment includes detailed recommendations: twelve to the Japanese government, three to former Allied nations and two to the UN and its all members states. We should not waste time to mobilize international solidarity action to force the Japanese government to implement these recommendations before aged survivors pass away. (the aim of the Tribunal is to force the Japanese government to admit that its refusal to take legal responsibility for its actions is the greatest shame of all. --delete)

Following in the wake of the International Criminal Tribunals for the former Yugoslavia and Rwanda, it represents one more step toward ending the cycle of impunity for wartime sexual violence.

The Survivors' Joy at the Restoration of Justice

The first significant aspect of the Tribunal is that it heeded the voices of the survivors who had broken their silence, and responded to their cries that justice, dignity and human rights be restored. Their testimonies formed the basis of the Tribunal, and as they spoke of the suffering they had endured, the judges responded with words of comfort and gratitude for their

courage.

The success of the Tribunal can perhaps best be measured by the joy in the survivor's faces as they listened to the verdict. One witness, Tomasa Solinag from the Philippines, says that she will now be able to hold her head high. "After ten hard years of seeking justice, I have finally found it at the Women's International War Crimes Tribunal. This is the first trial to truly listen to us, to help us in our search for the truth, and to restore our dignity." She had brought her case before the Tokyo District Court; in 1998, on hearing the judge read the decision in which he dismissed her claim in a mere 30 seconds, she wept, saying, "I can't go home this way." This bitter experience made the Tribunal all the more meaningful for her.

When the final judgment was read by four judges in the Hague, survivors looked deeply moved to hear its last paragraph which said, "The judges would like to dedicate this decision to all the survivors. Their testimony of their traumatic experiences in front of hundred of spectators demonstrated great fortitude and dignity. The Crimes committed against these survivors remains one of the greatest unresolved injustices of the Second World War. There are no museums, no graves of the unknown "comfort woman", no Oscar-winning movies, and most importantly, no judgment days, for the victims. Many of the women who have come forward to fight for justice have died unsung heroes. While the names inscribed in history's page are often those of the men that commit the crimes, rather than the women that suffer them, this judgment bears the names of the survivors that took the stage to tell their stories, and thereby, for four days at least, put wrong on the scaffold and truth on the throne."

Ten survivors who traveled all the way to the Hague were handed the thick judgment by four judges; some of them put them up over head and other embraced them with joy.

The Role of a People's Tribunal: Transcending the Tokyo Trial

The second important point concerning the Tribunal is its positive meaning as a People's Tribunal; in other words, a tribunal whose judgment was based on people's sovereignty, rather than on state sovereignty. Many Japanese lawyers either completely ignored the Tribunal or dismissed it as a mere "mock trial" with no binding power to enforce its verdict. Yet we should remember that it was the political agenda of a particular state to absolve the Emperor of guilt for war crimes at the Tokyo Trial, and that the Women's International War Crimes Tribunal, precisely because it was free of such political interests, succeeded in judging Hirohito and finding him, as well as other top military and government officials, criminally responsible for Japan's military sexual slavery. In addition, whereas Japanese courts have failed to acknowledge the plaintiffs' claims in civil suits brought by former "comfort women," denying state responsibility time after time, the Women's Tribunal handed down a judgement based on international law that recognized the state's obligation to provide compensation for survivors not only for violations of international law that occurred during the war, but also for continuing violations since the war's end.

Judge Christine Chinkin, who has reexamined international law from the point of view of gender, comments, "A People's Tribunal makes law the tool of civil society, rather than an arm of the government; it therefore operates on the premise that when the state fails to fulfill its obligation to realize justice, the people must step in." At a UN press conference on March 8, 2000, Presiding Justice Gabrielle Kirk McDonald stated that the authority of the Women's Tribunal depends on the people. She went on to say that the Tribunal's credibility is substantiated by the mountain of evidence assembled through the efforts of the people and survivors' testimonies, and by the decision it handed down, based on this evidence, and on meticulous application of international law as it existed at the time. It can be said that whether this decision, and the recommendations of the Tribunal are "enforced" or not depends on the people with whom the Tribunal originated--on the power of the people across national borders.

Still mired in the old way of thinking which interprets international law as a conventional agreement between one state and another, Japanese courts have fallen behind the current global trend to regard it as a tool not of states, but of the people themselves. The Women's Tribunal presented a challenge to Japan's outdated, state-centered judicature.

Women's Reexamination of International Law from the Standpoint of Gender

Thirdly, by consistently maintaining the viewpoint of gender justice, the Tribunal made an important contribution toward further extending the current reexamination of international law from the standpoint of gender. Testimonies of "comfort women" in the early 1990s, along with news of mass rape in the former Yugoslavia and Rwanda, culminated in the UN World Conference on Human Rights in Vienna in 1993. This in turn instigated a movement to put an end to the history of impunity for wartime sexual violence, which has become one of the central themes of the international women's movement. As a result,

wartime sexual violence was prosecuted for the first time at the International Criminal Tribunals for the former Yugoslavia and Rwanda. Furthermore, in the Charter of the International Criminal Court (1998), sexual violence in armed conflicts is clearly stated to be a war crime and a crime against humanity. There is now an increasing desire throughout the world to see the perpetrators of rape and sexual slavery on the battlefield prosecuted and punished. This is because in the armed conflicts that are currently breaking out all over the globe, sexual violence against women is an extremely serious problem.

One day of the Tribunal was devoted to a Public Hearing on Crimes Against Women During Recent Wars and Conflicts, organized by the Women's Caucus for Gender Justice for the International Criminal Court, at which more than ten survivors testified. The intention was to link the "comfort women" system of over 50 years ago to the sexual violence women are still suffering in armed conflicts, in order to change the culture of impunity.

The Tribunal's Summary of Findings also mentions the prejudice against women under patriarchal society that led soldiers to treat women like animals, as well as forcing the women themselves to remain silent about what they had endured. This fundamental prejudice against women, when linked to militarism, becomes the root cause of the sexual violence that routinely takes place around military bases and in the aftermath of armed conflicts.

The Summary of Findings also points out that the Peace Treaty and Bilateral Reparation Agreements used by Japanese courts as justification for denying survivors' claims for compensation are gender-biased, having been drafted and negotiated only by men, who ignored the question of sexual violence. This also reflects the current global trend toward encouraging the participation of women in peace negotiations and other efforts to solve armed conflicts. The Women's Tribunal, supported by the international women's movement, was clearly conducted from a position of gender sensitivity.

A Counter-Attack on Nationalism, Which Denies the Existence of the "Comfort Women" System

The Tribunal's guilty verdict, handed down to Emperor Hirohito 55 years after the war's end, had immeasurable historical significance for Japan. It challenged the greatest taboo of post-war Japan, which not only has failed to prosecute a single war criminal, to say nothing of the Emperor, but also continues to deify war criminals as "heroic spirits" in Yasukuni Shrine when they die, and to pay enormous amounts to their surviving family members in the form of military pensions. Accordingly, while the foreign media gave the guilty verdict for Hirohito extensive coverage, it was largely ignored by Japanese media which is afraid of touching the taboo of Emperor's war responsibility.

Rightwing forces, which had initially dismissed the Tribunal as "a bunch of silly women playing at having a trial," began to viciously attack it as soon as it was over. The Educational Channel of NHK TV, the only visual Japanese media which planned to produce a documentary program on the Tribunal, gave in to violent demands that the broadcast be cancelled. The program that NHK did air on January 30, 2001, entitled "Wartime Sexual Violence Questioned," was sabotaged, its content bearing no resemblance to the program originally planned. Scenes of the Tribunal were heavily cut, and there was no mention of the organizers, of verdict, or of keywords such as "the Japanese military," "sexual slavery," or "punishment." Important images of and information about the Tribunal were replaced with commentary that was harshly critical of it. The effect was strange indeed, and this strangeness speaks volumes about how great a taboo the Emperor's war responsibility still is to the Japanese media.

This history of failing to prosecute war crimes has given free rein to the rightwing "liberal historical view group" and to nationalistic forces which deny Japan's wartime and postwar responsibility. These views have now begun to creep into the media. They are making headway in the field of education as well, as is evidenced by the fact that the junior high school history and civics textbooks written by the "Society for Textbook Reform" passed the Ministry of Education's screening, despite their distorted view of history and blatant bias against women. Authors of this textbook have publicly stated their reasons for not mentioning the "comfort women" system as, "That would be like writing the history of the structure of toilets." To Japanese nationalists today, the issues of the "comfort women" and the Rape of Nanking are the greatest targets to be attacked; they are devoting all their energy to erasing the "comfort women" from history. The Women's Tribunal was therefore a counter-attack on this strengthening nationalistic trend.

Leaving a Record for the Future, We Continue the Fight for Justice

My final point concerns the important role the Tribunal played in uncovering the facts, and in recording them for future generations. The mountain of documentary evidence compiled by Japan and the victimized countries in order to draft the country indictments, which was then submitted to the Tribunal (the documents submitted to the judges for use in drafting the

final decision weighed 80 kilograms) was assessed highly by both judges and prosecutors. This evidence included survivors' testimonies, video recordings, documents concerning the both Japanese military and the Allied Forces, particularly the US, as well as the written statements of expert witnesses; all this material will help future generations to understand the true situation of Japan's military sexual slavery, as well as the underlying structure that created it. In addition, visual records of the Tribunal itself have been produced in various countries, including a 68- minute documentary video entitled "Breaking the History of Silence" (English edition) in Japan.

This evidence, and these records, are in themselves the most effective weapon against forces that seek to erase the "comfort women" system from history. And until the Japanese government fulfills its responsibility to apologize to the survivors and provide them with state reparation, the record left by the Tribunal will no doubt prove useful to survivors, and after their deaths, to their descendents who are determined to carry on their struggle for justice.

The Women's International War Crimes Tribunal can be said to be the fruit of the women's movement and global civil society, seeking to counter the conflicts and violence now being produced by the globalization of the market economy with a globalization of women's solidarity to fight for justice and human rights. The question now is whether we can honestly face up to our war responsibility in the past, in order to use our power to prevent war and violence in the future.