

## “Comfort women” Issue’s Journey to UN

Interview of Heisoo Shin by: Comfort Women Action for Redress and Education

In August 1991, when a South Korean Hak-sun Kim first broke silence and shared her ordeal with the world, sexual violence against women during wartime was not considered a war crime nor a crime against humanity. No government had been held accountable for the systematic rape or gendered violence during military conflict, and the victims were forced to stay silent, and often disdained for the violence they suffered from.

Professor Heisoo Shin was crucial in the successful introduction and redress campaign of the “comfort women” issue at UN and the international women’s rights community. It was in 1992 when Shin was asked to join the Korean Council for the Women Drafted for Military Sexual Slavery by Japan (the Korean Council) to lead its efforts to take the issue to UN where there was no representation of Korea until after its membership began in 1991. Formed in late 1990, the Korean Council was a coalition of 37 civil organizations led by three co-chairs Jung-ok Yoon and Hyo-jae Lee, both of whom were professors at Ewha Womans University in Seoul and Soon-geum Park, President of Korea Church Women United. Shin joined the Korean Council to be in charge of the international solidarity work as soon as she came back from Rutgers University in New Jersey where she worked with the world renowned feminist activist Charlotte Bunch in founding the Center for Women’s Global Leadership (Global Center) while working towards her doctorate degree in Sociology.

Beginning early 1992, Shin immediately began to work to take the “comfort women” issue to UN. The “comfort women” issue was a powerful topic to boost the ongoing discussion on the violence against women in the global women’s rights movement. Shin explains, “The “comfort women” issue was introduced when the world was in a stage of shock at the news of the large scale “ethnic cleansing” and systematic rape against women from former Yugoslavia, in particular in Bosnia and Herzegovina. This made the world realize that *anything* can happen during a war.”

Shin began to work to launch a petition drive in Korea, in cooperation with the Global Center which was leading a global petition drive to include the women’s human rights in all international discussions on human rights, targeting the 1993 Vienna Conference.

Among many who helped Shin to take the “comfort women” issue to UN, the Japanese human rights attorney Etsuro Totsuka’s role was crucial. Totsuka, who was the first to introduce the term, “sex slaves” to refer to the “comfort women” victims at UN, advised and helped in every possible way so that Shin and the issue of the Japanese military sexual slavery would enter the UN world.

It was rough in the beginning. She says of the experience of bringing the issue to the UN Commission on Human Rights for the first time, “It felt like free falling from a cliff. Although people like Totsuka and Jae-sik Oh from the World Council of Churches advised me and helped me with the logistics, ultimately, it was my job to write the speech right for the next day, and do the groundwork for the arrival of the survivor Keum-joo Hwang and Prof. Hyo-jae Lee a week later for a press conference and a public testimony session. That’s how we introduce the issue to the world in Geneva in August 1992.”

The press conference at the UN press center and the public testimony session were hugely successful. Shin says the reasons for the success was, “First, we brought the survivor herself to let them hear the story from the victim. Second, the world was highly interested in the violence against women due to the catastrophes from the former Yugoslavia that the testimony of Ms. Hwang was readily understandable.” Hyo-jae Lee spoke about reparations at the official meeting before she left for Korea, and Shin appealed the UN Sub-Commission on Human Rights to launch an investigation on the “comfort women” issue. Since August 1992, attending various UN meetings in Geneva up to three times a year became Shin’s routine until 2005.

In May of 1993, Totsuka and Shin organized to bring the survivors from the South and the North Korea to the Working Group on Contemporary Forms of Slavery, a smaller sized meeting under the Sub-Commission on Human Rights. Shin interpreted for Duk-kyung Kang from South Korea and Sung-myung Chung from North Korea in the Working Group meeting so the members would hear the first-hand accounts of the ordeal the victims went through.

In June 1993, Shin and the staff at the Korean Council brought another survivor Bok-dong Kim to testify at the Global Tribunal on Violations of Women’s Human Rights at the NGO Forum held in parallel to the UN World Conference on Human Rights, in Vienna, Austria, organized by the Global Center. It was an all-day event where 33 witnesses testified the human rights violations occurred in five categories: human rights abuse in the family, war crimes against women, violations of women’s bodily integrity, socio-economic violations of women’s human rights, and political persecution and discrimination. Professor Chin-sung Chung gave a talk on the war crimes against women in conflict situations and the survivor Bok-dong Kim testified. A thousand people packed the hall and the event received a huge media coverage. At this Conference, the Vienna Declaration and Program of Action was discussed and adopted, which included a section on the violence against women in situations of armed conflict such as murder, systematic rape, sexual slavery, forced pregnancy. The Japanese government tried to qualify the scope to “current violation” in order to exclude Japan’s military sexual slavery from the declaration, but in the end, it was written to include “all violation,” thanks to Shin and others’ swift action to explain the differences to the representatives of each country.

The women’s rights activists’ organized campaign to bring the world’s attention to violence against women, including the global petition drive, demonstrations, and the Women’s Tribunal, aided their push for an appointment of a Women’s human rights Special Rapporteur at the UN Commission on Human Rights.

In August 1993, Shin and others organized panel discussions on the military sexual slavery by Japan, and their diligent lobbying efforts resulted in the appointment of Linda Chaves (US) as a Special Rapporteur on Systematic Rape, Sexual Slavery and Slavery-like Practices during Wartime in the Sub-Commission on Human Rights. Considering the short duration the “comfort women” issue was introduced at UN, this was an impressive outcome. One of the reasons for the success was, Shin explains, “due to the appalling violence happened in Bosnia and the magnitude of the sexual slavery system by the Japanese military.” The timely exposure of the critical military documents proving the involvement of Japanese military in the “comfort” system by Professor Yoshiaki Yoshimi and the high interest at UN pressured the Japanese government to investigate the issue, leading to the announcement of the Kono Statement in 1993.”

Another important activity Shin and Totsuka organized was to request the International Commission of Jurists (ICJ) to conduct an investigative mission on the “comfort women” issue in 1993. The ICJ’s report based on the investigation of the issue in Korea, the Philippines and Japan was published in 1994. Many international human rights organizations and conferences invited Shin to come and speak about the issue, bringing the level of awareness of the “comfort women” issue to the next level in the international community.

Thanks to the two years of tireless efforts by the global campaign, the UN Commission on Human Rights in Geneva approved Radhika Coomaraswamy as the Special Rapporteur on Violence against Women in April 1994. In September 1994, Shin made a trip to Colombo, Sri Lanka to meet with Ms. Coomaraswamy, a renowned lawyer and a women’s rights activist, for the first time to persuade her to take on the “comfort women” issue as her first investigative mission. In May 1995, the Korean Council and the civil organizations supported Linda Chaves’s visit Korea, Japan and the Philippines to meet with the survivors and key witnesses of the “comfort women” issue. Two months Later in the same year, Ms. Coomaraswamy made an investigation trip to South and North Korea and Japan.

The Fourth World Conference on Women was held in Beijing in early September of 1995. At the NGO Forum held before the Conference, the women’s rights groups and activists held rallies, tribunals, seminars and waged an all-out lobbying to reflect and include the specific demands in the Beijing Platform for Action, which resulted in the inclusion of the specific language on punishment and reparations in the Women in Armed Conflict section of the Declaration. Based on this Beijing Platform for Action, the Commission on the Status of Women is monitoring the progress on women’s rights.

Japan’s announcement to establish the Asian Women’s Fund in 1995 posed a huge challenge to the redress movement for the “comfort women” issue. Many, including some of the important allies in the women’s rights movement, were misled to believe that the privately raised “atonement” money was in fact a government compensation, dismissing the issue as being resolved. Caught between the outraged survivors who refused the money that was offered without admission of the government responsibility and the Japanese government’s scheme that cheated the western world, it became extremely difficult to maintain the support for the redress campaign from the international community.

Korean government’s support was non-existent from the beginning, and its position and support level changed depending on the administration and the diplomatic relationships with Japan.

The Special Rapporteur Gay McDougall, a lawyer and a human rights expert who succeeded Linda Chaves in 1997 published the final report on the “comfort station” system in 1998, defining “comfort stations” as “rape centers” and specifying the government liability for this issue.

In July 1998, a meeting to create the Statutes of International Criminal Court was convened in Rome. The women’s activists who had been working together in Vienna and Beijing flew to Rome to lobby for the inclusion of clear provisions on violence against women during armed conflict. As a result, for the first time in history, sexual violence against women such as rape, sexual slavery, enforced prostitution, forced pregnancy and enforced sterilization were put as punishable crimes in the Rome Statute of the International Criminal Court. Also included in

the Rome Statute is the gender perspective that required women's representation in the judgeship and in the prosecution of the cases involving sexual violence against women.

However, the Rome Statutes could not be retroactively applied to the Japanese military sexual slavery. Matsui Yayori suggested to convene a women's tribunal to try the Japanese military sexual slavery which resulted in The Women's International War Crimes Tribunal on Military Sexual Slavery by Japan in Tokyo in 2000. Despite the fact that the Women's International War Crimes Tribunal lacked the legally binding power to enforce any measures against Japan, it was an extremely meaningful event, which had been prepared for two and half years, as concerted efforts of civil organizations in ten countries, together with the global feminist activists and executed by the international legal experts and jurists, and found the Emperor Hirohito and war criminals guilty of their crimes against humanity and war crimes against the "comfort women."

After 2000, five treaty bodies of UN (Committee on the Elimination of Racial Discrimination, Committee on the Elimination of Discrimination against Women, Committee against Torture, Committee on Economic, Social and Cultural Rights, and Human Rights Committee) have been issuing recommendation to Japan to offer an official apology and reparations to the "comfort women" victims.

Currently, Shin is a member of the Committee on Economic, Social and Cultural rights, and has been serving as the director of the secretariat of the International Committee for Joint Nomination of Documents on the Japanese Military "Comfort Women" to UNESCO Memory of the World Register(ICJN) since 2014. The ICJN is a body of 14 entities from 8 countries that has submitted an application to UNESCO Memory of the World Program to register 2,744 documents in 2016. The application has been stalled due to the objections and the obstacles placed by the Japanese government and the right wing civil organizations, and the process is being postponed pending further dialogue. She is also the Chair of the Board of the Korea Center for UN Human Rights Policy, a human rights NGO working for marriage immigrants from Vietnam, the Philippines and Thailand.

Until February 2020, Dr. Heisoo Shin was a Professor at the Graduate School of International Studies at Ewha Womans University. She also served as a member of the Committee on the Elimination of Discrimination against Women. She has worked for the Korean Council for the Women Drafted for Military Sexual Slavery by Japan for fifteen years and many other women's organizations at national, regional and international levels.