

## *Armed conflict, violence and justice: from sexual slavery to the ICC*

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2005 is very significant and meaningful for many people around the world because this is the 60<sup>th</sup> Anniversary of the end of World War II. But it is especially meaningful for Koreans because this is the 60<sup>th</sup> Anniversary of our liberation. It is timely to talk about this issue, which is more than 60 years because it was 1931 when the first system of military sexual slavery by Japan began. When we talk about women in war and conflict, we picture women as victims. Yesterday, we heard the message that we should not picture women as victims only; we should perceive women as active agents of social change.

I want to mention two resources that I have recently read. One is by a Canadian writer Deborah Ellis, and the title is "Parvana's Journey." I wonder if anyone read this book about an Afghan girl who is eleven years old and who should have to experience all the atrocities of war by herself, by her family until she arrives in the refugee camp in Pakistan. I want to mention another resource which is a UNIFEM study done by two eminent women which is titled "Women, War and Peace." It deals with women's lives in war and women's efforts to rebuild and reconstruct in 14 troubled areas of this world. But are women's lives destroyed only in times of war and conflict? I am giving you a question. How about women's lives in the so-called times of peace?

I would like to stress that women need peace and security. Women need justice, which means impunity and accountability. But when we talk about how to settle all the sufferings and atrocities conflicted upon women after the conflict is over, justice needs women. In international criminal courts, the statutes of the ICC include clauses because the statutes include four categories of crimes. One is genocide; the second is war crimes; the third is crimes against humanity; and the fourth is crimes of aggression. Because of the efforts of the women's movement, the statutes now include that there should be sensitive perception about the nature of crimes committed against women, and there should be enough number of judges, and that the prosecutors and other members of the court should have expertise in the crimes. This is a big achievement.

Another point is that peace needs women. The UN Security Council Resolution 13:25 just speaks about why peace needs women. Women need to participate in peace negotiations and post-conflict reconstruction causes.

With this as background, I want to talk about military sexual slavery by Japan. The most frequent question I have heard since this issue was raised 15 years ago in 1990 is: "Why now? Why 50 years of silence?" I can tell you that it is because of sexism, classism, and militarism. Women could not speak about this issue because women had been discriminated against and didn't have a voice. This is a class issue because these women drafted were mostly from the poor rural families. Militarism-- because Korea has also been suffering from military dictatorship and people didn't have freedom of expression.

We have tried to seek justice for the victims and the survivors at the domestic and bilateral levels. We did register the survivors and also the government did that because of our efforts. There has been documentation and six books of testimonies have been published. We have made laws so that the livelihood of the survivors can be cared for. There were lawsuits against Japan by the survivors. But because Japan failed to respond to our demands and from the survivors, our efforts continued through the international human rights system.

As for the UN, I don't know whether I would have had the courage if I knew that working through the UN takes so long. So when the Korean Council weighed this issue, we thought we should bring this issue to New York, and we were advised that we better go to Geneva. In Geneva, we worked through the UN Sub-Commission on Human Rights and its working group on contemporary forms of slavery and we did produce achievements, because an expert of the Sub-Commission of Human Rights was appointed and she was to write a report on

systematic rape, sexual slavery and slavery practices during wartimes. Guy McDougall, the special rapporteur, produced an excellent report in 1998 on that subject. Also, we lobbied Coomaraswamy and I am sure many of you know her as the special rapporteur on violence against women. She agreed to pursue this issue, came to Korea in 1995 and produced a report in 1996 on military sexual slavery by Japan.

We also tried through ILO, and for ten years we lobbied through ILO. If any country violates any of the ILO Convention, that information can be filed through the International Labor Conference, and the expert committee wrote about these cases. But we failed to pass through the selection process, so the individual case of Japan is still not on the committee, on the standards and application of the Convention. Also, we tried through the various monitoring bodies including the CEDAW Committee as well as other human rights committees and critical bodies. But without any further success, we decided to create our own way, so we created our own tribunal in the year 2000. And in this hall, I see many familiar faces that were involved including people like Charlotte Bunch, who worked as international adviser for this tribunal.

Through these kinds of causes, survivors had their own journey to personal growth and empowerment. From shame, they learned that it is the perpetrators who should be condemned and not themselves who should be ashamed and shunned by society. They were only interested in themselves, but now we see that survivors contribute to good causes such as to build museums. We see that also from their own suffering they can generalize the agony caused by war, so several of them have participated in anti-war demonstrations. Some of them could not sleep when there was the Abu Ghraib abuse in that prison, because they could see the commonalities throughout that whole conflict.

This year we have been launching a global campaign for justice for comfort women. We are collecting signatures and trying to deliberate to the UN signatories, and finally to the Japanese government. We are also planning a worldwide simultaneous demonstration on August 10. I hope that you can participate when there is this demonstration. We are trying to build a "War, women and human rights" museum as the result of all this, because we think that peace education and history education is very important for the next generation even though Japan would not come up with real reparation and apology. We are doing this for the sake of the survivors, which would also have meaning to the other common women who might be faced with the same danger.