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PRO GRADU THESIS

Framing the Comfort Women: Non-governmental organizations and the United Nations framing the issue from 2008 till 2018

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The comfort women issue has been discussed in the United Nations' platforms since the early 1990s. A strong civil society movement advocates the comfort women issue in the United Nations. This study detects how the comfort women issue has been framed by the Japanese and South Korean non-governmental organizations in different United Nations' bodies. The frames used by the NGOs are compared to the frames presented by the United Nations. The study covers the discussion on the issue of comfort women in the United Nations Human Rights Treaty-based bodies from 2008 till 2018. Non-governmental organizations' submissions to United Nations and the United Nations' concluding observations on Japan are analyzed using frame analysis as a method. In addition, data is collected by interviewing a representative of non-governmental organization, to gain more knowledge on the NGO's framing process. Non-governmental organizations presented their frames in unison until the year 2015. After 2015 the discussion on comfort women has become polarized. The comfort women issue is addressed in the UN by the NGOs, which belong to the comfort women movement and by the NGOs, which represent historical revisionist views. The United Nations has not adopted frames from the historical revisionists but frames the issue similarly with the comfort women movement. For further research, it would be fruitful to include United Nations' member states into the research. This would allow comparison between the influence of member states and the influence of non-governmental organizations to the frames presented by the UN.

Key Words: Japan, South Korea, Comfort Women, Human Rights, United Nations, Non-governmental organizations

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1. Introduction

The term comfort women is an euphemism, which refers to women who were sexually exploited during the Second World War.¹ The United Nations Special rapporteur Radhika Coomaraswamy defines the comfort women system as a practice of military sexual slavery operated directly and indirectly by the Japanese Imperial Army. Coomaraswamy states that the Government of Japan has legal and moral responsibility towards the former comfort women.² The comfort women system was in operation over 70 years ago, but the issue gained public attention only in the early 1990s. In 1991 first survivor of the comfort women system, Kim Hak-sun, spoke publicly on the horrors that she encountered as a comfort women. This testimony sparked women's movement that brought the issue to the international attention and to the United Nations' platforms.³

In this study I focus on the advocacy work of non-governmental organizations and the United Nations from a point of view of framing. I study the frames that have been used around the comfort women issue both by Japanese and South Korean NGOs and the United Nations (UN).

The issue is brought up in regular basis by the UN members states and the NGOs within the United Nations platforms. United Nations has given recommendations for the Japanese government concerning the issue of comfort women in multiple occasions and in multiple platforms. The comfort women system is a great human rights violation⁴, which has still not been solved in a way that is accepted by the former comfort women and their supportive organizations. That is why it is relevant to study, how the issue is addressed by the NGOs and the UN, to gain a better understanding on how the non-governmental actors can influence states and the UN.

I define my research questions as followed:

- How the comfort women issue has been framed by Japanese and South Korean NGOs in the UN?

¹ Kimura 2016, 4.

² Coomaraswamy 1996, para. 6 and para. 92–95.

³ Kimura 2016, 130–133.

⁴ Coomaraswamy 1996, para. 6–8.

- Do the frames presented by NGOs differ from frames presented by the United Nations Human Rights Treaty-based bodies?
- Has there been changes in framing the issue from 2008 to 2018?

I limited my research for years 2008 to 2018. This study takes into account the most recent reports of the issue in the United Nations. I included all the submissions to the UN from Japanese and South Korean NGO, which mentioned the comfort women issue or Japanese military sexual slavery. This added up into more than 50 documents, which presented limitations to the possibilities to research more than last 10 years of the UN activities.

Japan launched Asian Women's Fund in 1995, which was a Japanese government's answer to the demands to solve the issue. Asian Women's Fund was funded by private donors but established by Japanese government. Fund was aimed to support projects in a field of medical and welfare which are in service to former comfort women. It also aimed to provide historical data for the lesson for 'future generations'.⁵ Asian Women's Fund (AWF) was not well received by all the survivors nor the supporting organizations and the AWF was dissolved in 2007.⁶ New resolutions for the issue were being searched and that is why, I argue, the year 2008 was a fruitful start for a research period. It could be said that dissolving the Asian Women's Fund opened a need to find new ways for solving the issue, which makes 2008 a good year to start evaluation of the recently used frames. Within this time limit it is also possible to analyze the effects of 2015 bilateral Agreement (2015 Agreement) between South Korea and Japan. In December 2015, South Korean government and Japanese government announced in a joint press conference that "this issue is resolved finally and irreversibly with this announcement".⁷ The details of the Agreement are further explained in chapter 3.3.

The issue of comfort women is not a straight forward issue that can be easily addressed. There is lot of discussion evolving around the issue depending on which perspective you look at. I will address the issue from a perspective of social movement studies and pay attention on the framing process. When analyzing the frames around the issue I do not analyze what is factual and what is not, but how something is presented. This study

⁵ Asian Women's Fund, 'Establishment of the AW Fund, and the basic nature of its projects' <http://awf.or.jp/e2/foundation.html>, [accessed 12.4.2020]

⁶ Jonsson 2015, 501.

⁷ Ministry of Foreign Affairs of Japan, https://www.mofa.go.jp/a_o/na/kr/page4e_000364.html, accessed 6.4.2020

will provide a full picture on what are the frames around the comfort women issue and how the frames have developed in last ten years. I will also address the framing process and why certain frames have been used by the NGOs or the United Nations in certain times.

First I will introduce the theoretical framework of this study. Then I will move on to introducing the methods of the study and previous research. After that I continue introducing the history of the comfort women system and comfort women movement. I will then continue analyzing NGO submissions and the UN reports together with an expert interview. The analysis of the NGOs' advocacy work is divided into two time slots, the first one is 2008-2014 and the second is 2015-2018. This division is based on the significant differences in the NGOs' advocacy work that occurs after 2015 within the United Nations platforms.

1.1. Theoretical framework

In my thesis I study the framing of the issue of comfort women in the United Nations. The theoretical framework draws from frame studies and especially of Jutta Joachim's study *'Framing Issues and Seizing Opportunities: The UN, NGOs, and Women's Rights'*. Joachim focusses on NGOs framing and agenda setting process, when advocating the Women's Rights in the United Nations.⁸

Within the field of social research the use of frame analysis as a method tends to be inconsistent. Vliegthart and van Zoonen address in their article various ways of using frame analysis as a method of data analysis. They note that the use of terms 'frame' and 'framing' is a cacophony of diverse definitions.⁹ In my study I use a definition by Entman which defines framing as:

"to frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation".¹⁰

This definition suggests that frames are intentional way to promote a certain 'truth' as a reality. Also Kern and Nam in their research, which uses frame analysis in a social

⁸ Joachim 2003, 1–2.

⁹ Vliegthart and van Zoonen 2011, 102.

¹⁰ Entman 1993, 52.

movement study, argue that within the comfort women movement the framing process has been intentional and meant to serve the movement's agenda.¹¹ Framing the issue of comfort women has been essential to a survival of the movement and its internationalizing process.

In my study one of the research questions is '*How the comfort women issue has been framed by Japanese and South Korean NGOs in the UN?*' Due to this approach it is actually the *framing process* that deserves special interest in my study. The comfort women system was built and exploited during the second world war but the issue is still in active discussion in the United Nations. The frames that are used for advocating the issue -which happened over 70 years ago- are still changing. To explain this change I need to look into the framing process and what are the reasons behind using certain frames. My study detects the frames that have occurred during the discussion of the comfort women issue in the United Nations within the last ten years. I also take a look into the reasons why these frames have come to be used. As mentioned above to detect these reasons it is crucial to understand the social and political environment in which these documents were published.

Jutta Joachim argues that NGOs attempt to influence nation states through framing *problems, solutions* and *justifications* for political action.¹² I base my study into Joachim's theoretical framework. Joachim studies how the women's rights, especially reproductive rights and freedom from violence, have been placed to the UN agenda. She argues that it has been through the successful agenda-setting by NGOs.¹³ In my study I examine NGOs' influence within the United Nations. This does not mean that the non-governmental groups' aim is influencing the United Nations per se. When studying the recommendations or demands by NGOs about 'comfort women' issue, they are issued to concerned government and aim to influence government's actions. In other words NGOs' aim is to influence nation-states through different platforms of the United Nations.

Joachim develops a theory that draws both on the agenda-setting and on the social movement literature. She argues that for women's movements it has been vital to get their agenda included into UN agenda, which has then legitimated women's demands on

¹¹ Kern and Nam 2009, 229–235.

¹² Joachim 2003, 247–248.

¹³ Ibid.

national level. The focus of Joachim's study is the process through which NGOs bring about and contribute to the emergence of new shared understandings. It is especially important how the issues are framed as this will determine which institutions will take up the issue and how it is perceived in the international arenas.¹⁴

Besides *framing* the central concepts Joachim uses in her study are *political opportunity structure* and *mobilizing structure*. The political opportunity structure depicts the institutional context which poses both obstacles and opportunities for NGOs in their process of framing issues.¹⁵ Weak actors, such as national NGOs, need resources to be able to pursue normative change in the international level. These resources are depicted by the political opportunity structure. In the framing process one of the important elements for finding success, is having influential allies. As Joachim argues these allies most usually consist of nation-states, different UN offices and media. The United Nations possesses resources that most national level NGOs lack, such as money, institutional privileges or prestige.¹⁶ The mobilizing structures are the ways in which NGOs engage in and mobilize people in action. Opportunities provided by political opportunity structures need to be actively used by the NGOs to be able to employ them to their benefit. The political opportunity structure gives NGOs a window of opportunity and NGOs have to be able mobilize support for their action.¹⁷ Both political opportunity structure and mobilizing structure can be used to explain why certain NGOs' frames are adopted by the United Nations and other frames might not end up to UN Agenda.

¹⁴ Ibid, 248–249.

¹⁵ Tarrow 1998, 5.

¹⁶ Joachim 2003, 250–252.

¹⁷ Ibid, 250–253.

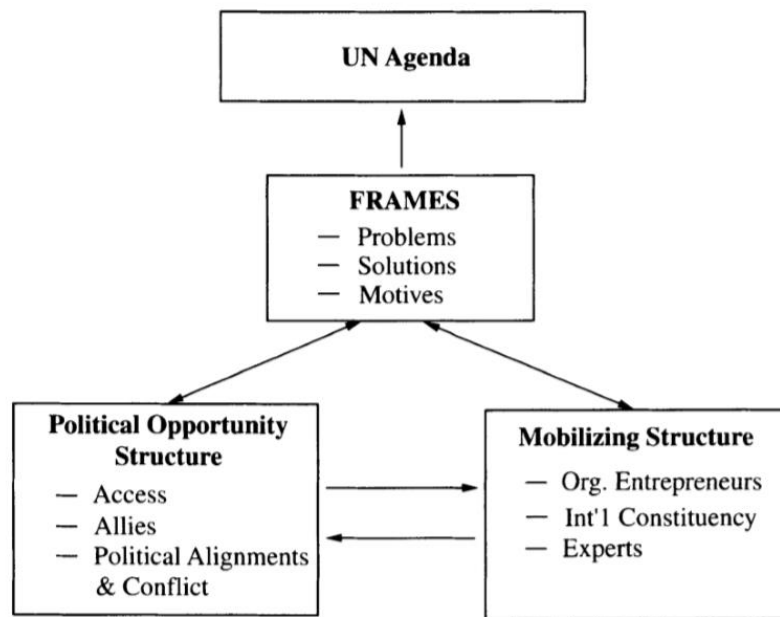


Figure 1. Theoretical framework, developed by Jutta Joachim¹⁸

Joachim presents clearly in her theoretical framework, the framing process which takes place when NGOs advocate an issue in the United Nations. I implement into my study the ideas of political opportunity structure and mobilizing structure having an effect on the framing process. Although this study's main focus is on the frames itself. The frames defined by Joachim are *problems*, *solutions* and *motives*.¹⁹ I use these frames as the base for this study. I detect these frames from the NGOs submission to the UN and compare whether UN has adopted similar frames.

Joachim draws the frames from the agenda-setting process. The agenda-setting within the UN can be divided into three phases:

“(1) the problem stream in which unacceptable situations are identified; (2) the policy stream, which contains solutions generated not necessarily in response to a particular problem; and (3) the politics stream carrying motivations and justifications for political action.”²⁰

This study emphasizes the agenda-setting phase including the framing process. I don't detect the outcomes of these agendas in the national level but focus on the NGOs'

¹⁸ Ibid, 253.

¹⁹ Ibid.

²⁰ Ibid, 250.

framing process and then detects the frames that are adopted into the official United Nations documents.

As Joachim states the policy issues do not just frame themselves.²¹ I apply this to my study and refer to NGOs as active actors intentionally framing the issue to reach their goals. I argue that it is necessary for the NGOs to be able to present their idea in a certain way to gain support for their cause. This does not only mean the support of the United Nations but also works for the advocacy work in other arenas, such as advocacy work for national audience. Issues can be framed differently depending where the issue is presented. Snow et.al argue that frames are powerful when they resonate with the target audience's understanding. When the United Nations alliance is needed, the NGOs may frame the issue to fit the United Nations' agendas.²²

Problems, solutions, and motives often contradict and compete with the frames of other actors, and sometimes provoke counter-framing efforts.²³ Advocacy work is not a one way effort. NGOs have to be aware of other actors in the field and react to the changing situations. This study will also present the counter-framing efforts, that have occurred within the discussion of comfort women. This will be further elaborated in chapter 5.

I define the limitations in this study, regarding the theoretical framework, to be the extent in which it is possible to analyze, how much influence NGOs, by themselves, have on the United Nations' agenda. This limitation occurs, because other actors in the field are not included into the study. I do not argue that the NGOs are the only actors which have an impact on what frames the UN adopts. The UN member states have an enormous influence in the United Nations Human Rights Treaty-based Bodies. As well as NGOs, Nation states have also a possibility to give their intake into the issues raised by a concerned UN body. For a further study, it would be interesting to detect the frames that nation states use on the comfort women issue within the UN and compare these to NGOs' frames. This would allow more comprehensive answer to the question, where do the United Nations' frames originate.

²¹ Joachim 2003, 251.

²² Snow, Rochford, Worden, and Benford 1986, 464–470.

²³ Joachim 2003, 251.

1.2. Previous research

There is lots of literature on the comfort women issue, especially produced in Asia and the U.S. The issue is dealt with from legal, social and gender aspects as well as from the point of reaching diplomatic solutions on a political level.²⁴

In Japan Yoshiaki Yoshimi published his findings first in 1992 and later in 1995 as a book *Comfort Women: Sexual Slavery in the Japanese Military During World War II*, which laid down the foundation for historical research on the comfort women system. Yoshimi revealed historical documents that supported the claims that Japanese army systematically built the comfort women system which coerced women into sexual slavery.²⁵ In South Korea a pioneer for researching the comfort women issue, is Professor Yun Chung-ok of Ewha Women's University. She published a series of articles in Hankyoreh Newspaper in 1990, and called for an investigation into the events and political recognition of the victims of comfort system. Yun Chung-ok and professor Lee Hyo-chae were co-chairs of the Korean Council when it was founded in 1990.²⁶

Opposing opinions have been voiced by right-wing historians, for example Hata Ikuhiko, in a book *Comfort Women and the Sex on the Battlefield*, who states that Japanese government and Army were not involved in the coercive recruitment of comfort women.²⁷ Historical revisionism rose in a post-Cold War era in Japan. New perceptions of history started to question views of Japan as a war criminal or imperialist offender during the Second World War. Revisionists aim to restore the national pride of Japan.²⁸ Historical revisionists, such as Nobukatsu Fujioka (2016), are denying that comfort women system was a system of sexual slavery and instead argue that it was state-regulated prostitution. Fujioka is also a vocal advocate for revising Japanese school textbooks, and deleting references to comfort women in them.²⁹

²⁴ Jonsson 2015, 489–490.

²⁵ Yoshimi 2000.

²⁶ Soh 1996, 1233.

²⁷ Hata 2018.

²⁸ Ueno 2006, 2 .

²⁹ Fujioka 2016, foreword 2–4.

Nishino, Kim and Onozawa present a counter argument for the revisionist historians in a book *Denying the Comfort Women: The Japanese State's Assault on Historical Truth*. The book promotes a victim-oriented resolution for the comfort women issue and points out the insufficient measures taken by the Japanese government in last 30 years.³⁰ This represents a body of research, which aims to offer a possible resolution to the issue.

Academic research about the comfort women's testimonies have been published actively. Maki Kimura addresses the questions of how comfort women's testimonies reflect 'fact' and 'truth'. Individual women's sufferings should be understood as unique experiences. There are still some recurring themes that can be detected from the narratives of women's testimonies. In this sense the testimonies are a source of historical information that only those who experienced it can fully narrate to the next generation. On the other hand there are questions that need to be addressed when interpreting testimonies. The environment in which the testimony was given, in court, researcher's interview, or media, often has an effect on the content. Testimonies are also often written down by a third person and it can have an effect on the outcome. Still by detecting common themes in the testimonies, they can be very useful information on the system of comfort women.³¹

Comfort women issue has also been studied from feminist and gender studies perspective, for example by sociologist Ueno Chizuko in *Nationalism and Gender* published in 1998. Ueno gives special attention to the survivors' testimonies, which she argues, present a new voice to the male dominated representation of history.³² Ueno also notes that, sometimes testimonies promote a one-sided view of innocent women victims. This representation of victims as innocent is reinforcing a patriarchal view, that women have to be innocent to be portrayed as worthwhile victims of sexual violence. Ueno argues that this view of 'innocence' is also presented by activists within the comfort women movement.³³ C. Sarah Soh has also presents critical views on South Korean comfort women movement, arguing that the movement represents a one-sided view of the comfort women survivors.³⁴ Soh has also studied comfort women from a

³⁰ Nishino, Kim and Onozawa 2018.

³¹ Kimura 2016, 130–133.

³² Ueno 2004.

³³ Ueno 2006, 6.

³⁴ Soh 2000.

point of view of colonialism and patriarchal traditions of Korean culture.³⁵ Soh argues that the patriarchal society of South Korea was one of the reasons the issue was kept silenced for decades after the war.³⁶

Less critical view of the comfort women movement is offered by Chih-Chieh Chou. Chou defines three main actors, that are involved in the comfort women movement. These actors are comfort women NGOs, Japanese government and the United Nations.³⁷ Although I would argue that South Korean government plays an important role as well.

Chou argues that comfort women movement has formed a successful transnational advocacy networks on the human rights movement. Chou analyzes how effectively NGOs have been able to force their agenda into the political decision making and demand justice and reparation. Chou has analyzed the effectiveness of the movement through the shift of Japanese government's stance on the issue and involvement of the United Nations. Chou uses *the Korean Council for Women Drafted in Military Sexual Slavery by Japan* as a case study in his research. Chou sees the movements efforts as a success story, which has effected the Japanese government's response on the issue to move from denial to admission and apology. Chou holds a position that NGOs have been successful in shifting the Japanese government's stance on the issue.³⁸ Chou sees the comfort women NGOs as a singular actor. In my study, I analyze data from recent years, which reveals more polarized voices of the involved NGOs. There is plenty of research on Korean comfort women movement, but less academic work on the Japanese counterpart.

Kamila Szczepanska has evaluated Japanese Civil Society groups in her book *The politics of war memory in Japan: Progressive Civil Society Groups and the Contestation of Memory of the Asia- Pacific War*. Her study focuses on five civil society groups, of which three of them have worked on the comfort women issue. Violence Against Women in War Network Japan, Women's Active Museum on War and Peace and The Center of Research and Documentation on Japan's War Responsibility are groups that seek to educate the public and pressure Japanese government to take responsibility of its war time actions. According to Szczepanska's

³⁵ Soh 2008, 10–25.

³⁶ Soh 1996, 1226.

³⁷ Chou 2003, 153–154.

³⁸ Chou 2003, 153–160.

study these organizations have been relatively successful for example organizing the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery in Tokyo in 2000 and advocating the issue of comfort women in the UN to put pressure in the Japanese government.³⁹

Szczepanska's arguments have been criticized by Ivo Plsek (2016) in his review on Szczepanska's book. Even though he agrees that the book gives some good insights into the Japanese civil society groups, which have not been studied before, he disagrees with the success of these groups. He argues that these groups have not been as successful as presented in Szczepanska's study. The civil society groups have not been able to engage with Japanese policy makers. Szczepanska mentions the hardships that the groups face from the right-wing groups but ignores the possibilities, that the groups could seek potential partners, for example the Democratic Party of Japan, Social Democratic Party or the Japanese Communist Party. Ivo Plsek also notes that groups that support former comfort women only list few thousands members as the 'rival organizations' such as the Nihon Izokukai lists 1 million members.⁴⁰

Caroline Norma, on the other hand, questions the frameworks of the contemporary comfort women movement. She argues that the campaigning for comfort women dilutes and diverts political action from contemporary social problems in Northeast Asia such as region's sex industries. As the number of victims has declined the movement has focused more on violence in war worldwide, such as in Congo. Norma argues that this has weakened the movement, because most of the advocates are not residing in the areas which are plagued by war. She argues that campaigners rally for problems far from their home countries and overlook the current problems in their own societies. Framing the issue as wartime sexual slavery, has alienated the issue from present day issues of women's exploitations, which otherwise could be linked to the issue. If framed anew the issue of comfort women could be seen as an origin to current day form of large-scale pornography and prostitution industries in Japan.⁴¹

Park Yu-Ha's book, *The Comfort Women of the Empire: Colonialism and Struggles of Memory* published in 2013, triggered heated arguments within the academia and comfort women activists. The book introduces an idea of comfort women as comrade-

³⁹ Szczepanska 2014.

⁴⁰ Plsek 2016, 169–171.

⁴¹ Norma 2019, 438–441.

like actors to Japanese army, meaning that Japanese soldiers and comfort women felt camaraderie and sympathy for each other, because both were citizens of Japanese Empire. Park denies the responsibility of the Japanese military on the abduction of comfort women and points finger on Korean private recruiters.⁴² In June 2014, nine comfort women survivors filed a claim against Park Yu-Ha for defamation of comfort women. This then sparked 194 Korean academics to issue a joint statement in December 2, 2015 concerning the possible oppression of academic freedom and freedom of expression. On the other hand academics have criticized the book for lacking sufficient academic grounds.⁴³

Comfort women issue has been strongly related to Japan-South Korea relations, for example by Tae-hyo Kim (2017).⁴⁴ Body of literature on comfort women issue has grown after 2015. Especially academic research on the factors that led to 2015 bilateral Agreement between South Korean and Japan on comfort women, as well as its consequences has been published. For example article on Japanese and Korean differing perspectives on the 2015 Agreement by Myung-Hee Park.⁴⁵

I contribute to this existing literature by detecting the framing process around the issue and the frames advocated in the United Nations. I detect the frames from multiple NGOs' submissions instead of focusing only on the official UN reports or a specific NGO. This research is also focused on the recent years from 2008-2018, giving the reader a perspective on the recent developments on the issue.

1.3. Key terms

2015 Agreement = Japan and South Korea reached an agreement on comfort women in December 28th 2015. Japan and Republic of Korea's foreign ministers announced in a joint Press Conference that the agreement will solve the issue 'finally and irreversibly'. The two countries also agreed to refrain from accusing or criticizing one another concerning the issue at the UN or other venues in the international community. The terms of the agreement were that Japanese government will accept responsibility and apologize together with donating 1 billion yen to a foundation that supports the victims.

⁴² Park 2013.

⁴³ Kim M 2017, 46–47.

⁴⁴ Kim T 2017.

⁴⁵ Park 2017.

The Foundation was funded by Japanese Government but administrated by the South Korean government. South Korean government agreed on handling the concerns of Japan about the statue of comfort women in front of the Japanese Embassy in Seoul.⁴⁶

Comfort stations = facilities where soldiers had access to ‘sexual services’ of comfort women.⁴⁷

Comfort women = an euphemism deployed by the Japanese imperial army to obscure the forced nature of military prostitution.⁴⁸ Term comfort women does not realistically reflect the true nature of sexual slavery that women encountered⁴⁹, which is the reason why comfort women is often written in quotation marks, both in academia and by activists. I agree that the term is not value-neutral and does not accurately reflect the reality. I use the term because it is widely recognized in the academic research on the issue and for the reason of fluency I will not be using quotation marks, although I agree with the above mentioned arguments.

The comfort women movement = in this study I define the comfort women movement to include all the NGOs, which advocate redress for comfort women. In this study the focus is on Japanese and South Korean NGOs.

Forced prostitution = generally refers to conditions of control over a person who is coerced by another to engage in sexual activity.⁵⁰

Framing = “to frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation.”⁵¹

Non-governmental organization (NGO) = in this study I use the term NGO as non-state organization concerned with promoting social, political or economic change. Term

⁴⁶Ministry of Foreign Affairs of Japan, Announcement by Foreign Ministers of Japan and the Republic of Korea at the Joint Press Occasion, 28.12.2015, https://www.mofa.go.jp/a_o/na/kr/page4e_000364.html [accessed 19.5.2020]

⁴⁷ Kimura 2016, 4.

⁴⁸ Ueno 2006, 4.

⁴⁹ Keck and Sikkink 1998, 176.

⁵⁰ McDougall 1998, para. 31.

⁵¹ Entman 1993, 52.

NGO has its roots in 1945 UN Charter, which defined those organizations that gained consultative status within the United Nations as Non-governmental organizations.⁵²

Historical revisionism = reinterpretations of recorded history.⁵³

Sexual violence = any violence, physical or psychological, carried out through sexual means or by targeting sexuality.⁵⁴

Slavery = defined in 1926 Slavery Convention, slavery means “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, including sexual access through rape or other forms of sexual violence.”⁵⁵

Social movement = “networks of informal interactions between a plurality of individuals, groups and/or organizations, engaged in political or cultural conflicts, on the basis of shared collective identities.”⁵⁶

The Action Conservative Movement (ACM) = Group of NGOs that promotes a view, which “denies systematic, forced recruitment of comfort women by the Japanese military, and that rejects the system as military sexual slavery, and added extensively racist and sexist tones to the argument.”⁵⁷

Violence against women = The UN 1993 Declaration on the Elimination of Violence Against Women defines it as “any act that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or private life.”⁵⁸
In 1995 United Nations’ Beijing Platform for Action specified the definition to include also violence against women in armed conflicts, such as sexual slavery and systematic rape.⁵⁹

⁵² Lewis and Kanji 2009, 7–8.

⁵³ Luthar 2012, 1.

⁵⁴ Bassiouni 1996, 3.

⁵⁵ McDougall 1998, para. 27.

⁵⁶ Diani 1992, 2.

⁵⁷ Yamaguchi 2018, 221.

⁵⁸ UN 1993, Declaration on the Elimination of Violence Against Women, 3.

⁵⁹ UN 1995, Beijing Declaration and Platform for Action, 49.

2. Methods and primary data

This study is based on mixed methods. I will approach my research questions using different types of data and therefore different types of data collection. According to Cathie Jo Martin (2013) this type of an approach can be used to increase the researcher's confidence that the data used in the study is reliable and valid.⁶⁰ The methods for data collection I use in this study are *documentary research* and *interview*. I detect frames from the submissions that NGOs have sent to different United Nations Treaty-based Bodies and compare them to the frames United Nations presents in its reports. Besides that I use an interview with a South Korean NGO representative to elaborate the NGOs perspective of why certain frames have been used. The interview is used as a supportive data.

2.1. Documentary research

Documentary research is a broad term for the type of research that uses documents as primary sources of data. Documentary research covers a wide use of sources including texts, statistics, photographs and so on.⁶¹ I apply the method into approaching official United Nations documents as well as reports sent to United Nations by NGOs.

Documentary research is not necessarily the method of data analysis by itself and that is why I use frame analysis as a method of data analysis.

There are some issues that need to be considered when using documentary research as a method of collecting data. Documents' potential bias needs to be addressed. Documents themselves can be selective, as can be the process of selecting the included documents. Although what is included into a written document and what is decided to leave out of it, is in itself interesting. This selectivity can be related to social, economic and political environment in which the document was drafted. It is important to be aware of this possible environmental influence to the documents and addresses it accordingly in the study. Documents are never self-evident but a way to produce meanings.⁶² This is vital

⁶⁰ Martin 2013, 118.

⁶¹ May 2011, 191–193.

⁶² May 2011, 215.

to my study, because I detect how something is presented in the data and what is the motivation to present it in a certain way.

It is also important to address the questions of authenticity and credibility of the documents. The documents used as a primary data in this study are collected from the official Treaty-based bodies Database of the United Nations website⁶³.

Using the official database guarantees that the documents are not tempered by any third party and the documents are correctly dated and placed. Because of the United Nations institutional status the authors of the documents are believable and the documents can be trusted to be authentic. The question of credibility is normally approached with the focus on author's ability to record received information, their accuracy on recording information and other factors such as the political sympathies of the author.⁶⁴ This study includes documents which are drafted by different UN committees and submissions from individual NGOs. I will analyze the social and political contexts in which the document was produced, because it can have an effect in the content of the document. The comfort women issue is highly politicized and controversial issue and it is important to analyze the political context and possible emotional factors that can have an effect on the contents of the documents. My mission is not necessarily to analyze whether the issue is presented factually by the NGOs but to detect the frames used to describe the issue.

Analyzing data

Now I will take a closer look into the analysis and how I conducted the analysis and defined the frames from the data. First I proceeded with my analysis naturally by reading through all the collected documents. To get an overview of the data I asked set of questions while reading the documents, 'what? who?, when? where? and why?'. This tool helps to form a first image on what the data consist of. After this first look, I continued into finding potential themes from the documents. To prepare the ground for further analysis I moved on to annotating data. I made notes on each document compartmentalizing the data according to a year of submission and the Treaty-based body it was submitted to (NGOs submissions). I wrote down sort of summaries of the

⁶³ UN: Treaty-based bodies Database, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en [Accessed 20.5.2020]

⁶⁴ May 2011, 207.

documents themselves and added my own first impressions and observations as notes. This was not yet done in a systematic way.

After gaining an overview of the data I proceeded into categorizing the data. According to Ian Dey “categories must denote bits of data, and relate this data conceptually to the wider analysis.”⁶⁵ What I did in principle is, I organized the data by grouping similar observations into the same category. This had to be done to be able to compare the data. Categories can be adopted from a pre-existing research or can be created by the author.⁶⁶ To be able to reflect the data as accurately as possible, I have created the categories used in this study. As the research questions of this study reflect the advocacy work which NGOs and the UN do through framing the issue, the categories reflect the argumentation NGOs and the UN uses when advocating the comfort women issue. I found similarities and distinctions within the argumentation.

In the process of creating categories I evaluated the relevance of the observation to this study’s objectives and redefined and discarded the categories multiple times before proceeding with the next step of the analyzes. In the beginning I had a long detailed list of categories which I had detected from the documents by observing which themes were repetitively mentioned. I treated them as a first category set, through which I could further analyze the data.

I had to develop a set of criteria in which I assigned certain data into a certain category. I assigned a different color to each category and color coded my data to see which bits of data would belong to which category. I did this mechanically without using a computer software. After defining the initial categories, I proceeded into more detailed analyzes. I analyzed the data in chronological order moving from one Treaty-based body (NGO submissions and concluding observations) to the next. Although after categorizing the data it was also possible to compare it without using a chronological order.

It was helpful to first create an initial detailed set of categories which can be “useful in identifying the weight attached to particular issues and establishing the connections between them.”⁶⁷ This then allowed me to see the whole picture and define the broader core categories. I defined the core categories, which emerged by linking the initial

⁶⁵ Dey 2005, 108.

⁶⁶ Ibid, 103.

⁶⁷ Ibid.

categories together. The categories reflect how on the argumentation, used in advocating the comfort women issue. To avoid overlap I designed broader categories, after considering the relation between initial categories and linking them together.

Table 1. Category-set and definitions		
Category:	Definition:	Subcategory:
Defining the issue	all the definitions used to define the comfort women issue	<ul style="list-style-type: none"> ➔ crime ➔ legal
Defining the victims	references to people who have suffered from comfort women issue	<ul style="list-style-type: none"> ➔ comfort women ➔ Japanese people
Preventing recurrence	references to possibility of recurrence	<ul style="list-style-type: none"> ➔ present day wars ➔ education
Presented solutions	references on how to solve the comfort women issue	<ul style="list-style-type: none"> ➔ demands ➔ Recommendations
Inadequate actions	references to inadequate actions of an involved actor	<ul style="list-style-type: none"> ➔ Japanese government ➔ United Nations
Diplomatic issue	references to effects on diplomatic relations	<ul style="list-style-type: none"> ➔ before 2015 ➔ after 2015

I use a similar system of color coding the data according to the re-defined final categorization set (table 1.). It is now possible to compare data within and between different categories. It became evident that within the same category there is different perceptions to the issue depending on the year of the submission and the submitting NGO. For example the category ‘defining the issue’ includes distinctively different takes on the comfort women issue. Noticing differing perceptions to the issue of comfort women helped me to identify the central concerns, around which I started to

develop the focus of the research. I then defined subcategories accordingly. The subcategories help the researcher and later on the reader to perceive the differences that arose from the data.

As I now had the data broken up in pieces I started to piece it back together again. It is important to understand and keep in mind the context in which the data was originally produced. According to May (2011) researcher has to know the context in which the document was produced to understand the meaning of the text.⁶⁸ I use secondary sources to explain the political and social environment in which the comfort women discussion happens.

I then started linking related categories together. For the future reference, linking the data by using a computer software rather than doing it manually would have made it less painful for the author. What I wanted to accomplish by analyzing the data is an answer to my research questions. I asked how the comfort women issue has been framed and how the frames have changed over the ten year observation period. I am able to answer these questions by basing my arguments in to the categories and subcategories that emerged from the data. The categorized data reflects the argumentation by NGOs and the UN and the above mentioned categories help to identify the key elements/arguments from the data. I reflected the categorized data into my theoretical framework and analyzed whether the frames ‘problem, solution and motive’ can be found from the categorized data. I argue that by analyzing the detected categories and subcategories, it is possible to reveal how problem, solution and motive concerning the comfort women issue has been defined. As well as detect the changes in framing over the observation period.

By using the same categorization set to both NGOs’ submissions and United Nations’ concluding observations I was able to detect the similarities and differences between NGOs’ and UN’s framing. This also made it possible to analyze which NGOs have been able to effect the framing of the issue in the United Nations. (with some limitations concerning the nation-states role, see more in chapter 3.3)

⁶⁸ May 2011, 211.

Introduction to documents

The data used in this study consists of documents by the United Nations Human Rights Treaty-based Bodies as well as submission from NGOs for the Treaty-based Bodies. These documents are collected from the United Nations online database during the spring 2019 and spring 2020. The body of documents consist of every document that mentions ‘the comfort women’ issue or ‘the sexual slavery by Japan’/ ‘military sexual slavery’. Human Rights Treaty-Bodies documents included are Concluding Observations from *Human Rights Committee*, *Committee on Economic, Social and Cultural Rights*, *Committee on the Elimination of Racial Discrimination*, *Committee on the Elimination of Discrimination against Women* and *Committee against Torture*. These documents cover years from 2008 to 2018.

International Human Rights treaties are legally binding for the nations that sign and ratify these treaties.⁶⁹ When state becomes party for universal human rights treaty, it is requested by the responsible UN Committee (Treaty-based body), to submit periodic reports on how the state ensures that the treaty has been implemented and how the human rights, in question, are enjoyed by its citizens. During this reporting cycle NGOs have a possibility to submit their comments on the state’s periodic report as well as present additional information on issues to the UN. After receiving both state’s periodic report and possible NGO submissions, the Treaty-based body gives its concluding observations for the state.⁷⁰ “The treaty bodies are composed of independent experts and meet to consider State parties’ reports as well as individual complaints or communications.”⁷¹ For further research it would be interesting to take a closer look on the independent experts, which the Committee consists of, and to see if that has an effect on framing the comfort women issue.

All the submissions by NGOs as well as UN concluding observations in this study are made during Japan’s reporting cycle, meaning that they comment Japan’s human rights situation. This study includes only UN Treaty-based bodies’ concluding observations on Japan and the submissions made concerning Japan. This explains why the NGOs represented in this study are mostly Japanese with one exception, the Korean Council

⁶⁹ Leisma 2009, 139–151.

⁷⁰ International commission of jurists, “Background Note: Overview of the Periodic Reporting Process of the UN Human Rights Treaty Bodies”, 2/2014

⁷¹ UN – webpage (b) <<https://research.un.org/en/docs/humanrights/treaties>> [accessed 19.5.2020]

for the Women Drafted for Military Sexual Slavery by Japan. (see list of NGOs, Appendix 2)

My primary data consists of 58 reports that different non-governmental organizations have submitted to United Nations during the Japan's reporting cycle. As well as 8 concluding observations from the UN Treaty-based Bodies.

UN Special rapporteurs have also given their insights into a discussion on the comfort women issue. Special rapporteurs are a mechanism created by the late Commission on Human Rights (nowadays Human Rights Council). Special rapporteurs are individuals who are named by the Human Rights Council to draft reports either on a current state of human rights in a specific nation or on a specific human right's issue.⁷² I argue that reports from the special rapporteurs Coomaraswamy (1996) and McDougall (1998) provide the bases for UN's official stance on comfort women.

2.2. Semi-structured interview as supportive data

Additionally to documentary research I have collected data using a semi-structured interview as a method. I use this interview as supportive data. I conducted an interview in Seoul, South Korea in 7.11.2018. I interviewed Ms. Oh Sunghye (later Ms. Oh), secretary of Human Rights and Solidarity Department in The Korean Council for Justice and Remembrance for the Issues of Military Sexual Slavery by Japan (The Korean Council for the Women Drafted for Military Sexual Slavery by Japan and the Foundation for Justice and Remembrance merged in 2018). She is in charge of the relations between the Korean Council and the UN. The interview lasted approximately two hours and took place in an informal setting in a coffee shop, after a Wednesday Demonstration*⁷³.

Semi-structured interview was the most suitable interview technique for my study because it uses techniques of both structured and focused interviews. I prepared specified questions (Appendix 1) but at the same time the interviewee was free to elaborate the answer as much as she felt necessary. This way I was able to collect qualitative information.

⁷² Leisma 2009, 150–151.

⁷³ * Demonstration concerning the comfort women issue, which takes place in Seoul, in front of Japanese Embassy every Wednesday.

As May argues semi-structured interview enables researcher to gain information beyond the questions. With fewer questions interviewer avoids leading the conversation too much and gives more space for interviewee to bring up his/her own thoughts.⁷⁴ This study includes only one expert interview which means that there is no need for standardized questions for larger comparison.

The interview is not meant to provide me direct answers to my research questions but to give insights into the advocacy work in the UN and elaborate the NGOs side of why framing the issues is necessary. As Gerson and Horowitz argue “No single interview, however revealing, can offer more than limited insights into general social forces and process.” That is why I use mixed methods to provide more reliable information.⁷⁵

When using an interview as a method of data collection there are some issues that need to be considered. According to Tim May (2011), interviews cannot be expected to produce data that reflects the reality but they must be seen as an insight on how a person reflects his/hers social world.⁷⁶ For this reason I am not using the interview to explain how ‘the comfort women issue is’ but to explain how the issue is perceived from one civil society group’s perspective.

Cathie Jo Martin(2013) argues that interviews can be used as a method even in theory testing or bolstering the findings gathered from another source of data. Martin describes one possible use of an interview as a method by “description about the processes by which the independent variables shape the dependent one.”⁷⁷ In my study the interview is used to complete my data collected from UN database. Similarly I use the interview with Ms. Oh Sunghee, to explain how Korean comfort women movement has cooperated with the UN Bodies and why that is seen important.

There has been a discussion between scholars on how truthful can we expect a person to be while being interviewed. Interviewee may be tempted to tell what they expect that the researcher wants to hear or bend the truth to make themselves to be seen in a favorable light. Similarly interviewers can be tempted to hear what they wish to hear. These issues need to be considered when analyzing the data.⁷⁸ To avoid biased results I

⁷⁴ May 2011, 134–136.

⁷⁵ Gerson and Horowitz 2002, 211.

⁷⁶ May 2011, 132.

⁷⁷ Martin 2013, 116.

⁷⁸ Ibid., 117–118.

tried to design the interview question in the most neutral form as possible and when analyzing the data, I kept in mind that it was an opinion of one representative from one NGO.

I started analyzing my interview data by transcribing it. I had recorded the interview. Then I continued analysis of the interview data in a similar way as I did with documents by UN and the NGOs (see above). I used the same category set as with the documents (table 1.) This allowed me to compare my interview data to the collected documents. I color coded the interview, part by part, using the same method as with the documents, noting which parts would fit into which category. It was important to use the same category set to be able to compare the data. I treat the interview as supportive data. The interview helped me to further elaborate my arguments and understand the advocacy work in more practical level. This was really helpful for the sake of understanding, from NGO's perspective, how and why they are advocating the comfort women issue.

In addition to the interview, I observed the Korean Council's work in Seoul during a four month period in fall of 2019. During my time in Seoul I observed two of the Wednesday demonstrations, visited multiple locations of comfort women statues as well as the War and Women's human rights Museum. First time I went to observe the Wednesday demonstration it was a special occasion because it was held on Korean national holiday, which meant that there were un-usually large amount of participants in the demonstration. There were around thousand people and two comfort women survivors present. The second time I was asked to participate by the representative of the Korean Council on a 'normal' Wednesday. Due to the old age of the survivors they cannot participate on the demonstrations weekly anymore and they were not present on the second time I attended the demonstration.

The observation is not treated as one of the methods of data collection in this study, but seeing the work the South Korean comfort women movement does has helped me to better understand their objectives and form a clearer picture of the movement's advocacy work, also in national context.

3. Military sexual slavery by Japan – the comfort women issue

Most of the related official documents concerning the comfort women system of the Second World War are still concealed or were destroyed after the war.⁷⁹ That is why there is multiple possibilities presented by researchers on the details of the comfort women system. In this chapter I will present what is known about the comfort women system.

The term comfort women refers to women who were sexually exploited during the Second World War.⁸⁰ Jonsson estimates that 70.000 to 200.000 women were drafted during the second World War to serve Japanese military as sexual slaves. About 80 percent were Korean but victims include also women from Japan, China, Taiwan, the Philippines, Indonesia, Burma, Thailand, Malaysia, Vietnam, East Timor, India, Guam and the Netherlands.⁸¹

Report of the Special Rapporteur on violence against women, its causes and consequences, by Radhika Coomaraswamy(1996) states that it “considers the case of women forced to render sexual services in wartime by and/or for the use of armed forces a practice of military sexual slavery”.⁸² Women were coerced to perform sexual acts for Japanese soldiers during the Second World War.⁸³

The report uses 16 testimonies of former comfort women as one of the primary sources of the study. Coomaraswamy argues that the testimonies can be considered as a reliable source because they have been collected from women on the different areas of South East Asia and they have bared similar experiences on military and government involvement in different levels of the recruitment process. Coomaraswamy argues that the Japanese military and government were involved in setting up the comfort women system. “It is wholly implausible that so many women could have created such similar stories about the extent of official involvement solely for their own purposes.”⁸⁴

⁷⁹ Yoshimi 2000, 3.

⁸⁰ Kimura 2016, 4.

⁸¹ Jonsson 2015, 491.

⁸² Coomaraswamy 1996, para.6.

⁸³ Ibid.

⁸⁴ Coomaraswamy 1996, para.8.

Historical revisionists, some politicians and scholars in Japan have questioned the validity of the testimonies of former comfort women as well as denied the Japanese authorities participation in the comfort women system. For example Hata(1998) argues that women had been sold into comfort stations by their poor families to provide livelihood for the family but they were not victims of sexual slavery. Hata argues that the system was licensed prostitution, where private brokers where in charge of the recruiting and controlled the brothels. The government was only involved in protecting the women by regulating the system.⁸⁵

On the contrary for example Kimura argues, that the governments' regulations on comfort stations reveal the involvement of the government on systematic violence against women.⁸⁶

3.1 Comfort stations

First comfort stations were established by Japanese Navy in 1932 in Shanghai. Japan orchestrated hostilities in Shanghai, known as the first Shanghai incident, to draw attention away from Manchuria where Japanese government had established its puppet state Manchukuo. Soon Japanese Army followed the Navy's example and established its own comfort stations in Shanghai in March 1932.⁸⁷

Tanaka (2011) argues that according to General Okamura Yasuji's (the deputy chief of staff Shanghai expeditionary army) memoir, one of the reasons behind setting up comfort stations was to prevent growing problem of rape of Chinese civilians by Japanese soldiers. Another documented official reason for setting up comfort stations was to prevent spreading of Venereal Diseases(VD). There were regular medical examinations arranged for the comfort women to prevent VD epidemics spreading to soldiers.⁸⁸ Hospitalization and recovery periods of sexually transmitted diseases were long which meant that they were a serious problem for military.

Establishment of the comfort stations did not actually reduce the spreading of venereal diseases. Even though comfort women were checked regularly by doctors the military

⁸⁵ Hata 1998, 177.

⁸⁶ Kimura 2016, 134.

⁸⁷ Yoshimi 2000, 45–60

⁸⁸ Tanaka 2011, 8–20.

personnel were not, which meant that they went on infecting the women in comfort stations and so spreading the diseases on soldiers using the facilities.

Yoshiaki explains the rather quick establishment of comfort stations with Japanese military's past experiences in Siberia between 1918 and 1922. Extraordinary amount of soldiers were infected by Venereal diseases during the war in Russia. Many professional prostitutes working in the area at that time were infected with sexually transmitted diseases. Troops low morale also led to many incidents of rape and of pillaging civilian houses. These incidents led to a system where the working women were required to have a permission from the military police and submit medical examinations to be able to work in the area. This means that Japanese army had prior experience on controlling a prostitution system. For Japanese army the growing number of rapes was a troublesome issue especially during the warfare in China because it caused an outrage of the international community but also because it was seen especially hideous act by Chinese.⁸⁹ Comfort stations did not stop sexual violence but allowed officially approved sexual violence in other forms (against comfort women), and were not even an adequate way of preventing rapes against civilians.⁹⁰

First comfort stations were set up in early 1930's but Japanese military adopted the comfort women system as a general policy after 1937. In July 1937 Japan had started a large scale invasion to China, which also meant that larger amount of women were mobilized as comfort women. From 1938 onwards there were more than one million army troops in Chinese mainland. The growth in numbers of comfort women followed the phase of warfare. The larger scale of Japanese invasion the more women were brought to warzones.⁹¹

Nanjing Massacre had also an effect on the number of established comfort stations. Japan's Central China area army was approaching Nanjing area in November 1937, on the way to Nanjing and in the city the members of the army committed various crimes including rapes, massacres and setting fires. In order to prevent further rapes the leaders of Central China Area Army ordered an establishment of comfort stations into the

⁸⁹ Yoshimi 2000, 60–68.

⁹⁰ Yoshimi, 2000, 45–68.

⁹¹ Tanaka 2011, 8–20

area.⁹² When the establishment of comfort stations grew faster, Korean women started to be drafted from colonized Korean Peninsula.⁹³

Yoshimi (2000) has studied Okabe Naosaburo, Chief of Staff of the North China Area Army's written notifications, in which Naosaburo announced his concerns on civilian rapes in July 1938.⁹⁴ Naosaburo warned, that rapes were becoming a growing problem in Northern China. Local population started to form profound anti-Japanese sentiments and fiercely resisted these soldiers' acts and even sought revenge. Naosaburo stated in the written notification that there must be more comfort stations established so that soldiers cannot blame the lack of comfort facilities as a reason to commit rape. Number of comfort women was growing fast. Matsumura Takeshi, Chief of the Medical Section in the 21st Army gave a statement in the meeting with the Ministry of War Medical Bureau "To prevent the spread of sexually transmitted diseases, we have been importing one comfort women for every 100 soldiers".⁹⁵ Comfort stations were established in all occupied areas following the Japanese combat zones.

In December 1941 Japan started a war against United States and its allies and planned on occupying large areas of Southeast Asia and islands in the Pacific (Asia Pacific War). The Southern Army coordinated the army divisions in the area of Southeast Asia. The headquarters of the Southern Army were responsible for planning and carrying out the construction of comfort stations in each division under its command. During the Asia Pacific War army and navy took full responsibility for dispatch of comfort women to overseas. Women and private operators could travel with identification papers issued by army (ministry of war) or navy. Foreign ministry took distance of being directly involved in sending comfort women to occupied areas and handed the responsibility to ministry of war and Navy Ministry.⁹⁶

There were different kinds of comfort stations throughout the occupied areas. Somewhere managed directly by the military and for the exclusive use of military personnel. Other were managed by the civilian personnel but supervised and regulated by military. Civilians could also use these comfort stations but military personnel was given priority. Some comfort stations were established in the big cities but some were

⁹² Tanaka 2011, 8–20.

⁹³ Ibid, 35–37.

⁹⁴ Yoshimi 2000, 54.

⁹⁵ Yoshimi 2000, 54–56.

⁹⁶ Ibid, 74–88.

attached to a particular unit. These comfort stations often traveled with units, sometimes even to the front line. One more special group of comfort stations was those that were reserved for officers and the comfort women serving in the stations were mostly Japanese.⁹⁷

Comfort women were recruited by coercion and violent abductions as well as luring by promises of well-paid jobs, for example as cooks. Recruiters were often private recruiters, both Korean and Japanese, working for the military. Also Korean police force and village Authorities, in some cases, worked in collaboration with the Japanese Army in recruitment.⁹⁸

3.2. Comfort women issue brought to public knowledge

Before early 1990's there had already been some public attention to the issue of comfort women for example when Senda Kako published a book 'Military Comfort Women' in 1973 and *My War Crimes: The Forced Draft of Koreans* was published in 1983 by Yoshida Seiji. After the Second World War Netherland's court in Batavia found Japanese military defendants guilty of enslaving 35 Dutch women. On the other hand, Comfort women were not discussed in the Tokyo war crimes tribunal in 1946.⁹⁹ The issue did not reach wider attention as a human rights violation or a war crime until the 1990s.

Kimura(2016) argues that the issue was not hidden for 50 years after the war but it was not problematized nor recognized as a crime. It was only after the former comfort women spoke about their experiences in public that it caught the attention of a wider public, advocative groups and scholars.¹⁰⁰

In 1991 former comfort women Kim Hak-sun spoke in public about her experiences during the wartime. In total there were three former comfort women who filed a suit in the Tokyo District Court in December 1991. Kim Hak-sun gave face to the horrors that former comfort women had encountered, by being the first one to publicly give a testimony on wartime atrocities.¹⁰¹

⁹⁷ Ibid, 90–91.

⁹⁸ Coomaraswamy 1996, para. 26–28.

⁹⁹ Ibid. para. 62.

¹⁰⁰ Kimura 2016, 130–133.

¹⁰¹ Ibid.

In Korean context, premarital sex is traditionally considered as a taboo. C. Sarah Soh (2000) argues that former comfort women stayed silent about their experiences after the war because of the fear that they wouldn't be able to marry or have a family if their past history was known.¹⁰² Korean patriarchal society also adored women's chastity and was not accepting of the harsh truth about these women's faiths. Victims felt shame about the sexual nature of their work even though it was coercive.¹⁰³

Yoshimi Yoshiaki argues that it was the Korean women's movements, *the Korean Council for the Women Drafted for Military Sexual Slavery by Japan* in the center, that raised public awareness on the issue.¹⁰⁴

Since early 1990s, when the comfort women system has become publicly known, it has raised huge range of issues, such as:

“the gendered and racialized nature of war and militarism; the role of testimonies in historical documentation; political subjectivity and war compensation; the violation of human rights; and the de/construction of a national memory of war and authoritarianism.”¹⁰⁵

In more than four decades none of the involved governments raised the issue in public. After the Second World War ended, many countries were effected by economic instability and faced multiple political issues. Korea was torn by the Korean War and so the South Korean government considered other issues to be more important than the comfort women issue.¹⁰⁶

After the issue was made public, more evidence was unveiled. Yoshiaki Yoshimi found documents from the Self-Defense Agency's National Institute for Defense Studies which supported the claim that Japanese army directed the establishment of the comfort stations. That resulted to the statements from Japanese officials and to an investigation done by Japanese government on the issue. Japanese government published the findings of this inquiry in August 4th 1993 admitting that Japanese military was 'directly or indirectly' involved in the establishment and management of the comfort stations and the recruiting and transferring comfort women. And continues that the recruitment was

¹⁰² Soh 2000, 123.

¹⁰³ Jonsson 2015, 492–493.

¹⁰⁴ Yoshimi 2000, 32–35.

¹⁰⁵ Kimura 2016, 3.

¹⁰⁶ Jonsson 2015, 492–493.

often carried out by private recruiters. Japanese government offered its apologies to the victims.¹⁰⁷ This statement, made by Chief Cabinet Secretary Yohei Kono (later referred to as Kono statement) has caused controversy within the non-governmental organizations and states, because it did not clearly define the crime or take full responsibility on the issue. It is debated how the statement should be perceived and what it actually admitted and apologized.¹⁰⁸

There is an ongoing debate about the understanding of the circumstances and the status of comfort women. Some right-wing politicians in Japan (for example Inada Tomomi) and scholars (for example Hata 1998) claim that comfort women were prostitutes for military who worked as paid sex workers in war-affected areas. Other left-wing politicians, scholars (Ueno 2000, Kim 2017) and activists consider that comfort women were sexual slaves who were forced to provide sex to soldiers against their will.¹⁰⁹

3.3. Development of the dispute between South Korean and Japanese governments over the comfort women issue

The comfort women issue is a multidimensional issue, which is discussed in multiple platforms both nationally and internationally. In this study my main focus is on non-governmental organizations and how they are framing the issue in the United Nations. I also take a look into the framing of the issue by different UN bodies. It is not possible to simply compare the frames presented by NGOs to those presented by the UN and see if the advocacy work by NGOs has been successful. The NGOs are, of course, not the only actors actively advocating their own agendas in the United Nations. The UN member states have a huge effect on how the issues are perceived in the United Nations.

It is impossible to focus only into the civil society's actions when discussing the issue of comfort women. In the next chapter I will take a look on the actions of Japanese and South Korean governments regarding the comfort women issue. And as we speak of politics and diplomatic relations there are other powers that effect the decisions made in relation to the issue. That is why I will include the powerful ally of both countries, the

¹⁰⁷ Ministry of Foreign Affairs of Japan (1993, Aug 4). Statement by the Chief Cabinet Secretary Yohei Kono on the result of the study on the issue of "comfort women", <https://www.mofa.go.jp/policy/women/fund/state9308.html> [accessed 10.4.2020]

¹⁰⁸ Yoshimi 2000, 36–37.

¹⁰⁹ Kimura 2016, 9.

United States, into the discussion. Next I will take a short look into the relations of Japan and South Korea.

Reconciliation has been hard to achieve do to the history and many historical disputed between the two countries. Korea was under Japanese colonial rule from 1910 to 1945. After twenty years of Korean liberation Japan and South Korea reestablished their diplomatic relations in 1965 in so called normalization-treaty. This treaty was in short term interests of both countries. The Park Chung-hee regime needed financial aid to be able to achieve its ‘economic miracle’. Both countries also shared the same security threads, North Korea and the Soviet Union and relied on the same ally the U.S. In that sentiment the 1965 treaty was a necessity but not a genuine understanding on history disputes.¹¹⁰

After the Cold War ended and world became unipolar, both South Korea and Japan started to question whether U.S. safety umbrella was necessary. History disputes started to emerge again. One of these disputes was the comfort women issue emerging in the early 1990s. Comfort women were not mentioned in the normalization treaty in 1965. After the emerging claims of Japanese government’s involvement in the system, Japan conducted an inquire into the issue. That inquiry resulted into publishing the Kono statement in August 4 1993. In the statement the Japanese government acknowledged that the then Japanese military was, ‘directly or indirectly’, involved.¹¹¹

The statement by then Japanese Prime Minister Tomichi Murayama in 1995 offered Japan’s neighbor states the first apology for atrocities that Japan committed during the colonial period and during The Second World War.¹¹² Chief Cabinet Secretary Kozo Igarashi issued a statement on 14 June 1995 as follow-up to Prime Minister Murayama's statement, saying that in accordance with the discussions of the Ruling Parties Project Team for Fiftieth Anniversary Issues, and based on "remorse" for the past, there would be an attempt to set up an Asian Peace and Friendship Fund for Women(later Asian Women’s Fund, AWF).¹¹³ Asian Women’s Fund was funded by private donors but

¹¹⁰ Kim 2017, 272–273.

¹¹¹ Ministry of Foreign Affairs of Japan 1993, Statement by Yohei Kono, <<https://www.mofa.go.jp/policy/women/fund/state9308.html>>, [accessed 10.4.2020]

¹¹² Ministry of Foreign Affairs of Japan 1995, Statement by Tomiichi Murayama, <<https://www.mofa.go.jp/announce/press/pm/murayama/9508.html>> , [accessed 10.4.2020]

¹¹³ Asian Women’s Fund, ‘Documents of Japanese Government and the AWF’, <http://www.awf.or.jp/e6/statement-07.html>, [accessed 10.4.2020]

established by Japanese government.¹¹⁴ Supportive NGOs for comfort women stated that the AWF was a way for Japanese government to avoid its legal responsibility. Most former comfort women did not accept the atonement money offered by the AWF. If comfort women did not accept the money, they also did not receive a written apology letter from the Prime Minister.¹¹⁵ The AWF was dissolved in 2007.¹¹⁶

The issue of comfort women has strong influence into the diplomatic relations within the East Asian region. Still one of the powers effecting the solving of the issue is the United States of America. In the beginning of 1990s United States showed little interest in the Asia-Pacific region and started withdrawing forces from both Japan and South Korea. The withdrawal was cancelled in 1995 as U.S. started to see new factors for possible regional instability, which were rising China and North Korean nuclear plan. U.S. security alliances with Japan and South Korea have evolved separately.¹¹⁷ Tae-hyeo Kim(2017) argues that as the security threads of North Korea and China grow, so grows the will of the U.S. to connect its two alliances in the East Asian region. Obama administration tried to form trilateral relations for eight years. U.S. put pressure to Japan and South Korea to achieve some kind of an agreement before the 50th anniversary of the 1965 normalization treaty, which was in 2015. After the General Security of Military Information Agreement (GSOMIA) negotiations were cancelled by the Lee Myung-bak government only an hour before the meeting in 2012, because of the internal pressure by the opposing party and South Korean public, U.S. made clear that trilateral cooperation between Japan-US-South Korea would be necessary for its military operations.¹¹⁸

Japan and South Korea did not hold bilateral summits under the leadership of prime minister Shinzo Abe and president Park Geun-hye between 2012 and 2015. Abe has publicly taken harsh stances on the issue of comfort women and in general commented Japanese wartime aggressions from a point of view of a national pride. Abe has also visited Yasukuni Shrine, which has enshrined class-A war criminals and is highly

¹¹⁴ Asian Women's Fund, 'Establishment of the AW Fund, and the basic nature of its projects' <http://awf.or.jp/e2/foundation.html>, [accessed 12.4.2020]

¹¹⁵ Kumagai 2016, 66.

¹¹⁶ Asian Women's Fund, 'Closing of the Asian Women's Fund', <http://www.awf.or.jp/e3/dissolution.html> [accessed 12.4.2020]

¹¹⁷ Kim 2017, 270–275.

¹¹⁸ Ibid., 275.

controversial site.¹¹⁹ In 2007, Abe's statement over the controversy of Japanese military comfort women gained international attention, when he denied that the military was responsible for the women's coercion. Abe referred to Japanese government's study from early 1990's and said there was no evidence that Japanese government or military had been responsible on the forcible abductions of girls.¹²⁰

The situation changed in the last half of 2015. Japan and South Korea reached an agreement (2015 Agreement) on comfort women in December 28th 2015. Japanese and Republic of Korea(ROK) foreign ministers announced in a joint Press Conference that the agreement will solve the issue 'finally and irreversibly'. The two countries also agreed to refrain from accusing or criticizing one another concerning the issue at the UN or other venues in the international community. The agreement only vaguely dealt with Japanese government's responsibility and South Korean government's handling of the comfort women statue in front of Japanese embassy in Seoul. The terms of the agreement were that Japanese government will accept responsibility and apologize together with donating 1billion yen to a Reconciliation and Healing Foundation (the Foundation) that supports the victims. The Foundation was funded by Japanese Government but administrated by the South Korean government.¹²¹ The agreement was not well received by the public in South Korea.¹²²

November 2018, the South Korean liberal government under Moon Jae-in unilaterally decided to close the Foundation.¹²³ Japanese government has stated repeatedly that it cannot accept the decision to dissolve the foundation.¹²⁴

In recent developments, Trump administration in U.S. has not been as eager to put effort on the Asian relations because of the America first policy. Trump relies more on bilateral relations. Lee and Oba (2019) argue that this has caused uncertainty both in Japanese and Korean sides about their stance in the new Trump administration era. That

¹¹⁹ Kumagai 2016, 72.

¹²⁰ "Japan Stands by Declaration on 'Comfort Women'", New York Times 16.3.2007, <https://www.nytimes.com/2007/03/16/world/asia/16cnd-japan.html>, [accessed 16.4.2020]

¹²¹ Ministry of Foreign Affairs of Japan, Announcement by Foreign Ministers of Japan and the Republic of Korea at the Joint Press Occasion, 28.12.2015, https://www.mofa.go.jp/a_o/na/kr/page4e_000364.html [accessed 19.5.2020]

¹²² Kumagai 2016, 75.

¹²³ Republic of Korea -official webpage, "Govt' to dismantle the 'comfort women' foundation" <http://www.korea.net/NewsFocus/Society/view?articleId=165621> [accessed 12.4.2020]

¹²⁴ for example Ministry of foreign affairs of Japan, "Press Conference by Foreign Minister Taro Kono", https://www.mofa.go.jp/press/kaiken/kaiken4e_000633.html [accessed 12.4.2020]

is why problems between Japan and South Korea had been overshadowed. Especially after the Trump's interest in holding bilateral negotiations with North Korea.¹²⁵

The comfort women issue can be used as a powerful 'tool' in the domestic politics. Naoko Kumagai (2016) argues that one underlying reason for the 2015 Agreement to be signed by South Korean government, was Park Geun-hye's will to halt the decline in her approval ratings and lay the groundwork for the parliamentary general election the following April.¹²⁶ This works as an example on the domestic politics effecting the bringing up of historical disputes. Same goes to Japanese domestic politics. I would argue that in Japan the use of comfort women as a tool of politics can be seen in reverse, as for example Prime Minister Abe has propped up his approval ratings by appealing to an idea of national pride and historical revisionism.

4. The comfort women movement

I refer to NGOs that advocate redress for the comfort women as the *comfort women movement*. The comfort women movement is not limited in any specific region of the world, but in this study I focus only on Japanese and South Korean NGOs. A social movement is defined by Mario Diani as "networks of informal interactions between a plurality of individuals, groups and/or organizations, engaged in political or cultural conflicts, on the basis of shared collective identities."¹²⁷

Keck and Sikkink(1998) define four types of NGO's strategies for building a movement. The first strategy has to do with producing credible information that can be used to impact politics. They continue defining the second strategy as being able to form symbols or stories that speak to target audience.¹²⁸ These strategies could translate to the comfort women movement which has been active on producing research on the issue to be able educate and impact political decision making.

The comfort women movement also strongly uses the second strategy of using certain narratives to be able to affect their target audience, both nationally and internationally. Thomas Kern and Sang-hui Nam (2009) argue that to be able to bring the comfort

¹²⁵ Lee and Oba 2019, 106.

¹²⁶ Kumagai 2016, 72.

¹²⁷ Diani 1992, 2.

¹²⁸ Keck and Sikkink 1998, 16.

women issue into the international awareness the movement had to change to fit to the category of global women's movements. For example the movement had to adapt to the international frameworks in the UN in the early 1990's. Meaning that the advocates had to tone down the nationalistic views of the issue and focus on gender issues and sexual violence to gain the support from international NGOs and United Nations. And again the movement changed its direction in the early 2000s by starting to advocate other women's human rights violations for example the issue of rapes in the former Yugoslavia.¹²⁹

Keck and Sikkink define the third NGO strategy to be, putting pressure to 'target actors' to resolve the issue. In the case of comfort women movement the 'target actor' can be said to be the Japanese government, which the movement tries to pressure in making policy changes. The fourth strategy in Keck and Sikkink's study also relates strongly to the third one. They define the fourth strategy to be NGO's aim of being able to effect governments to publicly change their positions in the issue.¹³⁰ The transnational comfort women movement aims to do exactly this.

In the next part I will take a closer look into the comfort women movements in Japan and South Korea and their histories. Japanese and South Korean NGOs are not two separate actors, but part of transnational advocacy network. First time in 1992 supportive NGOs organized an Asia Solidarity Network on the Forced Military Comfort Women Problem. Victims and organization gathered together to campaign for apology and compensation for victims of comfort women system. Solidarity Forums have been organized ever since. The Solidarity Network brought together not only women from South Korea and Japan but also Philippines and Indonesia.¹³¹ NGOs often refer to the demands defined in the Asian Women Solidarity Forum in their submission to the United Nations as a common goal.¹³² Even though NGOs often collaborate the histories of the movements differ.

¹²⁹ Kern and Nam 2009, 227–256.

¹³⁰ Keck and Sikkink 1998, 23–24.

¹³¹ Yoon 1998, 1, Piper 2001, 160.

¹³² For example Women's Active Museum for Peace and War 2016, report for CEDAW

4.1. The South Korean comfort women movement

In 1990 during a Japanese Diet session a Japanese Official denied the involvement of the Japanese government on the recruitment of comfort women. This statement sparked the formation of a joint civil group in Korea.¹³³ 37 Korean civil society groups joint together establishing , *The Korean Council for the Women Drafted for Sexual Slavery by Japan* (The Korean Council) on November 16th 1990. The Korean Council became the most vocal advocator for victims of military sexual slavery by Japan in South Korea.¹³⁴ The possibility to form active civil society groups and networks, is closely linked to the South Korean democratization in 1987, which allowed South Korean civil society to grow.¹³⁵

This chapter focusses on The Korean Council, because it is the most vocal actor on the comfort women issue in South Korea and it is also the only South Korean NGO that advocated the issue in the United Nations Treaty-based bodies during my observation period from 2008 to 2018.

As one of its first acts, the Korean Council sent an open letter to the Japanese (then) Prime Minister Kaifu Toshiki. The open letter listed group's six demands: 1) the Japanese government admits forceful abductions of Korean women; 2) a public apology; 3) all the information concerning atrocities should be fully disclosed; 4) a memorial for the victims should be built; 5) the survivors or their bereaved families should be compensated; 6) these facts must be taught in historical education so that they are never repeated'.¹³⁶ These six demands are still the key focus of the Korean Council.

Former comfort women Kim Hak-sun first broke the silence from the victims' side and gave a public testimony in 1991. After the testimony, large political action and campaigns centering the comfort women issue started to increase. Korean women's groups started the problematizing of the issue of comfort women but soon Japanese civil society groups joint the action.¹³⁷ There was already existing cooperation between

¹³³ Chou 2003, 166.

¹³⁴ Piper 2001, 161–165.

¹³⁵ Kern and Nam 2015, 236.

¹³⁶ Kwon 1994, 2.

¹³⁷ Piper 2001, 162.

Japanese and Korean women's groups on the issue of sex tourism. Same networks started to advocate the comfort women issue.¹³⁸

The Korean Council is the main actor advocating the issue in South Korea and one of the most vocal actors in the whole Asian region. The Korean Council has taken several actions to raise the issue in public and to affect Japanese government. Chou (2003) divides the Korean Council's actions into five different categories. Firstly the Korean Council aims to conduct fact-finding, which provides base for the demands. The Korean Council has also demanded the Japanese government to provide objective research on the issue. Japanese government has published two reports on the issue in early 1990s. This is not seen as sufficient effort from the government and NGOs have provided their own research on the issue and are demanding Japanese government to support this fact-finding mission.¹³⁹

Secondly the Korean Council has demanded an official apology from Japanese Government. In January 1992, the Chief Cabinet Secretary Kato admitted for the first time that the Japanese Imperial Army was in some way involved in running military comfort stations. Later on there has been couple of occasions that Japanese officials have publicly admitted the involvement. In the statement by the then chief Cabinet secretary Yohei Kono in 1993, the Japanese government acknowledged responsibility for the conscription of comfort women. In July 1995, the Japanese Prime Minister Tomiichi Murayama offered formal personal apologies to comfort women. These apologies have been repeatedly denied by other Japanese cabinet members.¹⁴⁰

Thirdly the Korean Council has demanded reparations for the victims from the Japanese government. Japanese government insists that all the war crimes were settled by the Korea-Japan Peace treaty in 1965.¹⁴¹ In 1995 Japanese government established the Asian Women's Fund, after UN Conference on Women in Beijing 1995 raised the issue of comfort women as a form of war crime. Asian Women's Fund was established by the Japanese government but funded by private donors. The redress was widely unaccepted

¹³⁸ Yoshiaki 2000, 30–35.

¹³⁹ Chou 2003, 160–161.

¹⁴⁰ Ibid, 160–163.

¹⁴¹ Ibid, 161.

by victims and women's groups, saying Japanese government was avoiding responsibility.¹⁴²

C. Sarah Soh(2000) has raised a problem regarding the discussion of acceptance of AWF's compensation money. She question was there a freedom of choice for the victims to make their own decision of whether they would accept the compensation or not. Several South Korean NGOs participated in public fundraise to 'help' comfort women to resist the AWF compensation and offer them similar amounts of money. South Korean government as well decided to pay higher allowance for the victims, which would allow them to resist the AWF. Soh argues that women were not given a possibility to make up their own decisions. Soh argues that the movement has a predominance of ethnic nationalism over feminism or human rights orientation. This drives from the Korean history as a colonized country. Soh states that in the Korean Council's opinion, the survivors are not cable of making right decisions. It seems that many victims are grateful for the activists that fight for their cause which means they are not willing to question the decisions made by the movement leaders. This may have caused the victims to be silenced once again.¹⁴³ Soh asks are the survivors being victimized anew by the redress movement's leaders.

The Korean Council has demanded that the Japanese government should punish the parties who were involved in carrying out the system of military sexual slavery. This can be seen as the fourth form of action that the Korean Council has applied. Fifth action has been supporting former comfort women in bringing lawsuits over Japanese government.¹⁴⁴ The first lawsuit filed by a former comfort woman was on 6th December 1991. Three Korean women sued the Japanese government for compensation. In 1993 Song Siin-do (a Korean woman residing in Japan), supported by various human rights groups, filed a further lawsuit against the Japanese government.¹⁴⁵ This was followed by a number of Filipina former comfort women. These lawsuits have been rejected. Although in 1998 The Yamaguchi District Court judged that Japanese government has a duty to pay compensation for the plaintiffs, the Korean comfort women victims.¹⁴⁶

¹⁴² Piper 2001, 164.

¹⁴³ Soh 2000, 123-130.

¹⁴⁴ Chou 2003, 162.

¹⁴⁵ Piper 2001, 165.

¹⁴⁶ MacDougall 1998, para. 50-55.

Recently with declining numbers of elderly former comfort women able to join campaigning, other rationales have emerged for continuing with the movement for justice. South Korean activists now mobilize against current instances of “sexual violence in war”.¹⁴⁷ The Korean Council determines as one of its main activities to be the Butterfly Fund. The Butterfly Fund was founded on International Women’s Day on March 8th, 2012 by Japanese military sexual slavery victims Kim Bok-dong and Gil Won-ok. “Two halmonis”¹⁴⁸ promised to support women who still suffer from sexual violence in conflict with all of the reparations they would receive from the Japanese government. As the Japanese government continued to deny its crimes and responsibilities, two halmonis started the Butterfly Fund and citizens stood in solidarity with halmonis.”¹⁴⁹ The Butterfly Fund currently supports victims of sexual violence in Vietnam, Uganda, the Democratic Republic of Congo, and other regions.

The Korean Council is a visible actor in South Korean society. It holds demonstrations every Wednesday in front of Japanese embassy in Seoul, commonly known as the Wednesday demonstrations. The former comfort women have also played a huge part in these demonstrations and held speeches along other activist and political representatives.¹⁵⁰

The Korean Council also works in the international arenas bringing the issue into the UN and cooperates with other Asian NGOs. Piper argues that the Korean movement has had success in advocating on the international level by, for instance, visiting the UN branch in Geneva, advocating the issue as a human rights violation. The former comfort women victims have also visited UN together with activist, to give oral testimonies. This was also carried out at the International Labor Organization in 1999, where the comfort women issue was raised as a matter of forced labor during wartime.¹⁵¹

The Korean Council has the Economic and Social Council (ECOSOC) Special Consultative Status in the UN since 2014. This is important for NGO to be able to

¹⁴⁷ Norma 2019, 439.

¹⁴⁸ meaning grandmother in Korean.

¹⁴⁹ The Korean Council, ‘Activities’, <http://womenandwar.net/kr/activities/#prevention-of-sexual-violence-in-conflict>, [accessed 13.4.2020]

¹⁵⁰ Soh 1996, 1230-1238.

¹⁵¹ Piper 2001, 163.

advocate in UN platforms.¹⁵² The Korean Council has been active in submitting reports for different United Nations Treaty-based Bodies. This will be further demonstrated in the chapter 5.

In 2018 The Korean Council for the Women Drafted for Military Sexual Slavery by Japan and the Foundation for Justice and Remembrance merged as the Korean Council for Justice and Remembrance for the Issues of Military Sexual Slavery by Japan.¹⁵³ Throughout this study the NGO is referred to as the Korean Council.

4.2. The Japanese comfort women movement and its opposition

There is plenty of research done on the subject of the Korean comfort women movement, but the Japanese comfort women movement is overlooked in the research. Japanese side is mostly presented as Japanese government's stance of the issue but rarely presented from the point of view of the civil society groups. Even though Korean movement is strong and transnational, there is also notable movement on the issue of comfort women in Japan. In Japan there are groups that advocate the rights of the former comfort women locally and in the United Nations. Most of the NGOs presented in this study are Japanese. There are also historical revisionist groups, which actively advocate their view on comfort women in the UN. I will further discuss this in the chapter 5.2. Now I will take a closer look into these NGOs.

In Japan the role of NGOs in political advocacy is limited compared to South Korea. There is lower level of institutionalization of NGOs in Japan than in South Korea according to the research of Lichao He (2009). Japanese civil society is much less influential in political advocacy due to "the paucity of large, independent and professionalized groups".¹⁵⁴ Civil Society in South Korea enjoys more favorable legal environment than the counterpart in Japan.¹⁵⁵ That has had an effect on differing comfort women movements on these countries.

¹⁵² UN, 'Advanced search for Civil Society Organizations', <https://esango.un.org/civilsociety/consultativeStatusSummary.do?profileCode=633900>, [accessed 2.2.2020]

¹⁵³ The Korean Council, "History of the movement", <http://womenandwar.net/kr/history-of-the-movement/> [accessed 19.5.2020]

¹⁵⁴ He 2009, 267.

¹⁵⁵ Ibid. 267-270.

In 1982 history textbook dispute in Japan raised national interest in Japanese war crimes. Ministry of Education ordered the deletion of mentions about Japan's military aggression in school history books. This started criticism from other Asian countries but also in Japan, where some Japanese soldiers started to speak out their own experiences during the Second World War. This effected the environment of speaking outload of the war experiences, but the comfort women issue was still silenced. The public discussion on comfort women broke out also in Japan in 1991 after the former Comfort women Kim Hak-sun publicly testified her experiences. This encouraged Japanese women activists to form groups in the support of former comfort women. After Yoshiaki's research findings came public in 1992, Kiichi Miyazawa, former Prime Minister, admitted the involvement of Japanese military and apologized for the comfort women system. Because of this, movements demanding official state apology broke out and gained popularity.¹⁵⁶

The comfort women movement started in South Korea but soon became a transnational movement. In Japan the movement for comfort women was started by ethnic Korean women (residing in Japan) who advocated the issue. These individual ethnic Koreans built a way for Japanese and Korean NGOs to work together. The activism of ethnic Korean women in Japan was conducted through *the Korean women's network on the comfort women issue (Yeo-seong-Net)*. The Korean women's network on the comfort women issue advocated the issue of comfort women but also raised issues concerning Korean women immigrants in Japan and their identities in Japanese society. This was the first women's NGO in Japan that addressed Korean women in Japan and women's liberation as well as challenged the institutionalized oppression of women. Through the issue of comfort women the women's group also addressed contemporary issues of Korean women in Japanese society.¹⁵⁷

The Comfort women had been mentioned by few other Women's liberation groups in Japan such as Asian Women's Association. But before Yeo-seong-Net it was not the main focus on any women's group in Japan. After Kim Hak-sun's testimony was published in 1991, Yeo-seong-Net organized a rally in Tokyo, which 450 people participated. In cooperation with three other Japanese NGOs that advocated the issue of comfort women, Yeo-seong-Net set up a hotline collecting testimonies from Japanese

¹⁵⁶ Hayashi 2008, 123–132.

¹⁵⁷ Seo 2018, 230–236.

people. The hotline received testimonies from 235 people. Yeoseong-Net also appealed to Japanese government to respond to the Korean Council's demands, in collaboration with the Korean Council. Yeoseong-Net participated to Asian Solidarity Conference, and on the Fourth Conference on Women in Beijing in 1995 and submitted a counter-report to the United Nations Conference on the Elimination of Discriminations Against Women in 1994. Yeoseong-Net was dissolved in 1998 but this did not mean the end of comfort women movement in Japan.¹⁵⁸

In 1993, Zainichi no Ianfu Saiban o Sasaeru Kai (Association to Support the Lawsuit by the Korean Victims in Japan—hereafter Sasaeru Kai) was established, composed of both Korean and Japanese women. Some members of the Yeoseong-Net moved to Sasaeru Kai. Japanese formation of women's groups to support the cause of comfort women has had different premises than the Korean movement. Akwi Seo argues that advocative groups work from the consciousness of being feminists in the nation of the "perpetrator."¹⁵⁹

Another example of multinational activism on comfort women is the Violence Against Women in War Network (VAWW-Net) Japan. One of the most notable members of VAWW-Net was the late Matsui Yayori, a well-known Japanese feminist and founder of Ajia no Onnatachi no Kai (Asian Women's Association).¹⁶⁰ Asian Women's Association supported Korean activists already in their cause of anti-sex tourism.¹⁶¹

Matsui Yayori also raised the idea of the women's tribunal. Women's tribunal was meant to respond to the comfort women's claim for justice. With the Korean Council and the Asian Centre for Women's Human Rights (ASCENT), VAWW-Net Japan held the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery in Tokyo in 2000. Sixty-four victims from eight countries attended the Tribunal.¹⁶²

Field of advocacy work on Comfort women in Japan is more fragmented than the counterpart in South Korea. Multiple Japanese NGOs advocate the issue in the United Nations. NGOs are advocating both for the redress for victims and against it. The environment in Japanese society for the comfort women movement has not been as

¹⁵⁸ Seo 2018, 237–238.

¹⁵⁹ Seo 2018, 238.

¹⁶⁰ Ibid, 243.

¹⁶¹ Piper 2001, 162.

¹⁶² Seo 2018, 243.

straight forwardly supportive to the victims as in South Korea. For example in 2004 Ministry of Education stated that it was not in Japan's interest to mention Japanese atrocities for example the comfort women, in Japanese textbooks. This was continuation of the political right demanding Japan to restore its national pride. Since 2006 the mention of forced labor during the second World War by Japan was dropped from Junior high school text books. As a whole the mentions of Japanese aggressions during the war time have been cut under the influence of Ministry of Education, Liberal Democratic Party and right-leaning mass media.¹⁶³

Counter-movement for the comfort women movement has grown in mid-2000s in Japan. This movement against comfort women is generally called Kōdō-suru Hoshu Undō (the Action Conservative Movement, ACM).¹⁶⁴ This movement is xenophobic ultra-right movement which poses views of historical revisionism. The group is known for its racial hate speech towards ethnic Koreans. The ACM engages in controversy on Japan's colonial history, especially comfort women. It opposes the claim that Japanese government has responsibility for the comfort women issue. The roots of the ACM lie in the historical revisionist views concerning South Korea.¹⁶⁵ Revisionist history concerning comfort women was first advocated by the Society for History Textbook Reform in 1996 and Nippon Kaigi in 1997. Yamaguchi(2018) states that:

“The ACM, formed in the mid-2000s, used this existing discourse that denies systematic, forced recruitment of comfort women by the Japanese military, and that rejects the system as military sexual slavery, and added extensively racist and sexist tones to the argument.”¹⁶⁶

The ACM, mainstream conservatives and politicians, particularly under Abe administration, have found a common ground concerning the comfort women issue.¹⁶⁷ ACM consists of different non-governmental groups, for example Zaitokukai and Nadeshiko Action: The Japanese Women for Justice and Peace. Nadeshiko Action is an active women's group promoting counter-arguments of comfort women in the United Nations. Nadeshiko Action, is one of the most mainstream groups belonging to the ACM, and it has been successful in working with right-wing politicians. It holds a view

¹⁶³ Hayashi 2010, 128.

¹⁶⁴ Yamaguchi 2018, 220.

¹⁶⁵ *ibid*, 220–221.

¹⁶⁶ *ibid*, 221.

¹⁶⁷ *ibid*, 222.

that comfort women are not sex slaves, similar view is shared by other ACM members, such as Ninohashi Club, which is also active in UN.¹⁶⁸ Revisionist views of history have become more mainstream after Abe was elected as Prime Minister second time in 2012. Although the ACM founder Nishimura Shūhei commented, that Liberal Democratic Party (LDP) has not done enough to repeal the Kono statement.¹⁶⁹ The ACM has also targeted UN special rapporteur on violence against women, Radhika Coomaraswamy, advocating for invalidation of her report on comfort women.¹⁷⁰

In this study, I have analyzed submissions to UN from Korean comfort women movement, Japanese comfort women movement and Japanese counter-movement. I find it important to state that, all of the NGOs from the Japanese counter-movement, which submission are included into this study, do not belong to the ACM. That is why I will not refer to the group of NGOs as the ACM in my further analyzes in chapter 5.2.

4.3. Role of the United Nations in the comfort women movement

Keck and Sikkink have studied NGOs' campaigning concerning different issues to develop a theory of what they call "transnational advocacy networks". Networks mean NGOs which exchange information with each other in a nonhierarchical fashion. Keck and Sikkink investigate how the NGOs networks influence politics by maintaining multiple activities at the same time: defining the issue, convincing politicians and publics that the problems are solvable, suggest solutions, and monitor these solutions are implemented.¹⁷¹ The comfort women movement has been able to form transnational advocacy networks within the UN platforms where it has been able to raise the issue and to be heard by actors from different nations. If the UN adopts the issue to its agenda it has more leverage than national NGOs to pressure nation-states into action.

The term 'violence against women' became a powerful tool for comfort women movement to adopt. By adopting necessary frames and terminology comfort women movement became part of a wider women's movement. Issues concerning women's rights were raised by many individual NGOs such as domestic violence in USA and sexual slavery in Asia. But there were not yet a term which would define all these

¹⁶⁸ *ibid*, 222,234.

¹⁶⁹ *ibid*, 227.

¹⁷⁰ *ibid*, 228.

¹⁷¹ Keck and Sikkink 1998, 1–14.

actions into to same category. As the term violence against women was defined and became widely used in the late 1980's, it got leverage on the international arenas and joint together many different women's rights NGOs. This gave space for comfort women movement to find support within different women's groups and the UN.¹⁷²

Violence against women was not on the agenda of transnational women's movement before the 1980s. The main normative legal code on women's rights, the Convention for the Elimination of All Forms of Discrimination against Women (drafted in the 1970S and adopted in 1979), does not mention violence against women. Only in the mid-1980s and early 1990s violence against women rose to one of the most important themes within the international women's movement. At the UN conference on women in Beijing in 1995, issue of violence against women was the center of the discussion. The issue attracted rapid attention and became widely advocated issue within women's groups and human rights networks. Keck and Sikkink argue that violence against women is an issue that can be advocated within different cultural and experiential spheres.¹⁷³

The emerge of the international women's networks in general have been strongly intertwined with UN system. As Keck and Sikkink argue the chronologies of international women's movement are largely a litany of UN meetings. That is also how it may seem when talking about the comfort women movement. The accomplishments of the movement are often listed as UN conventions or meetings in which the comfort women issue has been brought up in . "International conferences did not create women's networks, but they legitimized the issues and brought together unprecedented numbers of women from around the world."¹⁷⁴

Because of the formed networks around the issue of violence against women in the early 1990s and rapidly growing attention towards the issue, this was fruitful time for the comfort women movement to gain international attention to its agenda. Korean and other women's groups in Asia drew attention to former comfort women's testimonies which well applied to the current discussion on violence against women.¹⁷⁵

¹⁷² Ibid, 171-172.

¹⁷³ Ibid, 168.

¹⁷⁴ Ibid.

¹⁷⁵ Piper 2001, 159-160.

National comfort women movements in South Korea and Japan are in strong relation to the United Nations. The comfort women movement has sought support from International community since the early 1990s. This has been a tool for accomplishing its goals and the comfort women movement has greatly benefitted from the support of international women's issues NGOs.¹⁷⁶ Maki Kimura(2016) argues in his book *Unfolding the comfort women debates* that former comfort women's testimonies played a vital role in internationalizing the issue. As there were almost complete lack of official Japanese government's documents on the issue, the testimonies were treated as a source of new information on the fact-finding mission. The comfort system was seen as an example of the universal oppression of women. Kimura argues that testimonies of former comfort women were seen as an evidence of a one narrative that draw a picture of women's oppression. This narrative brought the issue to wider public sphere's attention and united many actors within the arena of universal oppression of women. Kimura also points out that this one narrative overlooks individual experiences of each victim and assumes, sometimes falsely, that all women can relate to the same experiences. Although problematic, this narrative caught the public's attention and brought the issue into the United Nation's agenda.¹⁷⁷

Keck and Sikkink argue that testimonies brought advocative groups from different cultural backgrounds together. "All the research, rhetoric and war memoirs were as nothing until the women were prepared to come forward and speak out against their exploitation It was not until the comfort women rose to cry out, that research and activists could turn the subject into an issue."¹⁷⁸

The United Nations has been involved in the comfort women discussion since early 1990s. On January 1996 UN special rapporteur on violence against women Radhika Coomaraswamy included into her report a detailed account on the comfort women system and listed recommendations to the Japanese government on how to solve the issue.¹⁷⁹ Demands were as followed: "1) acknowledge that the establishment of comfort stations was a violation of international law and accept legal responsibility for that violation, 2) pay compensation to the victims, 3) make a full disclosure of documents and materials on the comfort women issue, 4) publicly apologize to the survivors in

¹⁷⁶ Kern and Nam 2009, 239

¹⁷⁷ Kimura 2016, 1–15.

¹⁷⁸ Keck and Sikkink 1998, 176.

¹⁷⁹ Jonsson 2015, 496.

writing, 5) raise awareness of the issue by amending educational curricula and 6) identify and punish the perpetrators involved in the recruitment and institutionalization of comfort stations.”¹⁸⁰

The United Nations started to use the term ‘sexual slavery’ when describing the comfort stations. Chi-Chieh Chou(2003) notes that Coomaraswamy report reflects the official stance of the United Nations on the comfort women issue. It is also directly in line with the demands made by the comfort women movement.¹⁸¹ Also C. Sarah Soh(1996) notes that it is notable that the demands presented in the UN resemble so closely those of the Korean Council.¹⁸²

In June 1998, the UN special rapporteur Gay J. McDougall presented her final report at the UNHRC. McDougall argued that Japanese Army had committed Crimes Against Humanity by violating the prohibitions against slavery and war crimes.¹⁸³

Since the 1990s different bodies of the United Nations have brought up the issue of comfort women and given recommendations for the Japanese government in respect to the issue. In the next chapter, I will more thoroughly analyze the UN documents and NGO submissions to form a picture on how the comfort women issue has been addressed by the United Nations and concerned NGOs in the last 10 years.

5. NGOs framing the issue of comfort women

I have analyzed all the submissions from non-governmental organizations, which address the issue of comfort women and are submitted to the United Nations Treaty-based Bodies during the Japanese reporting cycle between 2008 and 2018.

The focus of this study is on the impact of non-governmental organizations in relation to different United Nations Human Rights Treaty-based bodies. I analyzed NGOs’ submissions, which have been made to the Treaty-based Bodies. Committees that have addressed the comfort women issue are *Committee on the elimination of discrimination against women (CEDAW)*, *Committee on the Elimination of Racial Discrimination*

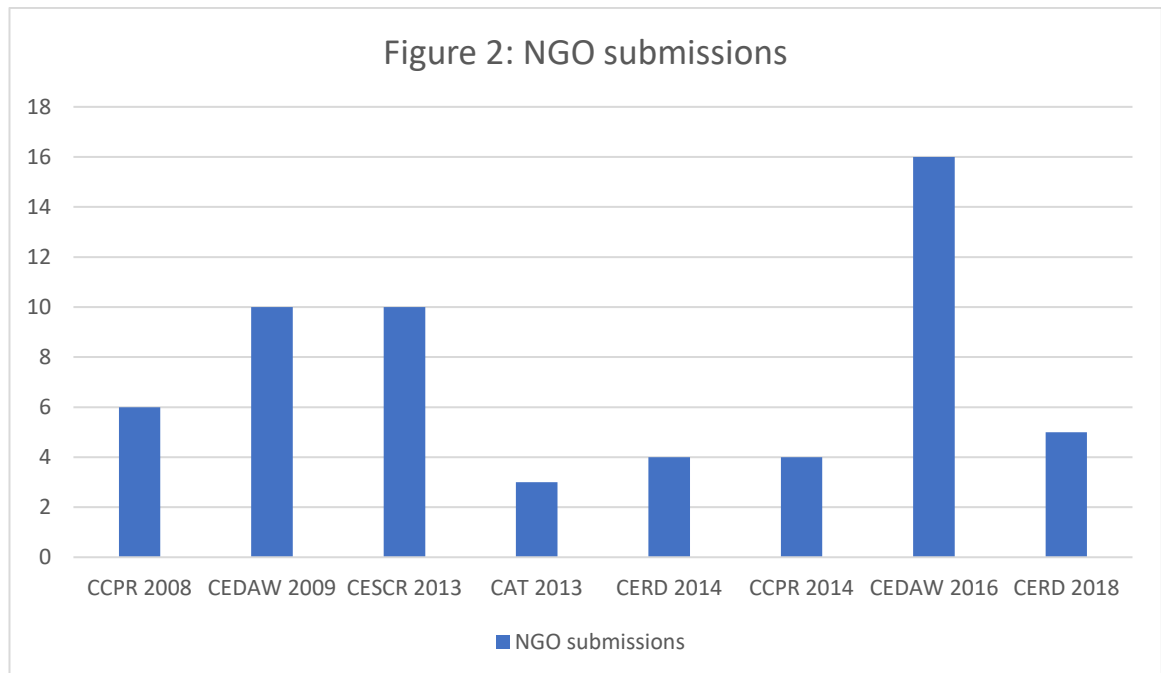
¹⁸⁰ Coomaraswamy 1996, para.137.

¹⁸¹ Chou 2003, 170.

¹⁸² Soh 1996, 1226.

¹⁸³ McDougall 1998, para.1.

(CERD), *Committee on Economic, Social and Cultural Rights (CESCR)*, *Human Rights Committee (CCPR)* and *Committee against Torture (CAT)*.



There has been significant differences in different years in the activity of NGOs' advocacy work in the UN. As the figure shows, during 2013-2014 the NGOs have been less active in their advocacy work. I argue that NGOs' activity follows somewhat the political situation, depending on how actively the State parties, Japan and South Korea, are bringing up the issue. It is fruitful to advocate a politicized issue, such as comfort women, before a high-level summit meetings or after the meeting, if the results are not accepted by the civil society.

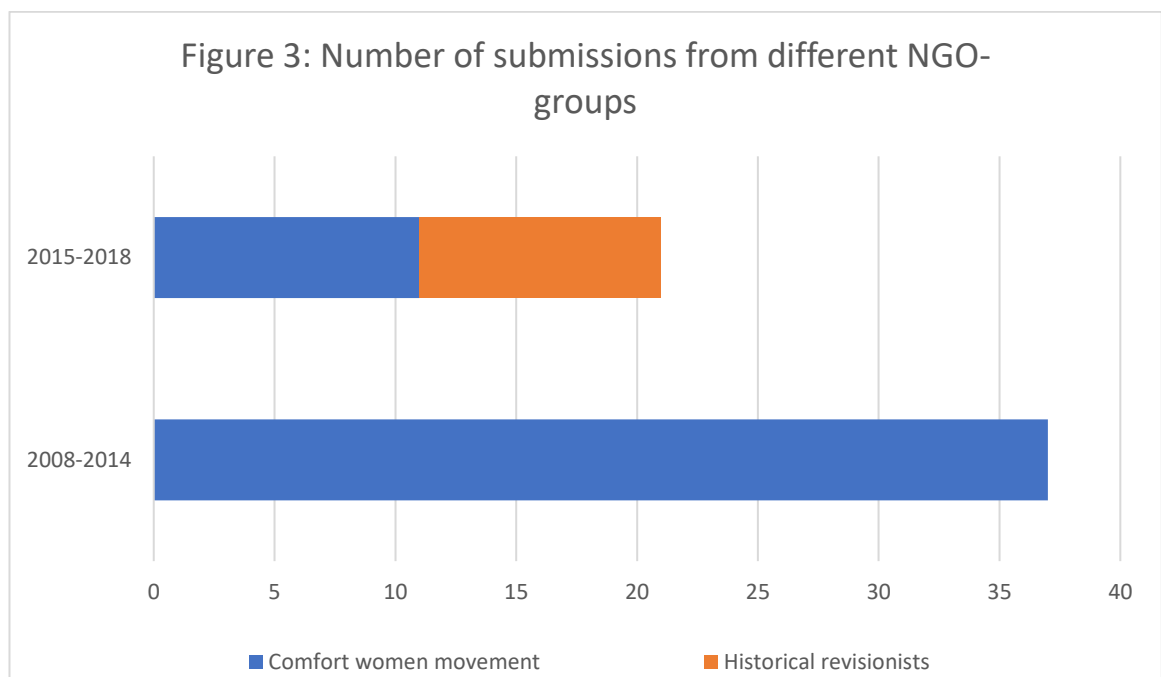
During years 2012-2014 progress was not made in solving the comfort women issue in governmental level. Japan and South Korea did not hold bilateral summits under the leadership of Prime Minister Shinzo Abe and President Park Geun-hye between 2012 and 2015.¹⁸⁴ On the other hand the rise in submissions to UN in 2016, can be explained by the changes in the solving of the issue, as in December 2015 Japan and South Korea announced an Agreement, which would solve the issue 'finally and irreversibly'. An explanatory factor is also, the rise of new NGOs into the field of advocacy in the United Nations in 2015. This will be further elaborated in chapter 5.2.

¹⁸⁴ Kumagai 2016, 72.

In this chapter I detect frames around the issue of comfort women as well as similarities and differences between framing by NGOs and framing by the UN. I have divided the time period into two different time slots. First one is from 2008 till 2014 and the latter is from 2015 till 2018. This division will help the reader to understand the changes that occur in the NGOs' framing process starting from 2015.

During the first time slot, 2008-2014, comfort women movement is the only actor advocating comfort women issue for the UN. In the second time slot, 2015-2018, both comfort women movement and historical revisionist NGOs are advocating views on comfort women in the UN. That is why I have divided the time period from the time of unison and the time of polarization.

Numbers of submissions from the comfort women movement and the historical revisionists are presented in the figure 3.



The comfort women movement advocates in the UN during the whole period from 2008 till 2018. Submissions from the historical revisionist NGOs first appear in 2015.(see list of NGOs, appendix 2) Argumentation of comfort women movement and historical revisionists occur simultaneously in the United Nations platforms during 2015–2018.

In this chapter I detect three frames that Joachim has defined as *problem*, *solution* and *motives*.¹⁸⁵ The content of these frames consists of the arguments presented by NGOs.

¹⁸⁵ Joachim 2003, 253.

Table 2. shows how different arguments (categories) used in the NGOs submissions are categorized under each frame in this study, this is based on the defined category-set (table 1).

Table 2. Frames and contents of frames			
Frame:	Category:	Definition:	Subcategory:
Problem	Defining the issue	all the definitions used to define the comfort women issue	→ crime → legal
	Defining the victims	references to people who have suffered from comfort women issue	→ comfort women → Japanese people
Solution	Presented solutions	references on how to solve the comfort women issue	→ demands → recommendations
Motives	Preventing recurrence	references to a possibility of recurrence	→ present day wars → education
	Inadequate actions	references to inadequate actions of an involved actor	→ Japanese government → United Nations
	Diplomatic issue	references to effects on diplomatic relations	→ before 2015 → after 2015

In the next chapter I analyze how the NGOs have advocated the issue during the first timeslot 2008 till 2014. In this chapter I explain contents of problem, solution and motive frames and take a closer look into the arguments these frames consists of.

5.1. Years 2008–2014: NGOs in unison

Different United Nations Human Rights treaty-bodies received in total 37 reports from NGOs addressing the comfort women issue in years 2008 to 2014. These only include those NGO submissions that are submitted within the Japan's reporting cycle.

By analyzing the submission of the NGOs, I was able to detect frames that are frequently used in NGOs advocative work. To further explain the usage of certain frames I refer to the interview with a representative from a Korean NGO, the Korean Council. The interview is used in my study as a supportive data.

I argue that framing an issue is a constant choice to present the issue in a way that it gains most leverage in the international arena and so influences the nation-states' actions. As Joachim argues, NGOs try to influence nation-states by “ framing problems, solutions and justifications for political action”.¹⁸⁶

I argue that the NGOs are in unison when advocating the issue in the UN Human rights Treaty-based bodies from 2008 till 2014. I will further elaborate this argument in this chapter. All the NGOs that submitted reports to UN 2008–2014, can be said to be part of to the comfort women movement.

In this chapter I introduce the frames and how they have been used in the NGOs' submissions as part of the NGOs' framing process. The figure 4 elaborates the frames that are presented in the submissions and the content of these frames. In this chapter I explain, what these frames mean and how they are used in the submission.

¹⁸⁶ Ibid.

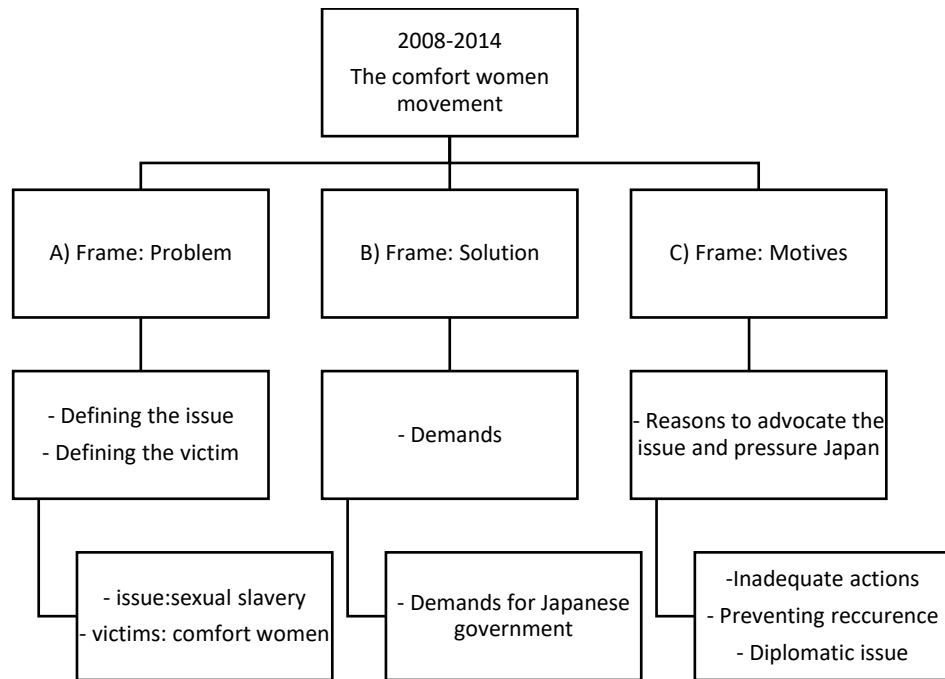


Figure 4: Frames by the Comfort women movement and content of frames in 2008–2014 .

A) Frame: Problem

First I introduce a frame called problem. This means defining, what is seen as the problem that needs action and is worth of advocacy work. Joachim defines this frame as ‘the problem stream in which unacceptable situations are identified’.¹⁸⁷ I argue that in the non-governmental organizations’ submissions to the United Nations, the problem frame is presented by defining the comfort women issue as well as defining, who are the victims of the issue.

Defining the issue

First and foremost it is important to define the issue that the NGOs refer to when talking about the comfort women issue. The definition is not cemented but it has variation depending on Human Rights body, but what unites these definitions is, that all NGOs define it as a human rights violation against the comfort women. The framing of the issue has started long before 2008. I will now take a closer look into how the issue is defined in comfort women movement’s submission by referring to individual NGOs definitions of the issue.

¹⁸⁷ Joachim 2003, 250.

In 2008, an NGO, *Japan Fellowship of Reconciliation* (JFOR) uses a term ‘military sexual slavery by Japan’ in its submission to the Human Rights Committee (CCPR).¹⁸⁸ *The Japanese workers’ committee for human rights* (JWCHR) together with three other Japanese NGOs submitted their report to CCPR in 2008, in which they referred to comfort women issue as sexual slavery.¹⁸⁹ *The Korean Council for the women drafted for military sexual slavery by Japan* (The Korean Council), not surprisingly judging by its name, refers to the issue as sexual slavery in every written document it has submitted to the UN Treaty bodies since 2008. *Japan Federation of Bar Associations* in 2013 also addresses the issue of comfort women as a violation of Prohibition of Slavery and Forced Servitude.¹⁹⁰

Framing the issue as sexual slavery does not limit the NGOs for defining the issue as other crimes simultaneously. Multiple NGOs refer to the issue as violence against women. *Japan NGO Network for CEDAW* in 2009 brings up the issue of comfort women from the point of view of violence against women.¹⁹¹ Comfort women are mentioned as one of the issues regarding violence against women. *The Korean Council* argues that the case of comfort women represents an example of the ‘violence against women in wartimes’.¹⁹²

As Keck and Sikkink argue using the umbrella term ‘violence against women’ is a powerful tool for advocating different issues in the United Nations and has been widely adopted by the comfort women movement.¹⁹³ Framing the comfort women issue as an example of brutal form of violence against women, the message gains leverage in the international platform. Ms. Oh, representative from the Korean Council, also stated during the interview that “in the UN we focus more on war time sexual violence issues in general and use comfort women as an example.”¹⁹⁴

In 2013 *The Japanese workers’ committee for human rights* (JWCHR) defines the issue of comfort women both as a crime of sexual slavery and crime of forced labor. JWCHR refers to International Labor Organization’s (ILO) resolutions that have defined the

¹⁸⁸ Japan Fellowship of Reconciliation, A way towards legislative solution: The issue of “Comfort women”, namely military sexual slavery by Japan 2008, 1.

¹⁸⁹ The Japanese Workers Committee for Human Rights et al 2008, 34.

¹⁹⁰ Japan Federation of Bar Association 2013 c, 61–62.

¹⁹¹ Japan NGO Network for CEDAW 2009, 12.

¹⁹² The Korean Council 2009, 3.

¹⁹³ Keck and Sikkink 1998, 168.

¹⁹⁴ Authors interview with Oh Sunghee, Seoul, 7.11.2018.

issue as forced labor.¹⁹⁵ The definition of comfort women issue as forced labor or forced prostitution is brought up especially, when the NGOs refer to International Labor Organization's recommendations about the comfort women issue.

Many NGOs refer to previous reports and recommendations by the UN. United Nations has adopted a view of comfort women issue as military sexual slavery. Radhika Coomaraswamy, the Special Rapporteur on violence against women, its causes and consequence, referred to comfort women system as a system of sexual slavery. As well as Gay J. McDougall, the Special Rapporteur on systematic rape, sexual slavery, and slavery-like practices during conflict.¹⁹⁶ United Nations has adopted this view in the 1990's and all the NGOs addressing the issue in the UN from 2008 to 2014 agree with this definition. Snow et al. argue that frames are powerful when they resonate with the target audience's understanding. When the United Nations alliance is needed, the NGOs may frame the issue to fit the United Nations' agendas.¹⁹⁷ This also resonates with Joachim's idea of political opportunity structure, which includes having influential allies(see figure 1, theoretical framework). Having a similar stance with the United Nations helps the NGOs' goal to gain an influential ally on United Nations.¹⁹⁸

If there has been violation of human rights there must also be a perpetrator. All the NGOs in 2008 till 2014 agree that the Japanese government is responsible for the comfort women system. And so responsible for compensation and redress for the victims. For example the Korean Council states that "the Japanese government enslaved more than 200,000 women".¹⁹⁹ *The Japanese Workers Committee for Human Rights* refers to the question of responsibility as follows "girls of low teens as well as young women had been coerced by brutal force to serve sex to members of the military. These practices are found to be a national policy of the Government of Imperial Japan."²⁰⁰

Defining the victim

Part of the problem frame in the case of comfort women, I argue, is defining the victim. All the NGOs that submitted reports between 2008t to 2014 define that, victims in the comfort women issue are the former comfort women. Former comfort women are the

¹⁹⁵ The Japanese Workers Committee for Human Rights, 2013 4-5.

¹⁹⁶ Coomaraswamy 1996 and McDougall 1998.

¹⁹⁷ Snow et.al. 1986, 464-470.

¹⁹⁸ Joachim, 2003 250-253.

¹⁹⁹ The Korean Council 2012, 3.

²⁰⁰ The Japanese Workers Committee for Human Rights 2013 a, 4.

ones who have suffered human rights violations during the Second World War and are still suffering from injustice from the part of Japanese government. NGOs use both terms, victims and survivors, but more and more emphasis, in women's organizations' advocacy work in general, is put on using survivors instead of victim, to avoid revictimizing survivors of violence.²⁰¹

When talking about the victims/survivors of the comfort women system, much emphasis is given to the old age of the former comfort women. In the argumentation to support the demands by different NGOs, aging of the victims is used as an argument for a need of fast resolutions. *Japan Fellowship of Reconciliation* (JFOR) in 2008 mentions the aging victims that need reconciliation as fast as possible and continues "the government of Japan regrettably seems to be waiting for the dying out of all victims".²⁰² *Women's Active Museum on War and Peace* (WAM) states in its report in 2009 that "the survivors are now of very senior age and many of them passed away".²⁰³ Argument concerning the senior age of survivors are often linked to the need for fast resolution.

Aging of the victims is repeatedly mentioned in many of the submissions. During an interview with the representative from the Korean Council, Ms. Oh, she explained that at least in the beginning of the movement the age worked in advance for the former comfort women because the public in Korea perceived them as 'grandmothers' and felt empathy for the victims.²⁰⁴ This is especially powerful argument within the national advocative work in South Korea, where the victims are referred as *halmonis*, meaning grandmothers in Korean.

The former comfort women are not portrayed only as victims/survivors of past human rights violations, but NGOs argue that they are also suffering from on-going violations of their rights. Victims are suffering injustice as long as they do not receive adequate redress. Their rights are also violated by hate speech by public officials. Because the victims are still suffering the problem is defined to be a present day problem, not only a past human rights violation.

²⁰¹ Dunn 2005.

²⁰² Japan Fellowship of reconciliation 2008, 1.

²⁰³ Women's Active Museum on War and Peace 2009, 1.

²⁰⁴ Authors interview with Oh Sunghee, Seoul, 7.11.2018.

I argue that NGOs present also secondary victims in their submissions, who are the victims of present day sexual violence in wars. For example *The Korean Council* compares the comfort women system to the present day violations of women's human rights in Congo and argues that the comfort women issue could set an example on how to solve and stop current human rights violations.²⁰⁵ Even though the primary victims for the comfort women system are the former comfort women, I argue that NGOs connect the sufferings of comfort women to the more current violations in warzones. This supports the arguments, that comfort women issue should be solved to prevent recurrence. This will be further elaborated below.

B) Frame: solution

Next part introduces the second frame, which is solution to the problem. NGOs introduce a solution by answering to the question: how the issue should be solved? Joachim defines this frame as 'the policy stream, which contains solutions generated not necessarily in response to a particular problem'.²⁰⁶ I introduce in detail, how the solution frame occurs in NGOs' argumentation. I argue that it is notable how little attention NGOs are giving to the question 'what should be done' and instead focusing more on a question 'what has been done wrong'. First I will introduce the demands by the NGOs and then move on to the motive frame, which includes the argumentations on what has been done wrong.

Demands

NGOs introduce demands for the Japanese government on how to solve the issue. These demands are similar in every NGOs submission between 2008 till 2014.

The NGOs argue that the measures taken have been insufficient and present the measures what should be taken instead. These demands or recommendations present a unanimous view from the point of all the NGOs. Demands for the government by NGOs have not changed from 2008 to 2014. The key demands are admittance of legal responsibility and sincere apology, compensation for the victims, educating the public

²⁰⁵ The Korean Council 2012, 12.

²⁰⁶ Joachim 2003, 250.

and investigating the issue as well as refuting the public statements that re-traumatize victims.²⁰⁷

Similar recommendations are repeated by the UN human rights bodies. I will elaborate this in chapter 6. During the interview with the representative from the Korean Council, Ms. Oh, I asked if there is something that the Korean Council does not agree with, concerning the United Nation's view on comfort women. Ms. Oh responded that the organization agrees with the UN, because the demands represented in the Korean Council's Wednesday demonstrations are almost the same adopted by the UN special rapporteur on Violence Against Women. What the organization is in disagreement with are some of the UN member states, which do not take the UN recommendations seriously.²⁰⁸

Demands for Japanese government are usually given in an form of a list, which does not specify how the demands should be implemented by the government. On the other hand much more detail is given to the topic of what has been done wrong by Japanese government concerning the measures taken in regards of the comfort women issue.

C) Frame: Motives

Next I introduce how NGOs have used the third frame, which is motives. Joachim defines this frame as 'the politics stream carrying motivations and justifications for political action.'²⁰⁹ It is important to present motives to be able to justify the needed action for the NGO's cause. Motives justify, 'why the issue should be advocated in the UN and by the UN'. I will next take a closer look on how NGOs have presented justifications and tried to motivate United Nations to join their cause as well as pressure Japan to implement NGOs' demands.

Inadequate actions

Most of the NGOs start their argumentation by referring to previous recommendations by different UN bodies as well as to the resolutions on comfort women adopted by different Parliaments around the world. NGOs argue that even though the UN and

²⁰⁷ For example the Korean Council 2009, 13.

²⁰⁸ Author's interview with Oh Sunghee, Seoul, 7.11.2018.

²⁰⁹ Joachim 2003, 250.

multiple nations have given their recommendations to Japanese government, Japan has not acted accordingly and has ignored the international pressure.

Keck and Sikkink argue that statements and recommendations can be used by NGOs to exert pressure on states to follow through on their international commitments or to shame them by pointing out the gap between national practices and international agreements.²¹⁰ For example *The Japanese workers' committee for human rights* (JWCHR) shows frustration on the situation in which Japan has been “severely criticized by the international community over several years about the issue, Government still refuses to take the necessary measures to correct the matter.”²¹¹ *New Japan Women's Association* (NJWA) argues that in Japan there is a lack of political will to implement previous recommendations and especially conservatives are delaying solving the issue.²¹² Shaming the government of Japan is something that can be identified as a pattern from the NGO submissions.

Some NGOs argue that because the government has not implemented the recommendations given by the UN, it is not appropriate that Japan is a Human Rights Council Member State. *The Korean Council* states, “the position of Japanese government towards ‘comfort women’ makes one question the attitude of Japan as Human Rights Council Member State and as nation that ratified Women’s Convention.”²¹³

As well as *Japan Federation of Bar Associations* refers to Japan’s position as Human Rights Council Member State:

“Japan has stood as a candidate for membership of the Human Rights Council, and has pledged to take up a leading role for defending human rights, and faithfully observe international law on human rights. Considering the pledge the Government has made, the issue of “comfort women” should be regarded as a fundamental issue that cannot be avoided, and the Japanese Government should attempt to make a final resolution on the issue once and for all”.²¹⁴

²¹⁰ Keck and Sikkink 1998, 2–13.

²¹¹ The Japanese workers’ committee for human rights 2013 b, 28.

²¹² New Japan Women’s Association 2009, 2.

²¹³ The Korean Council 2009, 6–7.

²¹⁴ Japan Federation of Bar Associations 2012, 39.

NGOs also repeatedly refer to the ‘inadequate’ actions that Japanese government has already taken to resolve the issue. NGOs refer to these actions to be able to argue why these actions have been insufficient. Most often referred measure in the NGO submissions is the Asian Women’s Fund (AWF).

Even though the Asian Women’s Fund was dissolved in 2007, it is still repeatedly used in an argumentation. AWF is used as an archetype of an inadequacy that Japanese government has shown when deploying measures on comfort women issue. The Asian Women’s Fund is unanimously seen as insufficient measure for compensation for the victims, due to its private nature and that, it was directed only towards certain victimized countries but it did not cover all of them. NGOs argue that the AWF is not legal compensation from the Japanese government and so the demands and advocacy work for solution must continue. For example *Women's Active Museum on War and Peace* (WAM) presents views about the inadequacy of the AWF in 2009.²¹⁵ As well as *The Japanese workers’ committee for human rights* (JWCHR) in 2012²¹⁶ and many others follow the same stance.

Inadequacy of Japanese government is also argued to be shown in the public statements, that politicians and public figures have given on comfort women. Arguments against defaming comments by politicians increases after 2012. I argue that this is because in December 2012, the LDP won the national lower-house election and Abe Shinzō became Prime Minister again. Abe’s stance in elections was extremely conservative.²¹⁷

Public statements which the NGOs refer to are used as an example of hate speech towards former comfort women. This is defined as one of the most notable current problems circling the issue. Most problematic statements, according to NGOs, are the ones denying coercion in the recruitment of comfort women. NGOs argue that these statement defame the victims and cause re-traumatization. Many NGOs quote Toru Hashimoto, the (then) Osaka City Mayor, who stated in a press conference in May 13 2013 that comfort women were necessary.²¹⁸ Many NGOs also refer to statements made by Prime Minister Shinzo Abe. Especially problematic is seen Abe’s attempts to revise the Kono statement. *The Korean Council* refers Abe’s statements, as degrading of

²¹⁵ Women's Active Museum on War and Peace 2009, 1.

²¹⁶ The Japanese workers’ committee for human rights 2012, 34.

²¹⁷ The Economist, 16.12.2012, Shinzo Abe’s sumo-sized win, <https://www.economist.com/banyan/2012/12/16/shinzo-abes-sumo-sized-win> [accessed 23.5.2020]

²¹⁸ NGO Network for the Elimination of Racial Discrimination Japan 2014 a, 29.

the acceptance of responsibility. *The Korean Council* states, “The Japanese government, who promoted Kono Statement in the UN and international community as a Japanese government’s effort to express apology and accept responsibilities is now degraded this minimal acceptance of responsibility”.²¹⁹

These public statements are defined by NGOs as both hate speech and racial speech. This argument is used especially in submissions made to Committee on Elimination of Racial Discrimination but statements by public figures are referred to in almost every NGO submission. Most of the NGOs discussing the hate speech link the issue of hate speech toward comfort women, to the issue of hate speech towards ethnic Koreans in Japan. For example *The Korean Residents Union in Japan* (Mindan) deals with hate speech against comfort women as one of a sub-problems in an wider issue of hate speech towards Korean residents in Japan. Mindan argues that there are underlying reasons why the ethnically discriminatory hate speech takes place and one of the reasons is historical disputes such as comfort women issue.²²⁰

Statements about comfort women are also linked to gender-discrimination. *Japan Federation of Bar Associations (JFBA)* refers to this as double-discrimination against women. Comfort women were discriminated during Second World War both because of their gender as well as their ethnicity. JFBA argues that “at the time of World War II, there were ideas of sex discrimination as well as ethnic discrimination behind the violent treatment of the victims.”²²¹

Statements made by individual politicians and public figures are seen as one problem, but on the other hand as an equally notable problem is seen to be the Japanese government’s non-existing response to the hate speech. According to the NGOs Japanese government has not refuted the public comments as it should have. That is seen as one of the examples of inadequate actions by Japanese government. That is why NGOs list, as one of their demands, that Japanese government refutes the public statements that re-traumatize the victims.

²¹⁹ The Korean Council 2014, 8.

²²⁰ Mindan the Korean Residents Union in Japan, 2014, 5–6.

²²¹ Japan Federation of Bar Associations 2014, 107.

Preventing recurrence

A representative from The Korean Council, Ms. Oh, states during the interview, that there are ongoing wars in present time. The Korean Council wants to emphasize in its message that it is important to resolve the comfort women issue or otherwise the violence against women in wars will never be stopped. Ms. Oh states that this is the message that the Korean Council wants to spread for people around the world.²²²

I define ‘preventing recurrence’ as one of the commonly presented arguments in NGOs’ submissions. This is linked both to the current women’s human right violations in warzones around the world, as well as importance of educating the future generations on the issue of comfort women, to prevent the horrors of happening again.

Asia-Japan Women’s Resource Center (AJWRC) submitted a report for CCPR in 2008, which mentions the ongoing violations of women’s rights in warzones. *AHWRC* argues that it is important that the Japanese government punishes the perpetrators, who committed the crime of sexual slavery by establishing the comfort women system, for the sake of stopping present day violations.²²³ Issue of comfort women is put into the same category as present day violations of women’s human rights in the ongoing wars. In 2012 *The Korean Council* compares the comfort women system to the present day violations of women’s human rights in Congo and argues that the comfort women issue could set an example on how to solve and stop current human rights violations.²²⁴

The Japanese workers’ committee for human rights in 2013 used a title “The Comfort Women Issue may be a Key to World Peace.”²²⁵ *The Japanese workers’ committee for human rights* specifies its argument on world peace, stating that the Abe regime, holds “die-hard right-wing” stances, which could lead to “attempts to cover up the criminality of the war of aggression as well as to revive the past Japan.”²²⁶ That is why “the UN and the international community should carefully watch the political development in

²²² Author’s interview with Oh Sunghee, Seoul, 7.11.2018.

²²³ Asia-Japan Women’s Resource Center 2008, 8.

²²⁴ The Korean Council 2012, 12.

²²⁵ The Japanese workers’ committee for human rights 2013, 4.

²²⁶ *ibid*, 5.

Japan’’²²⁷ and attempt to solve the comfort women issue as soon as possible to ensure the peace in Japan and the world.

The Korean Council argues in 2009 that the issue of military sexual slavery must be solved to prevent recurrence in the future. It does not refer to ongoing wars but instead links the issue to the growing military armament of Japan. *The Korean Council* paints a picture in which the same horrors could happen again perpetrated by the same state.²²⁸ This also shows the harsh stand that especially the Korean Council takes against the Japanese government.

Almost every submission from 2008 to 2014 mentions the need for educating Japanese public about the comfort women system. Both Japanese NGOs and the Korean Council refer to the exclusion of a mention of comfort women from the Japanese textbooks.

I see the argumentation on the need for education as one side of the ‘preventing recurrence’ argument. NGOs argue that it is important that the public knows about the historical facts on comfort women to ensure it will never happen again.

In 1996 an argument sparked up in Japan about whether to include a comment on comfort women into history textbooks. Japan uses a system in which private publishers produce drafts on textbooks and then submit them to the Ministry of Education, Culture, Sports, Science and Technology for screening and approval.²²⁹ *Japan Network on Education for the Advancement of Gender Equality* brings up the problems in textbook screening in both 2008 and again in 2009. In 2009 it has harshened its stance on the ‘unjust’ system of book screening, which has deleted all the references on comfort women.²³⁰

Japan Federation of Bar Association argues that the exclusion of comfort women from textbooks is a result of Ministry of Education, Science, Sports and Technology administration not welcoming the inclusion of this issue in textbooks. It argues that this effects the possibility of the public to ‘know the truth’ on the issue.²³¹ *Japan Federation*

²²⁷ *ibid*, 5.

²²⁸ The Korean Council 2009, 11.

²²⁹ Kimura, 2016, 15.

²³⁰ Japan Network on Education for the Advancement of Gender Equality 2008, 5 and 2009, 6.

²³¹ Japan Federation of Bar Association 2013 b, 53.

of Bar Association as well as many other NGOs demand that the government includes a mention of comfort women into the history textbooks.

The Korean Council refers to textbooks and the lack of mention of comfort women in every submission it has made to the UN. This issue is considered to be highly important as the educational aspect and textbooks are mentioned in almost every submission made by NGOs from 2008 till 2014.

Diplomatic issue

Japan Fellowship of Reconciliation (JFOR) notes that the issue of comfort women causes bilateral diplomatic disputes between Japan, South Korea and China in its submission in 2012. And again in 2013 the JFOR puts emphasize on the Japan-South Korea relations.²³² Since 2012 in NGO submission the issue is depicted as diplomatic dispute around the comfort women issue and not only as human rights issue. This does not mean that the issue is still not mainly described as a human rights violation but the NGOs add views on the diplomatic relations to the discussion.

Also *The Korean Council* addresses bilateral diplomatic relations between Japan and South Korea which are effected by the comfort women dispute, in its submission in 2012.²³³ *Japan Federation of Bar Associations* (JFBA) recommends Japanese government to hold bilateral talks with each county involved in the issue in 2012 and repeats this recommendation in the years to come.²³⁴ The comfort women issue's impacts on the diplomatic relations can be seen as an argument to motivate UN and nation-states to engage into the action to solve the issue.

This new change in the discussion started to occur after August 30, 2011, when the Constitutional Court of South Korea judged that it is unconstitutional that the Korean government has not endeavored to negotiate with the Japanese government to acknowledge the individual rights of former comfort women to make a claim for compensation.²³⁵ From this on NGOs repeatedly bring up the Constitutional Court Decision as a sign of victory and try to urge the Japanese government to engage in

²³² Japan Fellowship of Reconciliation 2012, 6 and 2013, 6.

²³³ The Korean Council 2012, 11.

²³⁴ Japan Federation of Bar Associations 2012, 40.

²³⁵ Constitutional Court of Korea -webpage, <http://english.court.go.kr/cckhome/engNew/decisions/historicalBrief/historicalBriefDetail.do> accessed 6.4.2020

bilateral negotiations with South Korea. At this point NGOs seem to be hopeful for the possible resolution to be found through bilateral negotiations between ROK and Japan. In 2008 to 2014 NGOs do not specify their hopes for the negotiations, for example the for victim-centered approach is not mentioned. This should be noted when continuing to analyze submission after the bilateral talks between ROK and Japan which took place in 2015 and lead to 2015 Agreement. I will further analyze this in the chapter 5.2.

In 2012 and 2013 all the submissions to CCPR celebrate the Constitutional Court's decision and recommend Japan to accept the invitation for bilateral talks with ROK government. For example *Japan Federation of Bar Associations* urges the Human Rights Committee to ask from the government of Japan: "Does the State Party plan to urgently hold talks on the issue of "comfort women" with the countries involved including the Government of Korea, and acknowledge its legal responsibility as soon as possible?"²³⁶ The bilateral talks are seen as a possibility for a resolution.

5.2. Years 2015-2018: Polarization

In the next part I analyze the NGOs' submissions between years 2015 to 2018. As stated in the previous chapter NGOs have been promoting frames as a united front during 2008–2014. This all changes in 2015. It could be said that in this aspect the year 2015 works as some kind of a watershed. NGOs' discussion on the issue becomes clearly polarized.

Solving the comfort women issue took a turn in December 28 2015, when South Korean government and Japanese government announced in a joint press conference that "this issue is resolved finally and irreversibly with this announcement".²³⁷ This is called the 2015 Agreement. Japanese Foreign Minister Kishida, read Prime Minister's apology and promised that Japanese government donates 1 billion yen from the government's budget to a foundation for the purpose of providing support for the former comfort women. Japanese government raised concern on the Peace statue in front of Japanese embassy in Seoul, and the South Korean government promised to try to solve this issue. Both governments agreed on refraining from "accusing or criticizing

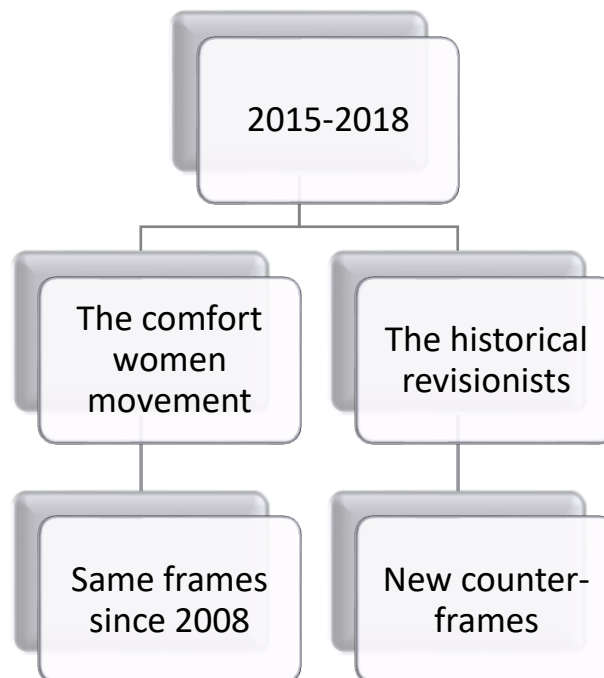
²³⁶ Japan Federation of Bar Association 2013 c, 63.

²³⁷ Ministry of Foreign Affairs of Japan, https://www.mofa.go.jp/a_o/na/kr/page4e_000364.html, accessed 6.4.2020

each other regarding this issue in the international community, including at the United Nations.”²³⁸

Since 2015 there have been two groups of NGOs promoting the issue of comfort women in United Nations. To be able to separate these groups clearly from each other I call them ‘historical revisionists’ and ‘the comfort women movement’. I argue that it is possible to group the NGOs, because of their shared views. The NGOs, which were addressed in the previous chapter concerning years 2008-2014, belong to the comfort women movement. These NGOs continue their advocacy in the UN.

At the same time new group of NGOs rose in 2015, constituting from Japanese NGOs, which were not active in the UN previous to 2015. This group’s view of the issue contradicts the United Nations official view but agrees with the Japanese government’s official view. Although some NGOs promote their idea more harshly than the government probably would. These NGOs belong to the group, I define as historical revisionists. Historical revisionists perceptions of history question views of Japan as a war criminal or imperialist offender during the Second World War. Revisionists aim to restore the national pride of Japan.²³⁹



²³⁸ Ministry of Foreign Affairs of Japan, https://www.mofa.go.jp/a_o/na/kr/page4e_000364.html, accessed 6.4.2020

²³⁹ Ueno 2006, 2 .

Figure5: Polarization of the framing efforts in 2015-2018.

In the next part I will take a closer look into the submission made to UN between 2015 and 2018. I detect on how the issue is framed by these differently advocating groups. Even though the South Korea and Japan agreed on not raising the issue in the United Nations, this did not diminish the NGOs advocative work. On the contrary in 2015 and 2016 UN received most submission from NGOs within the scope of this study.

This part of the analyzes covers submissions to Committee on the Elimination of Discrimination Against Women previous to the Committees meeting in 2016 and submissions to Committee on the Elimination of Racial Discrimination previous to its 2018 meeting. CEDAW received 17 submissions that addressed the comfort women issue, this is the single most active platform for conversation on comfort women issue from 2008 to 2018.

In this chapter the polarization of the issue plays a key role. Since 2015 in UN platforms it is possible to detect, what Jutta Joachim call as, ‘counter-framing efforts’.²⁴⁰ This means that the frames set by NGOs until 2015 are challenged by counter-frames. I continue by detecting the same three frames: *problem*, *solution* and *motives*. As will be shown below content of these frames varies distinctively between comfort women movement and historical revisionists. First I will take a look on the framing efforts of the historical revisionists and then move on to the framing efforts of the comfort women movement in 2015 till 2018.

²⁴⁰ Joachim 2003, 251.

5.2.1. The historical revisionists

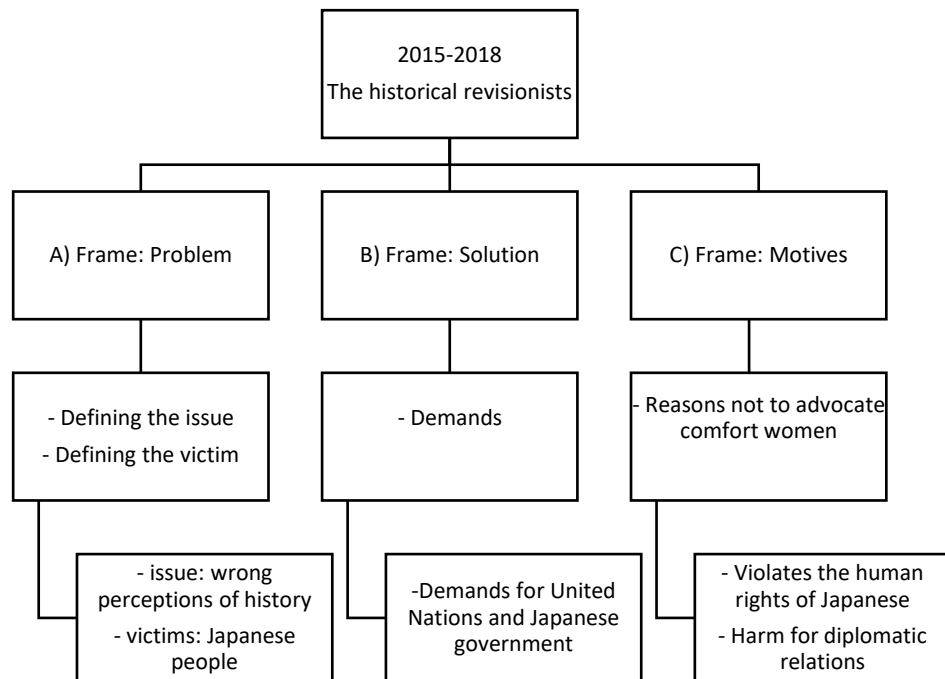


Figure 6: Frames and content of frames by the historical revisionists 2015-2018.

A) Frame: Problem

I continue using the same theory base defined by Jutta Joachim, to be able to detect similarities and changes in framing efforts in 2015-2018. The distinctive difference is that the problem, solution and motives of the historical revisionists' are defined very differently compared to framing efforts in 2008-2014. I argue that the content of the frames differ significantly because of the different objectives of the advocacy work. Framing efforts by the historical revisionists are used as counter-frames to the previous hegemonic framing. First I take a look on the problem frame.

(Re)defining the issue

As stated in previous chapter the view of comfort women system as a crime of sexual slavery within the NGOs has been predominant frame. Since 2015 the united front of the advocated frames on the comfort women issue became polarized. 'New' NGOs started to advocate the issue in the UN platforms. These NGOs do not define the

comfort women system as a crime but as legal prostitution. They argue that there was no crime, which should be compensated.

Some of the NGOs mentioned in this chapter are part of the Action Conservative Movement (ACM). As mentioned earlier ACM is xenophobic ultra-right movement which poses views of historical revisionism. The roots of the ACM lie in the historical revisionist views concerning South Korea. ACM member organizations have been successful in working with right-wing politicians.²⁴¹ From the NGOs that advocate in the UN, *Nadeshiko Action* and *Ninohashi Club* are part of the ACM. Because all of the addressed NGOs are not members of ACM, but hold similar views of the comfort women issue, I refer to this group of NGOs with a collective term ‘historical revisionists’.

Nadeshiko Action: Japanese Women for Justice and Peace (JWJP) defines the comfort women issue as “Commercially Recruited Women for selling sex to Japanese Soldiers”.²⁴² JWJP’s submission states that comfort women were legal state-regulated prostitutes and well-paid.²⁴³ *Japan Family Value Society* states that the claim that “comfort women were sex slaves” is nothing but a fabrication of history.²⁴⁴ *Coalition of Three Parties for Communicating Historical Truth* argues that comfort women system was not sexual slavery but a highly-paid job.²⁴⁵ This argument is repeated in several NGO submissions. *Researchers of History on Modern Japan* (HMJR) argues that “‘enslavement’ and ‘two hundred thousand’ are factually totally baseless claims”.²⁴⁶ The amount of comfort women is questioned in many of the NGO submissions.

Discussion on Japanese government’s and Military’s responsibility is strongly present. *Japan Family Value Society* argues that Japanese military was involved only to prevent venereal diseases spreading, to make sure no-one was forcibly recruited and everybody was paid. *Japan Family Value Society* also argues that the Military was only involved to guarantee comfort women’s human rights.²⁴⁷ *Nadeshiko Action: Japanese Women for Justice and Peace* (JWJP) argues that Japanese government was involved only to

²⁴¹ *ibid*, 220-221.

²⁴² *Nadeshiko Action Japanese Women for Justice and Peace* 2015, 1.

²⁴³ *Ibid*, 1-3.

²⁴⁴ *Japan Family Value* 2016, 1.

²⁴⁵ *Coalition of Three Parties for Communicating Historical Truth* 2016, 2-4.

²⁴⁶ *Researchers of History on Modern Japan* 2016, 1.

²⁴⁷ *Japan Family Value Society* 2016, 1.

protect the comfort women's rights, because the government had ratified the 1921 Convention (Suppression of the Traffic in Women and Children). To protect the rights of women in comfort stations, State organized periodic health examination, safe transportation to stations and checks of the age and the will of comfort women. The NGO depicts Japan as a protector of comfort women's human rights.²⁴⁸

Coalition of Three Parties for Communicating Historical truth argues that if there were to be human rights violations of comfort women's rights they were not caused by Japanese government nor the Army but Korean individuals. Korean procurers may have kidnapped women and girls and Korean recruiters or brothel operators may have resorted to "coaxing and intimidating". However, these matters had nothing to do with the Japanese Army and/or Authority.²⁴⁹

NGOs argue that Japanese military had a part in comfort women system but only as a 'protector' of women's rights. If there was coercion in the recruitment it was done by the Koreans themselves. This is fundamentally different view than NGOs have presented in UN platforms till 2014.

This group of NGOs define the essence of the problem to be the wrong perception of comfort women issue, which has been hegemonic in the United Nations since the 1990s. They argue, that the 'wrong' definition of comfort women as sex slaves by the United Nations and many NGOs advocating in the UN, has caused harm for Japanese people and the nation. As elaborated in the next part, these wrong perceptions are seen to be the cause of human rights violations of Japanese people.

Defining the victim

The victims, in historical revisionist group's argumentation, are Japanese people, whose human rights are violated due to the wrong perceptions of the comfort women issue. NGOs argue that fabrications of history of comfort women system violate the human rights and dignity of Japanese people.

The Nadeshiko: Action Japanese Women for Justice and Peace (JWJP) calls for Japanese government to publish all the facts about the comfort women system, for a reason to "prompt restoration of honor and dignity of Japan and of Japanese nation".²⁵⁰

²⁴⁸ Nadeshiko Action Japanese Women for Justice and Peace 2016, 3–4.

²⁴⁹ Coalition of Three Parties for Communicating Historical truth 2016, 8-9.

²⁵⁰ The Nadeshiko Action Japanese Women for Justice and Peace 2015, 9.

It also sees “the Comfort Women Issue as a tool of anti-Japan propaganda violating human rights of Japanese nation.”²⁵¹ I argue that historical revisionists define the Japanese nation, as a secondary victim to the issue of comfort women and the primary victim as the Japanese people. This view of victimized nation reflects the nationalistic views of the historical revisionist NGOs.

Japan Family Value Society states that because of the fabricated story of comfort women “many innocent Japanese children living in the U.S. are being bullied and victimized, which is a true case of a human rights violation.”²⁵² Also *Researchers of History on Modern Japan* (HMJR) calls Japanese government to deny the coercion of Korean girls into sexual slavery and protect the honor of Japanese.²⁵³ HMJR also states that “people in Japan and Japanese living abroad are exposed to the dangers of physical attack and mental torment by the proponent of sex slaves, because the government has not explicitly denied the enslavement.”²⁵⁴ NGOs are quilting the government for not denying the sexual slavery.

Happiness realization research institute (HRRI) argues that the fabricated view of history, about comfort women being sex slaves, is a human rights violation against Japanese people. The Japanese people living abroad have been targeted because of this wrong version of history and they are suffering “severe mental harm”.²⁵⁵ Term severe mental harm is not further elaborated in the submission.

One form of violation against Japanese people’s human rights, is defined by NGOs to be hate speech towards Japanese. Similarly as the comfort women movement in 2008 till 2014 has argued that former comfort women’s human rights are violated because of the hate speech towards the survivors. Similar violation is detected by historical revisionist NGOs but the subject of hate speech are the Japanese people. NGOs argue that Japanese they falsely accused of war time atrocities. *Nadeshiko Action: Japanese Women for Justice and Peace* in 2018 argues that there is a growing number of hate speech against Japanese people especially by anti-Japanese Koreans. The fabricated views of history, for example that comfort women were sex slaves, should be labeled as hate speech against Japanese people. Nadeshiko Action argues that the United Nations

²⁵¹ The Nadeshiko Action Japanese Women for Justice and Peace 2016, 5.

²⁵² Japan Family Value Society 2016, 1.

²⁵³ Researchers of History on Modern Japan 2016, 1.

²⁵⁴ Researchers of History on Modern Japan 2016, 1.

²⁵⁵ Happiness realization research institute argues 2018, 1.

has an incorrect understanding of comfort women as sex slaves, when comfort women were in fact well-paid prostitutes. According to the NGOs view because the UN has spread a biased view of history it has created ‘‘racial tension’’ between Japan and South Korea.²⁵⁶ Issue of hate speech is connected to ethnicity and racial discrimination. Nadeshiko Action also puts blame on the UN, which differs from comfort women movement’s objectives.

According to *Family Value Society’s* argumentation, the issue of comfort women is not a Human Rights issue in itself, but it has produced violation of Human Rights against Japanese people. Their rights are violated by anti-Japan propaganda.²⁵⁷ This is a common argument within the historical revisionist NGOs.

Since 1990s the discussion in the United Nations has evolved around the human rights of the comfort women. I claim that arguments presented by historical revisionists are a clear counter-frame for that conversation. Counter-frame challenges the view of the former comfort women as sex slaves and argues that the fabrication of history is actually harming the rights of the Japanese people and nation. NGOs argue that there is a human rights violation but the victim is portrayed differently than by the united front in 2008-2014.

B) Frame: solution

Demands

How do the NGOs suggest that the human rights violations of the Japanese people could be stopped? What would be the solution for this problem? According to historical revisionist NGOs there is no need to solve the comfort women issue because comfort women system was not a violation of human rights, but there is a need to stop the wrongful perceptions of history in the United Nations and by the comfort women movement. Historical revisionist NGOs present demands for both the Japanese government and the United Nations. This is significantly different starting point for demands that what the comfort women movement represents. United Nations is also the main target for the historical revisionists and not only a way to effect the Japanese government’s actions.

²⁵⁶ Nadeshiko Action Japanese Women for Justice and Peace 2018, 38–39.

²⁵⁷ Family Value Society 2016, 1.

Nadeshiko Action: Japanese Women for Justice and Peace (JWJP) suggests that the solution would be, that the Japanese government clearly states its stance on comfort women. *JWJP* refers to Prime Minister Abe's statement (at The Budget Committee of The House of Councilors on January 18, 2016), "there is no evidence proving sex slaves or taken away by The Army".²⁵⁸ *JWJP* sees this as the government's official stance, which should be more actively promoted in the international arena. Even though historical revisionists present demands for the Japanese government, at the same time NGOs agree with the Japanese government's 'official' stance, or at least with the stance that they see as the official stance. This means that they want the government to more actively promote its stance on denying sexual slavery and Japanese government's responsibility.

Researchers of History on Modern Japan demands that "the government of Japan must make an official declaration to explicitly deny the enslavement."²⁵⁹ Also *Japan Family Value Society* states that we "sincerely wish that the Japanese government stop apologizing for something Japan did not do, speak up the truth about the comfort women, and clear misunderstandings which have spread all over the world".²⁶⁰

Happiness realization research institute (HRRI) demands similarly that the Japanese government should recognize that "the Japanese people and their children in Japan and abroad are receiving discriminatory treatment"²⁶¹ due to the misconceptions of comfort women issue. Government should also remove statues and monuments on comfort women as well as "spread the Japanese government's official views strategically in order to correct the series of misunderstandings on the comfort women issue."²⁶²

Part of the recommendations to Japanese government, in most of the NGOs submissions, is revising the Kono statement. *Nadeshiko Action: Japanese Women for Justice and Peace (JWJP)* calls for revising the Kono Statement, which it argues, was only a political gesture under the pressure of South Korean government. There was no evidence of coercion discovered in Japanese government's research, published in 1990s. *JWJP* argues that the Kono statement "gives the world serious misunderstandings"²⁶³

²⁵⁸ Nadeshiko Action Japanese Women for Justice and Peace 2016, 4.

²⁵⁹ Researchers of History on Modern Japan 2016, 1.

²⁶⁰ Japan Family Value Society 2016, 1.

²⁶¹ Happiness realization research institute 2018, 5.

²⁶² *ibid.*

²⁶³ Nadeshiko Action Japanese Women for Justice and Peace 2015, 5.

and in fact it was only meant to show sympathy for the women not to admit any responsibility.²⁶⁴ *Happiness Realization Research Institute* argues that “the Kono Statement is a product of political convenience to settle a diplomatic spat between Japan and South Korea”.²⁶⁵

Additional to Japanese government, demands are made for the UN. *Nadeshiko Action: Japanese Women for Justice and Peace* in 2018, lists all its demands directly for the United Nations. It demands that the UN notices that it has a wrong idea on comfort women based on the Coomaraswamy report, which should be invalidated. NGO continues to demand the UN to “stop the insults and disparagement that damage the reputation of the nation and people of Japan”.²⁶⁶ This means that the NGO claims that United Nations is the perpetrator that harms Japanese people’s human rights. This is a bold argument, aiming to pressure United Nations from bringing up the comfort women issue.

As one of the main demands directed to United Nations, the NGOs call for revising the report by Special Rapporteur on violence against women, its causes and consequences Radhika Coomaraswamy on comfort women issue. The Coomaraswamy report was published in 1996 and is a corner stone for United Nations stance in the issue. The report defines the issue as sexual slavery. The Coomaraswamy report has been often referred to by the comfort women movement for example *The Korean Council* and *Japan Federation of Bar Associations* in the argumentation supporting the need for redress for the former comfort women. Starting from 2015 historical revisionists in the UN platform, are asking for invalidation/revision of the Coomaraswamy report. I argue that this is again a counter-framing effort against the comfort women movement’s argumentation.

Coomaraswamy report is criticized because it defines the comfort women issue as an issue of sexual slavery as well as states that there were 200 000 comfort women. Both of these statements are seen as fabrications of history by historical revisionists. *Ninohashi Club* states, “we request the Japanese government make every effort so that the Coomaraswamy Report and the McDougall Report can be invalidated by the United

²⁶⁴ Ibid.

²⁶⁵ Happiness Realization Research Institute 2016 3.

²⁶⁶ Nadeshiko Action Japanese Women for Justice and Peace 2018, 41.

Nations.”²⁶⁷ McDougall report, published in 1998, is also mentioned in few submissions but Coomaraswamy report is targeted more often,

Coalition of Three Parties for Communicating Historical Truth states that since Kono statement and Coomaraswamy report have been published “the Japanese public has been constantly exposed to international criticism of not apologizing enough.” The submission continues that the Korean comfort women “have insatiable appetite for Japanese apologies” even though Japan has already set up Asian Women’s Fund.²⁶⁸

The Coomaraswamy report is criticized by relying too much on the victims testimonies. NGOs argue that testimonies cannot be trusted because they were not validated.²⁶⁹ Academic research has also been published on the value of testimonies in historical research, for example by Maki Kimura.²⁷⁰

The Coomaraswamy report is also criticized, by historical revisionists’, for using a book ‘My War Crime’ by Yoshida Seiji as one of the primary sources of the report. In the book Yoshida Seiji, a former Japanese Military official, reveals his own war crimes which included forcible abductions of girls to become comfort women.²⁷¹ Later Seiji has retrieved his statement saying he had fabricated the history and similarly Japanese News Paper Asahi Shimbun, which published Seiji’s statements in 1990s has apologized in 2014, for publishing wrongful information.²⁷² For example in the submissions by *Coalition of Three Parties for Communicating Historical Truth* and *Happiness Realization Research Institute* Yoshida Seiji’s case is used as an argument, on why the Coomaraswamy report cannot be trusted and should be revised.²⁷³ *Ninohashi Club* focusses on proving Coomaraswamy report and McDougall report incorrect in its submission to CEDAW 2016.²⁷⁴

I argue that Coomaraswamy report and McDougall report represent the whole stance of the United Nations, as well as the comfort women movement, on the issue. Historical

²⁶⁷ Ninohashi Club 2016, 2.

²⁶⁸ Coalition of Three Parties for Communicating Historical Truth 2016, 2.

²⁶⁹ For example, Researchers of History on Modern Japan 2016, 1.

²⁷⁰ Kimura 2016.

²⁷¹ Coomaraswamy 1996, para. 29.

²⁷² Asahi Shimbun, Third-party panel criticizes delay in retracting 'comfort women' articles over Yoshida testimony, 23.12.2014, <http://www.asahi.com/ajw/articles/AJ201412230056.html>, accessed 20.5.2020

²⁷³ Coalition of Three Parties for Communicating Historical Truth 2014, 14 and Happiness Realization Research Institute 2016, 2.

²⁷⁴ Ninohashi Club 2016, 1–2.

revisionists are not only targeting individual reports, they are aiming to change the perception on how the issue is seen.

By demanding revision of the Coomaraswamy report, the NGOs are targeting their recommendations for the United Nations instead of the Japanese government.

Previously (2008–2014) comfort women movement unanimously presented recommendations targeting Japanese government. Joachim argues that in advocacy work, an important goal for NGOs is finding influential allies.²⁷⁵ Previous to 2015 it was clear that the ally pursued by NGOs was United Nations. Makes me wonder what is the influential ally pursued by historical revisionist NGOs in UN platform?

Snow et.al argue that frames are powerful when they resonate with the target audience's understanding.²⁷⁶ I would argue that the above mentioned arguments do not resonate with United Nations' understanding of the comfort women issue. Although Japanese government has presented somewhat similar thoughts on Kono statement as well as Coomaraswamy report. In 2014 the events that led to the announcement of the Kono statement were reviewed in an official research initiated by the government.²⁷⁷ As well as claims for revising the Coomaraswamy report has been made by the Cabinet of Prime Minister Shinzo Abe in 2014.²⁷⁸ The influential ally in this case might be then the Japanese government, which argumentation resonates better with the arguments by historical revisionist NGOs. To make more informed claims would require intensive research on the political background of the NGOs and possibly their funding. This would offer an interesting aspect for future research.

C) Frame: Motives

Reasons not to advocate comfort women issue

NGOs argue that the comfort women system is no way unique. *Association to Achieve True Equality between Men and Women* addresses the comfort women movement, which bring up the issue of comfort women in the international arenas and asks “why

²⁷⁵ Joachim 2003, 250-253.

²⁷⁶ Snow et.al. 1986, 464–470.

²⁷⁷ Ministry of Foreign Affairs of Japan, Remarks by Chief Cabinet Secretary Suga June 20, 2014, , <https://www.mofa.go.jp/files/000042179.pdf> [Accessed 20.5.2020]

²⁷⁸ The Japan Times, 16.10.2014, ‘Japan requests revision of 1996 U.N. sex slave report’, <https://www.japantimes.co.jp/news/2014/10/16/national/history/government-requests-revision-of-1996-u-n-sex-slave-report/#.XsK3KG5uJPZ> [accessed 4.4.2020]

don't they take care of the Korean women who served American soldiers as comfort women during the Korean War, nor the Vietnamese women who served Korean soldiers during the Vietnam War?"²⁷⁹ Comfort women system is also compared to RAA (Recreation and Amusement Association) centers. RAA centers refer to controversial system of prostitution for occupational forces, mainly U.S., in Japan after the Second World War.²⁸⁰ Some historical revisionist NGOs see the RAA system as a continuation for comfort women system.

For example *Coalition of Three Parties for Communicating Historical Truth* states that the RAA centers are comparable to comfort women stations.²⁸¹ *Nadeshiko Action: Japanese Women for Justice and Peace* (JWJP) states that "if comfort women had been so called sex slaves, Allied Army could have been accomplice of war crimes."²⁸² This strategy of argumentation aims to put pressure on the UN member states. NGOs argue that for example Korea and United States are also responsible for using similar systems as comfort stations and are not in position to judge Japan. Similarly Japanese public officials have given statements of comfort women system being used in other countries too.

In 2016, *Nadeshiko Action: Japanese Women for Justice and Peace* argues against general views of the United Nations' on comfort women. The NGO uses a tool of argumentation, which is called shaming by Keck and Sikkink.²⁸³ *Nadeshiko Action: Japanese Women for Justice and Peace* states in its submission for CEDAW that bringing up comfort women is 'anti-Japan propaganda' and attacks the main objectives of the UN:

"Ironically the objectives of The Committee, strengthening promotion and protection of human rights are adversely accomplished by The Committee itself. That is to say, The Committee violates human rights. Many Japanese are seriously concerned, with a kind of annoyance, to this grave situation which causes the committees of human rights to lose its authority and the trust of Japanese nation in The United Nations."²⁸⁴

²⁷⁹ Association to Achieve True Equality between Men and Women 2016, 1.

²⁸⁰ Tanaka 2002, 141.

²⁸¹ Coalition of Three Parties for Communicating Historical Truth 2016, 6.

²⁸² Nadeshiko Action Japanese Women for Justice and Peace 2016, 5.

²⁸³ Keck and Sikkink 1998, 2–13.

²⁸⁴ Nadeshiko Action Japanese Women for Justice and Peace 2016, 6.

Nadeshiko Action clearly establishes its (and Japanese nations) distrust towards the United Nations as well as the consequences for not stopping the advocacy of the comfort women issue in the UN. Similarly as the comfort women movement was shaming the Japanese government, historical revisionists are shaming United Nations.

United Nations is not the only actor being criticized in the historical revisionist NGOs submissions. Also Japanese government's actions are seen to be inadequate, as it has not tried enough to stop the spreading of misconceptions of history. Although only one NGO clearly uses shaming as an argumentation tool against the Japanese government. *Researchers of History on Modern Japan* argues that this has led to a situation in which the Japanese government is not protecting the human rights of its own people.²⁸⁵ The NGO is trying to shame Japanese government by claiming it has not appropriately protected the human rights of its own citizens.

The NGOs also argue that bringing up the comfort women issue causes harm to diplomatic relations, obviously between South Korea and Japan but also U.S. and Japan. The issue of comfort women is defined as a political issue instead of human rights issue. *Family Value Society* mentions U.S.-Japan-South Korea security partnership, which is on stake because of the comfort women dispute. *Family Value Society* argues that UN should stop bringing up the issue cause it harms the international relations.²⁸⁶ *Japan Family Value Society* argues that, "by bringing up this issue over and over again in the United Nations makes an already fragile international situation even more fragile."²⁸⁷

Happiness Realization Research Institute states that 2015 bilateral agreement between Japan and ROK is "a product of political convenience in order to resolve a diplomatic row". The NGO states that the Agreement is wrongly interpreted internationally as Japan's admission of guilt and that is why Japanese public does not accept the agreement.²⁸⁸ The other historical revisionist NGOs,, don't mention the 2015 Agreement. This is important to note, when I continue to analyze the comfort women movement's submission between 2015 to 2018. The comfort women movement criticizes strongly the 2015 Agreement. This is further elaborated in the next part.

²⁸⁵ *Researchers of History of Modern Japan* 2016, 1.

²⁸⁶ *Family Value Society* 2016, 1-2.

²⁸⁷ *Japan Family Value Society* 2016, 1.

²⁸⁸ *Happiness Realization Research Institute* 2016, 7.

To conclude the historical revisionists argue that neither NGOs, United Nations nor the Japanese government should bring up the comfort women issue, because the wrong perceptions of the issue, violate the human rights of Japanese people and the nation as well as harm Japan's diplomatic relations. In historical revisionists' arguments the comfort women issue is wrongly perceived as an issue of sexual slavery, which creates wrong accusations against Japanese people. I see the historical revisionists' argumentation on stopping the advocacy of comfort women issue, as controversial, because these NGOs are actually raising more conversation on the issue. I argue that it is not possible to silence the issue by bringing counter-arguments into the UN platforms, in reality this according to the amount of submission, after bringing the counter-arguments to the UN, the discussion of comfort women issue has been even more active than before.

5.2.2. The comfort women movement

As discussed above the NGOs which have brought up the comfort women issue in the UN are not in unison anymore since 2015. This does not mean that the NGOs advocating the issue since the beginning of the observation period in 2008 have disappeared anywhere. The Comfort women movement continues to apply the same frames and arguments that have been used since 2008. The comfort women movement has not fundamentally changed its argumentation and NGOs are literally the same ones that have advocated for comfort women since 2008.(see list of NGOs, Appendix 2)

Although the 2015 Agreement between South Korea and Japan caused new perceptions to the definition of the solution frame by the comfort women movement. After 2015 the focus of the comfort women movement in the UN, has been on arguing against the 2015 Agreement. I will next take a look on the continuous use of frames as well as the changes that occurred after 2015.

A) Frame: problem

Most NGOs that defined the crime as sexual slavery in 2008–2014, hold the same position. *Japan NGO Network for CEDAW* (JNNC) submitted a report to CEDAW in 2015 and updated its information in a new submission in 2016. Both NGO's submissions refers to comfort women issue as military sexual slavery.²⁸⁹ Also *The*

²⁸⁹ Japan NGO Network for CEDAW 2015, 5. and 2016, 23.

Korean Council for the Women Drafted for Military Sexual Slavery by Japan refers to comfort women issue, not surprisingly, as sexual slavery system organized and implemented by Japanese government.²⁹⁰ *New Japan Women's Association* also refers to the issue as wartime sexual slavery.²⁹¹

Japan Federation of Bar Associations(JFBA) on the other hand does not use the term 'sexual slavery' anymore, as it does before 2015. *Japan Federation of Bar Associations* still argues that there was coercive recruitment but it has retrieved from mentioning sexual slavery. In the report by *JFBA* the comfort women issue is addressed under Article 6, Prohibition of Trafficking in Women.²⁹²

Definition of the victims has not changed within the comfort women movement. Former comfort women are defined as victims of the comfort women system. NGOs put even more effort to show individual comfort women in their submissions. Both *the Korean Council* and *Women's Active Museum on War and Peace (WAM)* include direct quotes from survivors with full names and ages. In these quotes the former comfort women voice their critical opinions on 2015 Agreement. WAM also presented former comfort women's pictures.²⁹³ I argue that this is a strategy to humanize the survivors/victims and raise sympathy from the audience.

B) Frame: solution

Demands

Demands by the comfort women movement NGOs, have stayed significantly similar since the beginning of the observation period 2008. (see demands chapter 5.1.)

What has changed is the fierce opposing of the 2015 Agreement. Emphasis is put into criticizing the Agreement, and a new demand is introduced concerning re-negotiations of the Agreement. I will next take a closer look into the NGOs' argumentation regarding the 2015 Agreement.

2015 Agreement dominates the conversation within the comfort women movement's submissions. The argumentation fits into a similar category as proving the Asian

²⁹⁰ The Korean Council for the Women Drafted for Military Sexual Slavery by Japan 2016, 1.

²⁹¹ New Japan Women's Association 2016, 1.

²⁹² Japan Federation of Bar Associations 2015, 69-70.

²⁹³ the Korean Council 2016, 43-44 and Women's Active Museum on War and Peace 2016, Appendix A-2.

Women's Fund to be inadequate. AWF is often mentioned in relation to the 2015 Agreement as an example of Japan's previous insufficient attempts to solve the issue. It is notable that previous submissions from the same NGOs, after the Korean Constitutional Court's decision in 2011, supported strongly bilateral negotiations between South Korea and Japan and saw them as a possible resolution to the issue, without specifying any expectations concerning the negotiations. An attitude towards a bilateral solution has changed after 2015.

The Korean Council gives special attention to 2015 Agreement, which according to *the Korea Council*, is "an obstacle blocking the victims' rights".²⁹⁴ *The Korean Council* argues that the Agreement is unacceptable because of the following reasons:

- 1) It does not clearly acknowledge the crime and apologize
- 2) Absence of legal responsibilities and legal reparation
- 3) Agreement does not state follow-up measures and leaves the responsibility of implementation to the victimized country
- 4) Removal of a peace statue and ending the discussion of the issue in the UN are unfair conditions demanded by Japan
- 5) Agreement lacks victim-centered perspective and ignores previous recommendations by the International community.²⁹⁵

Women's Active Museum on War and Peace (WAM) presents similar arguments about the 2015 Agreement as the Korean Council does. It is opposing the Agreement on the grounds of lack of victim-centered approach. It also notes that there is no written document about 2015 Agreement, which means that there is nothing for the victims to read, consider or sign. *WAM* also notes that the issue is not a political issue between Republic of Korea (ROK) and Japan and cannot be settled with a bilateral Agreement. Japanese government should remedy the victims and publicly acknowledge its responsibility of the crime of sexual slavery.²⁹⁶ Similarly *Japan Federation of Bar Associations* criticizes the 2015 Agreement.²⁹⁷

New Japan Women's Association on the other hand notes that 2015 Japan-ROK Agreement was a step forward. Although the NGO continues to point out multiple

²⁹⁴ The Korean Council 2016, 5.

²⁹⁵ The Korean Council 2016, 5-8 and 2018, 4-5.

²⁹⁶ Women's Active Museum on War and Peace 2016, 1 and 2018, 10-11.

²⁹⁷ Japan Federation of Bar Associations 2016, 43.

problems in the 2015 Agreement. Especially problematic are lack of consultation with victims and Japanese governments demand for removing the Peace statue in front of the Japanese Embassy in Seoul. This is seen as preventing the facts of history being handed over to the future generations as well as an act against preventing future recurrence. According to *New Japan Women's Association* the 2015 Agreement was just a “political settlement”.²⁹⁸ This is the only one argument, which can be found from both, comfort women movement's and historical revisionists' submissions.

NGOs strongly promote an image that they are representing the victims voices in the issue of 2015 Agreement. *The Korean Council* states that ‘ ‘ the survivors and citizens from all over the world are calling for withdrawal of the agreement and are carrying out campaigns for a just resolution of the issue.’’²⁹⁹ As mentioned before both *WAM* and *The Korean Council* also submitted direct quotes about the issue from former comfort women.

The 2015 Agreement was criticized by the South Korean public as well as the Presidential candidates in their election campaigns in 2017, which pledged to annul or renegotiate the Agreement. Later NGOs also had support from South Korean liberal government for their criticism against the Agreement, as South Korean President Moon Jae-in, criticized the Agreement in December 27 2017, for being a political agreement without a victim-centred perspective.³⁰⁰ If the historical revisionists shared similar views with the Japanese government, same could be said from the comfort women movement and the South Korean government.

C) Frame: Motives

Motives in the NGOs submissions answer the question ‘why the issue should be advocated in the United Nations and by the United Nations?’. I argue that these motives are mostly presented similarly as before 2015, but more emphasis is given to the question ‘why the issue should be *still* advocated?’. With the 2015 bilateral Agreement the governments of Japan and South Korea announced that the issue of comfort women is finally and irreversibly solved, as well as agreed not to bring up the issue in the

²⁹⁸ New Japan Women's Association 2016, 2.

²⁹⁹ The Korean Council 2016, 8.

³⁰⁰ Ministry of Foreign Affairs of Republic of Korea, 27.12.2017, ‘Report on the Review of the Korea-Japan Agreement of December 28, 2015 on the Issue of “Comfort Women” Victims’, http://www.mofa.go.kr/upload/cntnts/www/result_report_eng.pdf [accessed 17.5.2020]

United Nations platforms again. I argue that this is the reason that the NGOs have to put effort on justifying their the cause for action and, as explained above, emphasize why the Agreement is insufficient solution for the issue.

The Korean Council's representative, Ms. Oh, said during the interview, that she feels like the attitude of the United Nations has changed after the 2015 Agreement. She elaborates that after the Agreement UN sees the issue bit more as a political issue which it is reluctant to comment on. Ms. Oh continues that the recommendations given by the UN, are still victim-centered but UN does not directly comment on the 2015 Agreement itself. Ms. Oh comments that it seems like United Nations has stepped backwards after 2015. As well as have the nation states, which have been supportive towards the issue in the past, like U.S., Canada or Germany. "After the agreement was announced they [nation states] felt like if they say something about the 2015 agreement they intervene relationship between Korean and Japan."³⁰¹

The interview was given few weeks before Moon Jae-in criticized publicly the 2015 Agreement and the Reconciliation and Healing Foundation was dismantled. To note that this may have changed the stance of supportive nation states as well as United Nations.

What the argumentation of the NGOs stems from is the general idea that the issue is not solved yet and United Nations still needs to pressure Japanese government for action. For example *The Korean Council* states in 2016:

"The survivors have been traveling to Japan, the UN, and parliaments and assemblies around the world and shared their agonizing stories and demanded recovery of their justice. Their long fight must not be ended with an instant political compromise."³⁰²

Comfort women movement argues that the fight is not over yet, because the 'political compromise' is not a sufficient solution and the support of the UN must continue.

At the same time, NGOs within the comfort women movement promote motives for action as 2008–214, about 'preventing recurrence' and shaming Japanese government by listing it's 'inadequate actions'. (see Motives, chapter 5.1.) NGOs argue that the situation has not improved but actually gone worse. That is also presented as a reason to continue the advocacy.

³⁰¹ Author's interview with Oh Sunghee, Seoul, 7.11.2018.

³⁰² The Korean Council 2016, 8.

Both *Japan Federation of Bar Associations* and *Japan NGO Network for CEDAW* raise their concern of the new turns on the ‘textbook discussion’. The problem has been earlier that the comfort women are not mentioned in the Junior high textbooks. In 2015 the NGOs raised their concern that government is forcing its one-sided views on the comfort women system into the textbooks.³⁰³ And in 2018 *Japan Federation of Bar Association* reports that during an authorization process a publisher that mentioned the comfort women system in its textbook was asked to add a sentence “no materials have been discovered which directly prove that there was so-called coercive recruitment by the military or government authority”.³⁰⁴ This means that textbooks are required to follow the Government’s official view on the events, and not only to remove all the mentions of comfort women.

Hate speech against comfort women is still one of the most dominant arguments in the NGOs submissions. *The Korean Council* identifies one of the key problems to be the public statements denying the coercive recruitment of comfort women, which re-traumatize the aging victims.³⁰⁵ *Japan Federation of Bar Associations (JFBA)* gives special attention on hate speech which it defines as “racially offensive, repulsive and inflammatory remarks and behaviors”³⁰⁶ against former comfort women. Hate speech against the comfort women is strongly connected with hate speech towards Korean residents in Japan. *JFBA* also notes the statements are often made by politicians and public official’s especially within the Abe Cabinet.³⁰⁷ Issue of hate speech is connected with racial discrimination and politicians in power.

Japan NGO Network for CEDAW (JNNC) in 2016 brings up a specific concern of Abe Administration’s actions. It states that “12 of the 20 Cabinet members including Prime Minister and the two female members belong to the Parliamentary League of Nippon-Kaigi (Japan Conference, founded in 1997), a group which denies the facts that Japan committed atrocities including sexual slavery known as “comfort women” in its war of aggression.”³⁰⁸ Denial by the state Party is seen as serious violations of former comfort

³⁰³ Japan Federation of Bar Associations 2015, 85 and Japan NGO Network for CEDAW 2015, 6.

³⁰⁴ Japan Federation of Bar Association 2018, 43–44.

³⁰⁵ The Korean Council 2016, 3-4.

³⁰⁶ Japan Federation of Bar Associations 2015, 73.

³⁰⁷ Japan Federation of Bar Associations 2015, 74.

³⁰⁸ Japan NGO Network for CEDAW 2016, 6.

women's rights and a concerned development in Japan's domestic politics. After 2015 more attention is given to the domestic political course of Japan.

Historical revisionists have been advocating since 2015 in the UN platforms, presenting arguments on 'why the issue should not be advocated' (See previous chapter). From this point of view the justifications for advocating the issue, are even more important for the comfort women movement.

In the previous chapter I introduced counter-framing efforts, which included linking the comfort women issue with atrocities done by Korean soldiers during the Vietnam war. Historical revisionists use this as an argument, according to which Koreans cannot blame Japanese for human rights violations which they have also committed themselves. I discussed about this with the Korea Council representative, Ms. Oh and she commented the actions that this has sparked within the Korean Council:

"..nowadays they [other NGOs] try to use Vietnam war, because during Vietnam war lot of Korean soldiers where there and I know some of them committed crimes, like Japanese soldiers did, during the Second World War. And that is why we established the Butterfly fund*³⁰⁹ and we [the Korean Council] go to Vietnam once a year to express our sincere apology, because we are also a part of Korea. But so Japanese government and its right-wing organizations raise Vietnam war issue to attack comfort women issue. That is their new tactic to attack comfort women issue."³¹⁰

Kern and Nam argue that during the framing process of the comfort women issue, the movement has provided an understanding, according to which all the East Asian countries share a history of war and all have acted both as perpetrators and also as victims.³¹¹

³⁰⁹ "The Butterfly Fund was founded on International Women's Day on March 8th, 2012 by Japanese military sexual slavery victims Kim Bok-dong and Gil Won-ok halmonis. Two halmonis promised to support women who still suffer from sexual violence in conflict with all of the reparations they would receive from the Japanese government. As the Japanese government continued to deny its crimes and responsibilities, two halmonis started the Butterfly Fund and citizens stood in solidarity with halmonis." The Korean Council's official webpage: <http://womenandwar.net/kr/activities/#prevention-of-sexual-violence-in-conflict> accessed 14.5.2020

³¹⁰ Author's interview with Oh Sunghee, Seoul 7.11.2018.

³¹¹ Kern and Nam 2009, 229.

This shows that framing process is a two way street that includes arguments and counter-arguments. All actors need to react to the arguments that are presented by the opposing side and sometimes re-frame their issue, if needed.

6. The United Nations framing the issue of comfort women

During my observation period from 2008 to 2018 several UN Human Rights Treaty-based Bodies gave recommendations regarding the comfort women issue. These Treaty-bodies include, Human Rights Committee (CCPR), Committee on Economic, Social and Cultural Rights(CESCR), Committee on the Elimination of Racial Discrimination(CERD), Committee on the Elimination of Discrimination against Women(CEDAW) and Committee against Torture(CAT). In this chapter I take a look into the concluding observations given by these UN bodies. Concluding observations are given considering the human rights situation in Japan. I detect frames used by United Nations to see if they have similarities or differences compared to the frames used by NGOs.

Comfort women were mentioned in every concluding observation by all the above mentioned Committees during 2008-2018, in Japan's reporting cycle. The comfort women issue is holding its place as one of the standing subjects in the United Nation's 'issues of concern' in the observations on Japan. Concluding observations first comment on the selected issues and then give the Committee's recommendations about the issue for the government of Japan. Concluding observations are given after the Japanese government has submitted its governmental report to the committee.

To be able to compare the primary data by NGOs and the UN, I use the same frames as defined in the theoretical framework as well as used as a base for analysis of the NGO submissions. Frames are *problem*, *solution* and *motives*. Next I will take a look on how these frames are defines by the United Nations in 2008-2018. The observation period is not divided in two slots.

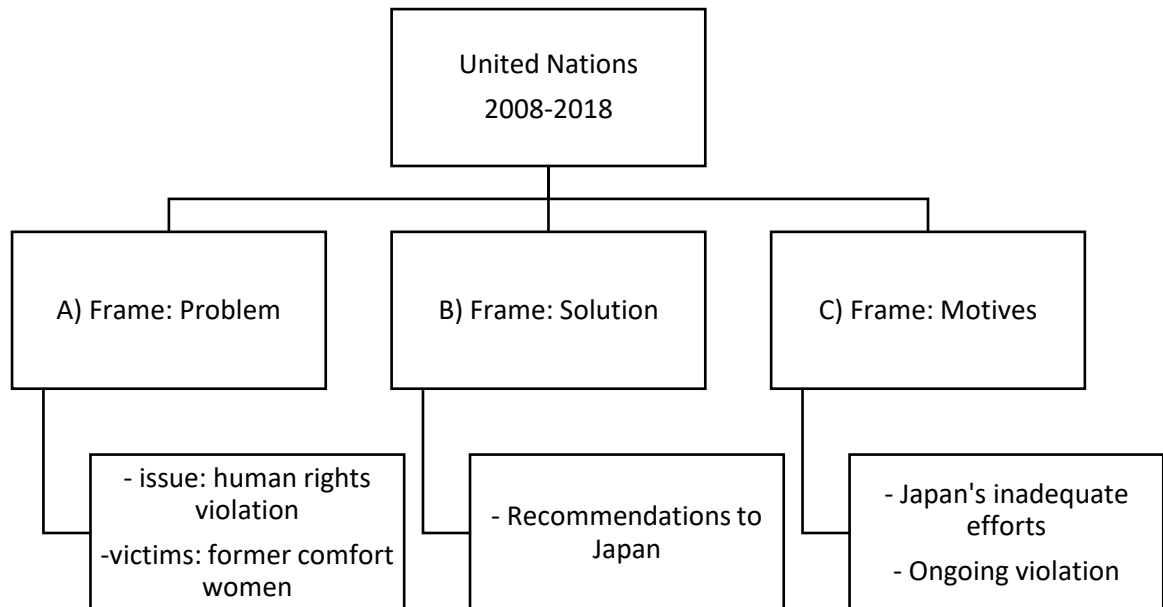


Figure 7: Frames and content of frames by United Nations in 2008-2018.

A) Frame: Problem

The United Nations Treaty-based bodies define the comfort women system as human rights violation. *Committee Against Torture* specifies its definition of comfort women system as “acts of torture” as well as “military sexual slavery”.³¹² *Human Rights Committee* “considers that any such acts carried out against the will of the victims are sufficient to consider them as human rights violations involving the direct legal responsibility of the State party.”³¹³ *Human Rights Committee* also refers to comfort women system as “sexual slavery practices against ‘comfort women’”.³¹⁴

The exact definition of the issue varies, as *Committee on the Elimination of Racial Discrimination (CERD)* in 2014 refers to “the issue of foreign “comfort women” who were sexually exploited by the Japanese military during the World War II.”³¹⁵ *CERD* refers to the ethnicity of comfort women as foreign which connects the issue to racial discrimination as well as excludes the Japanese former comfort women from the discussion. Again in 2018 *CERD* connects the issue of comfort women to the racial discrimination and states that the solution to the issue should be “inclusive of comfort

³¹²Committee Against Torture 2013, CAT/C/JPN/CO/2, para. 19.

³¹³ Human Right Committee 2014, CCPR/C/JPN/CO/6, para.14.

³¹⁴ *ibid.*

³¹⁵Committee on the Elimination of Racial Discrimination 2014, CERD/C/JPN/CO/7-9, para.18.

women of all nationalities”.³¹⁶ CERD took this ‘inclusive’ stance after the 2015 Agreement was announced by ROK and Japan governments. I argue, that CERD sees the Agreement being exclusive from all other that South Korean comfort women and so not a solution for the issue.

None of the reports give a detailed account on the comfort women system or the amount of comfort women. Treaty-based bodies concluding observations focus on the present-day violations of former comfort women. By this I mean that victims have not received justice, because the issue remains unresolved, as well the victims face present day violations of their rights. *Human Rights Committee* considers that this “reflects ongoing violations of the victims’ human rights, as well as a lack of effective remedies available to them as victims of past human rights violations”.³¹⁷ *Committee on the Elimination of Racial Discrimination* gives an example of the lasting effects of the comfort women system, “bearing in mind that human rights violations against surviving “comfort women” persist as long as their rights to justice and reparation are not fully realized”³¹⁸

One of these present day violations is “hate speech and other manifestations of hatred that stigmatize them [comfort women]”³¹⁹. *Human Rights Committee (CCPR)* is concerned in 2008 that, “some politicians and mass media continue to defame victims or to deny the events” and again in 2014 CCPR is, “concerned about revictimization of the former “comfort women” by attacks on their reputations, including by public officials, and some that are encouraged by the State party’s equivocal position.”³²⁰ By equivocal position of the State party, the Committee refers to statements by the Japanese government, which deny the forcible deportation of comfort women by Japanese Military but at the same time admit that recruitment, transportation and management of comfort system was initiated against women’s will and through military or entities acting on behalf of the military.³²¹

All the Committees define that victims of the comfort women issue are the former comfort women. In 2014 an interesting addition to the victim pool are the families of

³¹⁶ Committee on the Elimination of Racial Discrimination 2018, CERD/C/JPN/CO/10-11, para.28.

³¹⁷ Human Rights Committee 2014, CCPR/C/JPN/CO/6, para.14.

³¹⁸ Committee on the Elimination of Racial Discrimination 2014, CERD/C/JPN/CO/7-9, para.18.

³¹⁹ Committee on Economic, Social and Cultural Rights 2013, E/C.12/JPN/CO/3, para.26.

³²⁰ Human Rights Committee 2008, CCPR/C/JPN/5, para. 22 and Human Rights Committee 2014, CCPR/C/JPN/CO/6, para. 14.

³²¹ *ibid.*

the former comfort women. Redress should be offered not only to the former comfort women but also their families. *Committee on the Elimination of Racial Discrimination* in its concluding observations, both in 2014 and 2018 states that the measures of reparation should be addressed to both surviving comfort women and their families.³²² As well as *Human Rights Committee* urges the State party to allow “access to justice and full reparation to victims and their families”.³²³ I argue that it is important to bring the families to the discussion as well, because only a few comfort women are still alive. It is also not a new addition to the conversation, because the first demands drafted by the Korean Council in early 1990s also mentioned the need for redress both to the victims as well as their families.³²⁴ The UN only adopted this view in 2014.

I argue that all Treaty-based Bodies hold fundamentally similar view on the issue of comfort women, which is, as mentioned earlier, based on the reports by Special Rapporteurs (Coomaraswamy 1996, McDougall 1998). In the reports by Coomaraswamy and McDougall the comfort women issue is seen as a Human Rights violation, defined as a crime of sexual slavery perpetrated by Japanese Military.³²⁵

These reports by Special rapporteurs are also often referred to by the NGOs, which belong to the comfort women movement. The comfort women movement frames the problem similarly, as sexual slavery and the former comfort women as victims of the comfort women system. The UN concluding observations do not refer to the issue that are advocated by the historical revisionists. I argue that the historical revisionists definitions of the frames have not been adopted by the United Nations. None of the UN bodies refers to Japanese people as the ones who are suffering from the comfort women issue nor they refer to the comfort women system as legal prostitution. I argue that United Nations Treaty-based bodies define the *problem frame* similarly with the comfort women movement.

³²² Committee on the Elimination of Racial Discrimination 2014 CERD/C/JPN/CO/7-9, para.18 and Committee on the Elimination of Racial Discrimination 2018, CERD/C/JPN/CO/10-11, para.28.

³²³ Human Rights Committee 2014, CCPR/C/JPN/CO/6, para. 14.

³²⁴ Kwon 1994, 2.

³²⁵ Coomaraswamy 1996 and McDougall 1998.

B) Frame: Solution

Solution to the issue of comfort women is given by the UN Treaty-based bodies in a form of recommendations for the Japanese government.

Recommendations

All the United Nations Treaty-based bodies list recommendations for the Government of Japan. In every report by every UN body, the key idea is, that it is Japan's responsibility to solve the comfort women issue by implementing the given recommendations. *Committee for Elimination of Discrimination Against Women* in 2009 recommends "that the State party urgently endeavour to find a lasting solution for the situation of 'comfort women'".³²⁶ This is the main point that United Nations underlines, the State party is responsible for finding a solution for the comfort women issue. The solution can be found by following the recommendations given by UN. *Committee Against Torture* in 2013 defines the solution as "immediate and effective legislative and administrative measures to find a victim-centred resolution for the issues of 'comfort women'".³²⁷ This leaves the details of 'legislative and administrative measures' for Japanese government to figure out.

What is empathized in the concluding observations is the victim-centred perspective. In 2008 *Human Rights Committee* recommends that "the State party should accept legal responsibility and apologize unreservedly for the 'comfort women' system in a way that is acceptable to the majority of victims and restores their dignity".³²⁸ In 2013 *Committee Against Torture* urges State party to find "a victim-centred resolution".³²⁹

I argue that the victim-centered perspective is even more underlined after 2015 bilateral Agreement was announced. CEDAW states that the Agreement "did not fully adopt a victimcentred approach."³³⁰ and continues to recommend, that the implementation of the

³²⁶ Committee on the Elimination of Discrimination against Women 2009, CEDAW/C/JPN/CO/6, para.38.

³²⁷ Committee Against Torture 2013, CAT/C/JPN/CO/2, para.19.

³²⁸ Human Rights Committee 2008, CCPR/C/JPN/5, para.22.

³²⁹ Committee Against Torture 2013, CAT/C/JPN/CO/2, para.19.

³³⁰ Ibid.

Agreement takes into account “views of the victims/survivors and ensures their rights to truth, justice and reparation.”³³¹

What differs compared to comfort women movement’s arguments on the 2015 Agreement, CEDAW recommends that victim-centred perspective to be adopted to the implementation of the Agreement. The 2015 Agreement is not recommended to be re-negotiated or dismantled as in NGOs submissions.

Similarly *Committee on the Elimination of Racial Discrimination* in 2018 comments that the 2015 bilateral Agreement was not victim-centred and recommends that the State party ensures the solution with a victim-centred approach.³³²

All Treaty- based bodies, except the *Committee on the Elimination of Racial Discrimination*, recommend Japan to educate its public about the comfort women issue. For example *Committee for Elimination of Discrimination Against Women* recommends, “education of the public about these crimes.”³³³ *Committee on Economic, Social and Cultural Rights* urges the State party to “educate the public on the exploitation of “comfort women” so as to prevent hate speech and other manifestations of hatred that stigmatize them.”³³⁴ It is interesting that the need for education is stated to be to prevent hate speech. This is not repeated by any other Treaty-based body nor was the reason advocated by the NGOs. NGOs presented the need for education to be to prevent recurrence. *Committee Against Torture* takes a similar stance and recommends “educating the general public about the issue and include the events in all history textbooks, as a means of preventing further violations of the State party’s obligations under the Convention.”³³⁵ Educational need is further elaborated by the need to prevent “gender-based breaches of the Convention”.³³⁶ The need for education is connected to both preventing hate speech and gender-based discrimination. *CAT* is the only Treaty-based body that brings up the gender aspect of the comfort women issue.

In 2014 there are signs of distancing by the United Nations in the case of comfort women. In 2014 *Human Rights Committee* and *Committee on the Elimination of Racial Discrimination* gave their concluding observations to Japan. Both Committees brought

³³¹ Ibid. par. 29

³³² Committee on the Elimination of Racial Discrimination 2018, CERD/C/JPN/CO/10-11, para.28.

³³³ Committee on the Elimination of Discrimination against Women 2009, CEDAW/C/JPN/CO/6, para.38.

³³⁴ Committee on Economic, Social and Cultural Rights 2013, E/C.12/JPN/CO/3, para.26

³³⁵ Committee Against Torture 2013, CAT/C/JPN/CO/2, para.19.

³³⁶ Ibid.

up the issue and gave recommendations concerning the comfort women. *Human Rights Committee* recommends in 2014, that:

“all allegations of sexual slavery or other human rights violations perpetrated by the Japanese military during wartime against the “comfort women” are effectively, independently and impartially investigated and that perpetrators are prosecuted and, if found guilty, punished”³³⁷ (emphasis added)

I find it notable that the first time the crime is referred to as ‘allegations’ and not as proved history. As well perpetrators are punished, ‘if found guilty’. This reflects a different stance from previous UN reports, which do not show any hesitation on whether there was human rights violations or not.

In the same year *Committee on the Elimination of Racial Discrimination (CERD)* recommends the State party to “condemn any attempts at defamation or denial of such events.”³³⁸ Differing from previous recommendations by the United Nations, recommendation says not to defame ‘such events’ instead of not to defame the victims. In the same report from *CERD* it notes that “Committee is concerned at reports that most of the “comfort women” have never received recognition, apologies or any kind of compensation”.³³⁹ (emphasis added)

It seems like the Committees took a step back from accusing the State party directly and instead raises concerns on reports, which state that comfort women are not adequately compensated and refrains from directly accusing the government for not apologizing nor compensating.

This can be linked to the activity of NGOs in their advocacy work in the United Nations. Figure 3 (in chapter 5) shows that NGOs submitted only 4 reports to *Committee on the Elimination of Racial Discrimination* in 2014, as well as 4 reports for *Human Rights Committee* in 2014. Compared to for example the year 2016 when *Committee for Elimination of Discrimination Against Women* received 16 submissions from NGOs. I argue that NGOs were not active in advocacy because there were no political triggers, since Japan and South Korea didn’t hold bilateral summits between 2012-2015.

³³⁷ Human Rights Commission 2014, CCPR/C/JPN/CO/6, para.14

³³⁸ Committee on the Elimination of Racial Discrimination 2014, CERD/C/JPN/CO/7-9, para.18.

³³⁹ Ibid.

Japanese Newspaper Asahi Shimbun, retracted its articles in 2014 which had contained the testimonies of Seiji Yoshida of his war crimes concerning the forcible abductions of comfort women. Asahi Shimbun announced that the testimonies were fabrications of history in August 2014.³⁴⁰ Report by UN Special Rapporteur, Radhika Coomaraswamy, was heavily criticized because it uses Yoshida Seiji's testimonies as one of the sources for its arguments. NGOs, with views of historical revisionism, have announced their will to revise the report. (Chapter 5.2.) This demand has been supported by the Japanese government as well.³⁴¹ I argue that this may have caused the United Nations to take a step back on comfort women issue.

I claim that the step-back in advocacy work ended in 2015 and United Nations hardened its stance again in 2016. I argue that the advocacy work by the comfort women movement has been effective in the case of 2015 Agreement. On 28.12.2015 United Nations Secretary-General Ban Ki-moon announced a statement, which welcomed the ROK-Japan agreement, without criticizing its content.³⁴² But in 2016 *Committee for Elimination of Discrimination Against Women* adopted a more critical view towards the Agreement as well as did *Committee on the Elimination of Racial Discrimination* in 2018. *CEDAW* states in 2016 that the issue of comfort women is unresolved, "while noting the efforts by the State party to attempt to resolve the issue" with bilateral Agreement.³⁴³ Even though this statement does not directly criticize the Agreement, it is a clear statement that UN does not prove the Japan and ROK government's announcement of "finally and irreversibly" solved issue. The United Nations sees the issue as unresolved.

After 2015 both of the reports from the UN, CEDAW 2016 and CERD 2018, requested a detailed account from Japan on the efforts to resolve the issue. This means that UN does not consider that the 2015 Agreement solved the issue of comfort women. During the observation period from 2008 till 2018, this was the first time the UN specifically

³⁴⁰ Asahi Shimbun, 'Third-party panel criticizes delay in retracting 'comfort women' articles over Yoshida testimony', <http://www.asahi.com/ajw/articles/AJ201412230056.html>, accessed 16.5.2020

³⁴¹ The Japan Times, 16.10.2014, 'Japan requests revision of 1996 U.N. sex slave report', https://www.japantimes.co.jp/news/2014/10/16/national/history/government-requests-revision-of-1996-u-n-sex-slave-report/#.Xr_ymplS9PY accessed 16.5.2020

³⁴² UN News, 'UN chief welcomes agreement between Japan and Republic of Korea on 'comfort women'', <https://news.un.org/en/story/2015/12/519052-un-chief-welcomes-agreement-between-japan-and-republic-korea-comfort-women>, accessed 15.5.2020

³⁴³ Committee on the Elimination of Discrimination against Women 2016, CEDAW/C/JPN/CO/7-8, para. 28.

requests more information about the efforts of Japanese government to solve the comfort women issue.

United Nations Treaty-based bodies opinion that the Agreement did not solve the issue as well as the Agreement is not victim-centred, reflect closely the arguments presented by the comfort women movement. The stance of the United Nations on the 2015 Agreement could have also be effected by the South Korean liberal Government under Moon Jae-in, which also criticized the Agreement.³⁴⁴ I argue that it was easier for United Nations to criticize the Agreement in 2018, when it was already criticized by the other party of the Agreement.

These results of my study do not correlate with one of the opinions of the Korean Council's representative, Ms. Oh, who stated in the interview, that it seems like United Nations has taken a step back after the 2015 Agreement was announced, and that the UN is not willing to comment the Agreement itself.³⁴⁵ In my opinion the Agreement is criticized by the United Nations Treaty-bodies and the United Nations actually harshened its stance in 2016 compared to 2014.

C) Frame: Motives

Next I will take a look on the motives and justifications that the United Nations offers for the action. How to motivate the State party for implementing the given recommendations? And how to justify bringing up the comfort women issue? Recommendations to solve the comfort women issue are brought up in each concluding observation. If the state party has not implemented the previous recommendations, how to motivate it to do it now?

All the concluding observations note in the beginning of the report, that many of the previous recommendations have still not been implemented by the Japanese government. For example *Human Rights Committee* notes in 2008, "the Committee is concerned that many of its recommendations made after the consideration of the State party's fourth periodic report have not been implemented".³⁴⁶ *Committee on the Elimination of Discrimination against Women* states in 2009 that, "the Committee

³⁴⁴Ministry of Culture, Sports and Tourism of Republic of Korea, 'Govt' to dismantle the 'comfort women' foundation', 21.11.2018, <http://www.korea.net/NewsFocus/Society/view?articleId=165621> accessed 12.4.2020

³⁴⁵ Author's interview with Oh Sunghee, Seoul, 7.11.2018.

³⁴⁶ Human rights committee 2008, CCPR/C/JPN/CO/5, para.22.

regrets that some of the concerns it expressed and the recommendations it made after its consideration of the State party's fourth and fifth periodic reports (CEDAW/C/JPN/4 and CEDAW/C/JPN/5) have been insufficiently addressed."³⁴⁷ These general notions of all the recommendations given to Japan, are repeated in one form or another in every report by the United Nations Treaty-based bodies.

Specific notions about Japan's efforts on solving the comfort women issue are also made by the UN. *Human Rights Committee* states in 2008 that, "the Committee notes with concern that the State party has still not accepted its responsibility for the "comfort women" system"³⁴⁸ *Committee Against Torture* notes in 2013 that it is "deeply concerned at the State party's failure to meet its obligations under the Convention while addressing this matter".³⁴⁹ *CAT* also lists all the human rights bodies which have given previous recommendations on the issue of comfort women and which Japan has not yet implemented. The Committee also uses the word 'failure' five times when listing the efforts implemented by Japanese government concerning the comfort women issue.³⁵⁰

I argue that above mentioned arguments portray a similar strategy, as is employed by NGOs, to shame a concerned actor for its previous inadequate actions. I argue that United Nations tries to pressure the state party for implementation of UN's recommendations by shaming the State party by mentioning its past inadequate efforts.

United Nations justification for advocating the issue, is the definition of the comfort women issue as a human rights violation. That is why the United Nations has leverage to act on solving the issue. The repeated recommendations on the issue are justified, by arguing that the issue is an ongoing violation of victims/survivors human rights.

Committee on the Elimination of Racial Discrimination gives an example of the lasting effects of the comfort women system, "bearing in mind that human rights violations against surviving "comfort women" persist as long as their rights to justice and reparation are not fully realized."³⁵¹ This argument justifies the advocacy of the issue, still after more than 70 years of the events occurring.

³⁴⁷ Committee on the Elimination of Discrimination against Women, 2009, CEDAW/C/JPN/CO/6, para.38.

³⁴⁸ Human rights committee 2008, CCPR/C/JPN/CO/5, para.22.

³⁴⁹ Committee Against Torture 2013, CAT/C/JPN/CO/2, para. 19.

³⁵⁰ Ibid.

³⁵¹ Committee on the Elimination of Racial Discrimination 2014, CERD/C/JPN/CO/7-9, para.18.

I argue that United Nations' framing of the comfort women issue presents similarities to the comfort women movement's framing from 2008 till 2018. Comfort women system is portrayed as a human rights violation and system of sexual slavery as well as Japanese government is held responsible. United Nations similarly to, comfort women movement NGOs, argues that victims of comfort women system are the former comfort women, and in addition their families. To solve the issue, United Nations recommends Japanese government to implement legal and administrative actions. Recommended educational aspect and victim-centred perspective reflect also closely the ideas advocated by the comfort women movement. Although the NGOs comment more on the effect that comfort women issue has on the diplomatic relations between Japan and its neighbors as the UN refrains from commenting the diplomacy aspect.

On the other hand, frames offered by historical revisionists, are not adopted by the United Nations Treaty-based bodies. Framing to be effective, it has to resonate with the target audience. I argue that historical revisionists frames on comfort women issue as legal prostitution, contradicts the frames that UN promotes. As well as contradicting frames, it is not 'fair' to compare the advocacy work of the comfort women movement directly to the historical revisionists, because the comfort women movement has advocated its frames in the UN since the early 1990s. As the historical revisionists only started their international advocacy work in the UN in 2015.

6. Conclusions

During the observation period from 2008 till 2018, I detected two different groups of NGOs addressing the comfort women issue in the United Nations' platforms. I argue that these two groups of NGOs are the comfort women movement and the historical revisionists. The comfort women movement and historical revisionists frame the issue very differently. Both groups advocate their issue by defining a problem, a solution to the problem and motives for action. Although problem, solution and motives consist of entirely different definitions. These two NGO-groups also have a different agenda for their advocacy work.

The comfort women movement frames the comfort women issue as a human rights issue, more precisely a crime of sexual slavery. The victims of the comfort women system are the former comfort women, the survivors. NGOs, that belong to the comfort

women movement, present demands for the Japanese government. The comfort women movement sees that the Japanese government is responsible for the comfort women system. The comfort women movement tries to pressure Japanese government by shaming it for its inadequate actions concerning solving the issue. The comfort women movement argues in the UN platforms, that the issue should be solved to prevent recurrence both in present day war-zones as well as in present day Japan. After 2015 the comfort women movement focuses especially on arguing against the 2015 Agreement. The movement also emphasizes on, why the issue should still be advocated and underlines that the issue is not resolved with the 2015 Agreement.

I argue that the comfort women movement advocates its cause in the United Nations to gain an influential ally, from the United Nations. With an ally, such as the UN, the movement will be able to, more efficiently, pressure Japanese government. This resonates with Jutta Joachim's idea of NGOs' framing process (see theoretical framework, figure 1). To be able to set a cause to United Nations' agenda, NGOs need tools, which Joachim defines as *political opportunity structure*. The Comfort women movement has established its position in the United Nations' platforms by advocating there since 1990s and framing the issue as a violation against women and sexual slavery. This framing resonates with the United Nations agenda.

In 2014 Japanese newspaper Asahi Shimbun re-examined its stance on comfort women, and publicly apologized its incorrect coverage on the issue since 1990s. Asahi Shimbun had published testimonies of war crimes by Seiji Yoshida, which later were proved to be incorrect. This spurred attacks against comfort women in Japanese media.³⁵² This was a fruitful arena for anti-comfort women sentiments to grow within the civil society groups. This was an important entry point for a new-coming of historical revisionists' activities in Japan.³⁵³ At the same time the political environment in Japan was leaning towards right-wing, as Shinzo Abe has been the Prime Minister since 2012. Abe is known for his historical revisionist views.

Also in 2014 USA pressured Japan and South Korea to form a solution on comfort women issue. During the Nuclear Security Summit, held in The Hague, Netherlands on March 24-25, 2014, United States urged Japan and South Korea to improve their

³⁵² Yamaguchi 2018, 233.

³⁵³ Ibid.

relations to better the US-Japan-South Korea cooperation. After this USA, Japan and South Korea held a trilateral summit in March 25th, during which South Korean and Japan agreed to further negotiate the comfort women issue.³⁵⁴ These negotiations resulted the 2015 bilateral Agreement on comfort women between Japan and South Korea.

Because of these above mentioned reasons, I argue that 2015 was fruitful time for historical revisionist NGOs to bring their advocacy work concerning the comfort women issue into the UN platforms. In Japan, media and political environment was supportive for historical revisionism. And the 2015 Agreement announced that the issue was ‘finally and irreversibly’ solved and it should not be raised in the United Nations neither by South Korea nor Japan. This all backed up the cause of historical revisionists, which advocates to stop the ‘wrongful’ advocacy work on comfort women by the comfort women movement and the UN.

Counter-arguments, opposing the hegemonic view of comfort women movement, rose in the United Nations platforms in 2015 advocated by historical revisionist groups. Historical revisionists advocate a view that the issue of comfort women should not be raised in the UN anymore. These historical revisionist NGOs define the comfort women system as a system of legal prostitution, which was not a human rights violation. The problem with the comfort women issue, is the advocacy of ‘wrong’ perceptions of history by the UN and the comfort women movement. Historical revisionists argue that UN holds incorrect view of comfort women being sexual slaves. Victims of the issue are defined to be the Japanese people, who are unjustly accused for crimes towards comfort women. These accusations constitute human rights violations towards Japanese people. Resolution would be not to advocate the comfort women issue anymore as a crime of sexual slavery. The historical revisionists try to influence actions of both United Nations and the Japanese government with its advocacy work. The United Nations is urged to correct its incorrect view of comfort women and Japanese government is urged to more effectively promote the correct view of comfort women not being sexual slaves.

³⁵⁴Ministry of Foreign Affairs of Republic of Korea 27.12.2017, ‘Report on the Review of the Korea-Japan Agreement of December 28, 2015 on the Issue of “Comfort Women” Victims’, http://www.mofa.go.kr/upload/cntnts/www/result_report_eng.pdf [Accessed 15.5.2020]

Both, the comfort women movement and historical revisionists, advocate their view for the United Nations Human Rights Treaty-based bodies. United Nations has adopted similar frames as presented by the comfort women movement. The UN also frames the comfort women issue as a human rights violation and sexual slavery. Victims of the system are the former comfort women as well as their families. United Nations sees that it is the Japanese government's responsibility to solve the issue and implement the victim-centred recommendations given by the UN. All these views resonate with the comfort women movement's frames.

Because the time frame of the study being from 2008 till 2018, it is impossible to answer whether the comfort women movement or the United Nations developed the frames first. This study's primary data does not answer the question, where do the frames originate from. But according to C. Sarah Soh, the United Nations adopted the South Korean comfort women movement's demands in early 1990s.³⁵⁵

Within the timeframe of this study, I was able to analyze the framing of the 2015 Agreement. I argue that the comfort women movement was successful in advocating its frames on the Agreement for the United Nations. The UN changed its stance from welcoming the Agreement by United Nations Secretary General Ban Ki-moon in 2015³⁵⁶ to criticizing the content of the Agreement in 2016. The comfort women movement had actively advocated the critical views about the agreement for the UN.

The United Nations did not adopt the counter-frames advocated by historical revisionists. I argue that this has to do with the *political opportunity structure*, which is better employed by the comfort women movement than by the historical revisionists. The agenda and framing by the historical revisionist NGOs, do not resonate with the framing of the issue by the United Nations. This makes it more difficult for the historical revisionists to gain leverage for their issue. On the other hand the historical revisionists frames resonate with the Japanese politicians statements on the comfort women issue.³⁵⁷ Also the comfort women movement's *mobilizing structure*, in the

³⁵⁵ Soh 1996, 1226.

³⁵⁶ UN News 28.12.2015, UN chief welcomes agreement between Japan and Republic of Korea on 'comfort women', <https://news.un.org/en/story/2015/12/519052-un-chief-welcomes-agreement-between-japan-and-republic-korea-comfort-women> [accessed 15.5.2020]

³⁵⁷ For example, The Japan Times, 16.10.2014, Government requests revision on 1996 U.N. sex slave report, <https://www.japantimes.co.jp/news/2014/10/16/national/history/government-requests-revision-of-1996-u-n-sex-slave-report/#.XsK3KG5uJPZ> [accessed 4.4.2020]

advocacy work in the United Nations has been developed since the 1990s. The comfort women movement has had two decades of time to develop its international networks as well as gain allies and experts for its cause. Historical revisionists are more used to advocacy work in the national arenas, and they have not yet developed as strong networks in the international arenas.³⁵⁸ Historical revisionists only entered the United Nations platforms, at least concerning the comfort women issue, in 2015. In a result the United Nations kept its stance on the comfort women issue in line with the comfort women movement, as it had done since 2008.

For further research, it would be interesting to look into the frames that nation-states present on comfort women in the United Nations. This would allow a researcher to detect more precisely the causal connection of the framing process in the United Nations, to be able to analyze the source of the UN's frames. It would be necessary to compare the frames presented by NGOs, United Nations and nation-states.

³⁵⁸ Yamaguchi 2018, 230–233.

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Appendixes

Appendix 1

Interview questions:

1. Could you tell me about your work in the Korean Council?
2. Could you explain the work that the Korean Council does?
3. How does the organization promote its cause in international arenas?
4. Has (and how) the work of the Korean Council changed from the early 1990's to this day?
5. What do you consider to be the biggest accomplishment of the Korean Council (and why)?
6. Is there a difference in the themes that are brought up in international settings compared to national discussions? (for example UN Human rights committee VS. Wednesday Demonstration)
7. Anti-Japanese or nationalistic views are sometimes seen to be related to comfort women movement. What do you think about that?
8. There has been a lot of discussion of the Japanese military sexual slavery within different bodies in the UN. Is there something stated by representatives of the UN that the Korean Council doesn't agree with? Or has the UN rapports represented similar views as the Korean Council does?
9. Has there been variety in what kind of attitude United Nations has taken towards the issue over the last decades? (since early 90's) (and how do you explain this change in attitude/no change)
10. How much cooperation is there between NGO's in Asian region and how does cooperation look like?
11. The organization has also advocated the rights of the victims of more resent conflicts. (for example the Democratic peoples' democracy of Congo) Why

does the organization changed from promoting one cause to addressing multiple cases of human rights violations?

12. The Halmonis have already reached a very old age. Will the Korean Council change its agenda/objectives somehow after the last victims have passed? What will be the future direction of the organization?

Appendix 2

List of non-governmental organizations and the years of submissions

- Asia-Japan Women's Resource Center (2008)
- Association to Achieve True Equality between Men and Women (2016)
- Coalition of Three Parties for Communicating Historical Truth (2016)
- Happiness Realization Research Institute (2016, 2018)
- ICESCR Gender Report Project (2012 x2)
- Japan Family Value Society (2015)
- Japan Federation for Bar Associations (2008, 2012, 2013 x3, 2014, 2015, 2018)
- Japan Federation of Women's Organizations (2009)
- Japan Fellowship of Reconciliation (2008, 2009, 2012, 2013)
- Japan International Human Rights NGO Network (2008)
- Japan Network on Education for the Advancement of Gender Equality (2008, 2009)
- Japan NGO Coalition against Racial Discrimination (2018)
- Japan NGO Network for CEDAW (2008, 2009, 2015, 2016)
- Japan NGO Network for the Elimination of Racial Discrimination ERD-NET (2014 x2, 2018)
- Mindan Korean Residents' Union in Japan (2014)
- Minority Women, Indigenous Ainu, Buraku and Zainichi Korean (2016)
- Nadeshiko Action: Japanese Women for Justice and Peace (2015, 2016)
- New Japan Women's Association (2009, 2016)
- NGO Committee for the Reporting on the ICESCR (2013)

- Ninohashi Club (2016)
- Researchers of History on Modern Japan (2016)
- Space Allies (2008, 2015)
- The Japanese Worker's Committee for Human Rights (2008, 2012, 2013 x3)
- The Korean Council for the Women Drafted for Military Sexual Slavery by Japan (2009, 2013, 2013, 2014, 2016, 2018)
- Women's active Museum on War and Peace (2009, 2014, 2016, 2018)
- Women's Active Museum on War and Peace, Japan All Solidarity Network for the Settlement of the "Comfort Women" Issue, & Violence against Women in War-Network Japan (2008)