

July 23, 2001

To: Colin L. Powell
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington D.C. 20520

Legal Department
U.S. Department of State
2201 C Street, N.W.
Washington D.C. 20520

cc: George W. Bush
President

John Ashcroft
Attorney General

David J. Anderson
Director of Federal Programs, Civil Division
U.S. Department of Justice

Dear Secretary of State Colin Powell:

We are a coalition of over 300 U.S.-based organizations and individuals dedicated to peace, justice, and human rights throughout the world. We write to you concerning the plight of the former “comfort women,” who were forced into sexual slavery by the Japanese military during the World War II era.

As you are aware, “comfort women” victims from Korea, China, Taiwan, and the Philippines filed a class action lawsuit in the U.S. on September 18, 2000, demanding redress from the Government of Japan. It was the first-ever lawsuit of its kind and a courageous effort by the women to seek justice for the atrocities they suffered.

We have learned that Japan, as expected, filed a motion to dismiss the women’s lawsuit. However, we have also learned that the U.S. State Department, on behalf of the United States Government, filed a “Statement of Interest” in this case, opposing the lawsuit and requesting its dismissal. For the reasons written below, we must convey our shock, disappointment, and condemnation of this action. We demand that the U.S. stand on the side of justice and human rights, and take steps to assist -- not hinder -- the “comfort women’s” quest for justice.

1. As you may know, more than 200,000 women and girls were forced to become sex slaves for the Japanese military during the World War II era. Approximately 80% were from Korea, although many others were coerced from China, Taiwan, the Philippines, Burma, Indonesia, and the Pacific Islands. Girls as young as 10 years old were systematically raped and tortured at the so-called “comfort stations.” Only about 25% of the victims are estimated to have survived. The “comfort women” atrocity represents one of the worst cases of human degradation and violence against women ever seen in modern history.

2. Despite years of public advocacy, the comfort women victims have never received compensation or redress for these unspeakable abuses. In 1991, Ms. Hak-Soon Kim, 67 years old at the time, became the first victim to give public testimony regarding her ordeal. Since that time, hundreds more have spoken out, and a massive advocacy campaign was launched. In Korea, comfort women and their supporters have held weekly protests outside the Japanese Embassy since January 1992. In 1998 and 2001, the U.N. Human Rights Commission, Sub-Commission on Prevention of Discrimination and Protection of Minorities, issued Resolutions condemning all acts of sexual violence and urging Japan to provide redress to the comfort women victims.

Yet, Japan has steadfastly refused to acknowledge its legal and moral responsibility for the comfort women tragedy. Though forced to acknowledge the military's involvement – after scholars uncovered incriminating documents in government archives in 1993 – Japan has never accepted responsibility or paid a cent in compensation to the victims. In 1994, Japan created the privately-funded “Asian Women’s Fund,” which the victims rejected as a patronizing gesture intended only to avoid legal liability. Earlier this year, Japan’s Ministry of Education approved eight school textbooks, which omit all facts and references to wartime atrocities, including sexual slavery, perpetuated by the Imperial Army.

3. Against this background, the U.S. lawsuit represents a new and important forum for the “comfort women” to make their claims. Given the ages of the victims, it may be their last opportunity to make a meaningful legal challenge in the courts.

We are shocked and dismayed that the U.S. government has intervened against the comfort women in this case:

First, we recognize that the United States is not a party to this lawsuit and therefore, could have chosen not to intervene. The fact that the U.S. supports Japan in defending its atrocious and inhumane behavior gives us great pause in considering the U.S.’s commitment to human rights.

Second, the Statement of Interest argues that the U.S. settled and waived all claims with Japan through the 1951 Peace Treaty. However, we recognize that the comfort women were not citizens of the U.S., and that their own countries signed separate agreements specifically not waiving individual claims. These claims could not have been waived because Japan denied the existence of “comfort women” until the 1990’s. That the U.S. chooses to ignore these agreements is an affront to the women’s home countries. That the U.S. views these claims of mass rape and sexual slavery as conflicting with U.S. foreign policy is insulting and unacceptable.

Third, the Statement of Interest argues for full “sovereign immunity” for Japan. However, we recognize that well-accepted tenets of international law do not permit immunity for such egregious human rights violations. Japan’s acts of mass rape and sexual slavery clearly qualify as a violation of a “jus cogens” norm. That the U.S. government actively advocates for an alternate view by the courts is deeply troubling.

4. We request and demand the following:

That the U.S. immediately withdraw its Statement of Interest from the comfort women lawsuit;

That the U.S. publicly condemn Japan for the mass rape and sexual slavery it perpetuated during the World War II era;

That the U.S. engage in negotiations with Japan to urge an immediate and just resolution of the comfort women issue, including a full apology, restitution, and measures to disclose and preserve the historical truth about comfort women;

That the U.S. urge Japan to immediately resolve all claims for atrocities committed during the World War II era.

Initiated by,
Young Koreans United of USA

Respectfully submitted,

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Zhenhuan Pan, **American Chinese Hunan Provincial Fellowship Association** (Los Angeles)
Chaofan Jiang, **American Chinese Shanghai Commerce Association** (Los Angeles)
Ziqing Wang, **American Chinese Strategy Society** (Los Angeles)
Vanessa Lee, **Ambassador Nursing Home** (Chicago)
Melinda Power, **Anti-Boeing Coalition** (Chicago)
Yuchi Zhang, **Anti-Japanese War History Society** (Los Angeles)
Aram Yang, **Asian American Brotherhood** (Cambridge)
Jin Gon Choi, **Asian Americans for Equality** (New York)
Susan Kim, **Asian American Health** (Chicago)
Margaret Fung, **Asian American Legal Defense and Education Fund** (New York)
Anna Kim, **Asian American Resource Center – Claremont Schools** (Claremont, CA)
Chung Park, **Asian American Youth & Cultural Center** (New Jersey)
Jun Young Rhee, **Asian American TIMS, Inc** (Los Angeles)
Taeyon Kim, **Asian Communities United** (Bowling Green, OH)
Gwi-Ran Kim, **Asian Human Services** (Chicago)
Guy Fujimura, **Asian Pacific American Labor Alliance, AFL-CIO** (D.C.)
Jan Tokumaru, **Asian Pacific American Labor Alliance - LA Chapter**
Anjali Nagpaul, **Asian Pacific Islander Domestic Violence Resource Project** (D.C.)
Charmaine Manansala, **Asian Pacific Islander Queer Sisters** (D.C.)
Patrick Mangto, **Asian Pacific Islanders for Human Rights** (Los Angeles)
Barbara Jun, **Asian Women’s Christian Association** (Fort Lee, NJ)
Miriam Young, **Asia Pacific Center for Justice and Peace** (D.C.)
Chung Park, **Assembly of Korean American School Board Members** (New Jersey)
Yoon Ho Cho, **Association of Korean Expatriate Literature** (Los Angeles)
Kuk Yul Choi, **Association of Korean Oriental Medicine & Acupuncture of CA**
Dr. Wen-Hsuan, **Association for Preserving the History of WWII in Asia** (Gibsonia, PA)
Chi Yu Lu, **Association for the Victims of Japanese War Crimes** (Los Angeles)
John Hwa Soo Lee, **Bonghwa Soccer Association of Los Angeles**
Frank Kim, **California Korean Building Contractor Association**
Kompha Seth, **Cambodian Association of Illinois**
Shitai Li, **Cathay United Artists Association** (Los Angeles)
Pyong Yong Min, **Centennial Committee of Korean Immigration to the US** (L.A.)
Jae Kwan Ha, **Center for Seniors** (Chicago)
Debra Suh, **Center for the Pacific-Asian Family** (Los Angeles)
Jin Ung Chung, **Cerritos Korean Association** (Los Angeles)
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Chris Williams, **Chicago Workers Center**
Liyun Yang, **China Provincial Fellowship Association** (Los Angeles)
Huang Hong, **China Reunion Promotion Association** (Los Angeles)
Chi Yu Lu, **Chinese Central Committee** (Los Angeles)
Kuan Chun Ho, **Chinese Life – Philosophy Institute** (Los Angeles)
Grace Hou, **Chinese Mutual Aid Association** (Chicago)
Mae Lee, **Chinese Progressive Association** (New York)
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Yung Kyu Jon, **Comprehensive Korean Self-Help Center** (Chicago)
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Joo Hae Cho, **Fairmont Care Center** (Chicago)

Jae Han Song, **Family Life Ministry** (New York)
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Byung Im Lee, **Federation of Korean Artist & Cultural Organization** (Los Angeles)
Rhoda Rae Gutierrez, **Gabriela Network – Chicago**
Bo Kyung Kim, **Ganggangsuwollae Promotion Association** (Los Angeles)
Pei-Chi Chang, **Gay Asian Pacific Support Network** (Los Angeles)
Man Pyeong Kim, **Garak Royal Family Organization in USA** (Los Angeles)
Joanne Lee, **Glen Oaks Nursing Center** (Chicago)
Jung Yul Shim, **Global Children Foundation** (Chicago)
Myung Nam Kim, **Greater Chicago Area Korean Churches Federation Corp.** (Chicago)
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Robert Soo Lim, **Han Ma-Eum Harvard Korean Drum Troupe** (Cambridge)
Jong H. Lee, **Hanmee Presbyterian Church** (Chicago)
Sang Jin Park, **HanNuRi Korean American Cultural Troupe** (Los Angeles)
Hoi Jic Yang, **Hanwoo Club** (Los Angeles)
Janet Kim, **Harvard College Korean Association** (Cambridge)
Jae Hak Yang, **Heung Sa Dan** (Tacoma)
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Kook Chan An, **Korean Amateur Sports Association in Los Angeles**
Kyu Hyun Chun, **Korean American Apt. Representatives Ass'n** (Chicago)
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Dong Soo Park, **Korean American Association of Chicago**
Chong Hwan Cha, **Korean American Association of Education** (Los Angeles)
Jae Hyun Lee, **Korean American Association of Flushing** (New York)
Jeong-ho Kim, **Korean American Association of Greater New York**
Young Ki Kim, **Korean American Association of New-England** (Medford, MA)
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David Oh, **Korean American Business Men Association** (Los Angeles)
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Yoko Issod, **Korean American Federation of Women's Clubs** (Los Angeles)
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Young Song Lee, **Korean American InterCulture Foundation** (Los Angeles)
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Kook Il Chang, **Korean American Medical Association of Southern California**
Jung Ja Lee, **Korean American Mothers Association** (Los Angeles)
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Ruby Oh, **Korean American Rose of Sharon Association** (Los Angeles)
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Annette H. Kim, **Korean American Seniors Association of Chicago**
Paul Yun, **Korean American Senior Center** (Chicago)
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Jong H. Lee, **Korean American Sharing Movement** (Chicago)
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Ku Hyun Shin, **Korean Chapter of LAPD Boosters Association** (Los Angeles)
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Young Jin Lim, **Korean Drycleaners & Laundry Association of Southern CA**
Kyung Cheul Lim, **Korean Flag Society** (Los Angeles)
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 Walter Ko, **St. Louis Alliance for Preserving the Truth of Sino-Japanese War**
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 Hee Sook Kim, **Young Koreans United of New York**
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