



222 S. Oxford Avenue, Los Angeles, CA 90004 | 213.688.2001 | wccinla@gmail.com | www.wilshirecommunity.org

Wilshire Community Coalition

Joint Letter to Robert F. Kennedy Community Schools, LAUSD

November 1, 2018

RE: Mural by Branded Arts at the Robert F. Kennedy Community Schools

Dear Robert F. Kennedy Community Schools, LAUSD and their officers,

The undersigned community organizations write to raise serious concerns about the Hate Symbol portrayed on the RFK Mural Festival at the School Wall. It depicts the Rising Sun Flag of the Japanese Imperialism from the World War II. This flag symbolizes the Japanese military aggression which resulted in one of the most of horrendous and gruesome crimes against humanity in human history.

Such Japanese military aggression during World War II was motivated by racism, fascism and imperialism and was deeply rooted in the belief in the false superiority of one race over another and resulted in killing over 30 million people including civilians and prisoners of wars. The global community has condemned, denounced and banned such discrimination and prejudice towards people based on their race or ethnicity.

We value every culture and differences. We love Japan and Germany! However, such cruel history against humanity is not to be repeated. That is why we ban hate symbols like Swastika of Nazism and anti-Semitism and KKK of White Supremacy in this country. Yet, the unfortunate lack of education regarding the Japanese Imperialism leaves rooms for such ignorance of the Rising Sun Flag in our time.



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We understand that the Artists of the RFK Mural Festival claim did not intend to offend anyone or promote hate crimes.

The RFK Mural Festival (“Mural”) was completed in May 2016. This image is argued to “depict the profile of Ava Gardner, a classic Hollywood actress who regularly attended the Cocoanut Grove, combined with architectural elements and ornaments from the original site’s brass doors, Moorish arches, columns and palms.” (Beau Stanton, Artist’s website, <http://www.beaustanton.com/projects/rfk-mural-festival/>)

However, this work is not only extremely offensive and threatening to many survivors, descendants and community stakeholders with cultural heritages that stand in absolute opposition of the Japanese Imperialism and war crimes committed by the People of the Rising Sun during the World War II but also puts our values for humanity at risk.

In the recent past, we believe many of them attempted to express their concerns yet found no use in them and only became more frustrated. That is why we decided to write this joint letter with community organizations as our last attempt to inform you of the serious offenses you are causing to the entire community in Koreatown and the legal consequences you may face if you continue to ignore our concerns in the future.

First, I would like to take this opportunity to explain to you why this Moorish arches or the way the Moorish arches were drawn is offensive and what it represents.

The Rising Sun Flag served as “the sole emblem of Japan’s crimes against humanity during the war time.” (Anti Rising Sun Flag.net, <http://english.anti-risingsunflag.net>)



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The Rising Sun Flag, symbolizing the Japanese Imperialism is equivalent to the Swastika of Germany Nazism.

In short, the Japanese Imperialism killed about 20 million to 30 million people during the World War II in Asia, including China, Korea, Indonesia, Vietnam, Philippines, Malaysia, other Southeast Asian countries, European countries and the United States. The Japanese Imperialism is responsible for committing gruesome and horrible crimes against humanity during the war and the colonization period. Here are just a glimpse of the horror.

1. Massive Killings were motivated by a racist Pan-Asianism

During the Nanking Massacre in China, more than 300,000 civilians, including women, children and elderly were raped and massacred by the Japanese Army. It wiped out the entire village. After the attacks, many were killed via genital torture, with some Japanese troops getting their jollies forcing parents to rape their own children at gunpoint. In Southeast Asia, the Manila massacre resulted in death of 100,000 civilians in Philippines. In Singapore, the Sook Ching massacre was a systematic extermination of perceived hostile elements among the Chinese population. And the list goes on.

Though military brothels existed in the Japanese military since 1932, they expanded widely after one of the most infamous incidents in imperial Japan's attempt to take over the Republic of China and a broad swath of Asia: the Rape of Nanking. On December 13, 1937, Japanese troops began a six-week-long massacre that essentially destroyed the Chinese city of Nanking. Along the way, Japanese troops raped between 20,000 and 80,000 Chinese women. (<https://www.history.com/news/comfort-women-japan-military-brothels-korea>)

2. Use of Chemical Weapons

The Imperial Japanese Army under the Rising Sun Flag, used chemical weapons such as phosgene, chlorine, Lewisite and nausea gas (red), mustard gas (yellow), etc., despite of 1899 Hague Declaration and Article 23(a) of the 1907 Hague Convention IV – The Laws and Customs of War on Land. A resolution adopted by the League of Nations on 14 May condemned the use of poison gas by Japan.

3. Human Experimentation, “Unit 731 – Maruta”

Among the special Japanese military units conducted human experiments on civilians and prisoners of wars, one of the most infamous Imperial Japanese Army under the Rising Sun Flag was Unit 731.

To determine the treatment of frostbite, prisoners were taken outside in freezing weather and left with exposed arms, periodically drenched with water until frozen solid. The arm was later amputated; the doctor would repeat the process on the victim’s upper arm to the shoulder. After both arms were gone, the doctors moved on to the legs until only a head and torso remained. The victim was then used for plague and pathogens experiments. (https://en.wikipedia.org/wiki/Japanese_war_crimes)

The Unit 731 of the Imperial Japanese Army under the Rising Sun Flag was horrendous crime against humanity. The humans were tortured for experiments to develop pathological weapons, biological and chemical weapons for mass destruction research of Imperial Japanese Army under the Rising Sun Flag. They injected pathogens into live human body, vivisection without anesthesia, and extreme temperature survival tests. Nearly 3000 victims including Asians, Europeans and Americans. They called the victims as “Maruta” meaning “log” during the experiments.

4. Violence against Women, Comfort Women – Sexual Slaves

The Imperial Japan's fascism under the Rising Sun Flag ran Japanese military brothels in occupied countries. The innocent young girls and women were recruited by deception or abducted and forced into sexual slavery. These sex slaves, better known as comfort women, were young girls and women of the occupied territories such as Korea, China, Indonesia, the Philippines and Australia. They were lured with promises of works in factories and other workplaces. The total number of comfort women is estimated as high as 400,000. Among them, a few were Japanese prostitutes, some were Chinese, Korean, Filipinos and Dutch people of the occupied territories. The sexual slaves suffered from 20 to 30 unwanted intercoursures per day and were exposed into physical and mental violence, as well as unwanted pregnancies.

“It was not a place for humans,” Lee told Deutsche Welle in 2013. Like other women, she was threatened and beaten by her captors. “There was no rest,” recalled Maria Rosa Henson, a Filipina woman who was forced into prostitution in 1943. “They had sex with me every minute.” (The Brutal History of Japan’s Comfort Woman, <https://www.history.com/news/comfort-women-japan-military-brothels-korea>)

5. Forced Labor Camps

The Imperial Japan had forced labor camps during the World War II with over four to ten million civilians and prisoners of war. Let alone there were approximately 13,000 Americans who died in the Japanese prison camps due to starvation, beating, murder, execution, etc.



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Murphy spent one year at a copper mine near Hanawa with about 500 other POWs, an experience he described as "a complete horror."

"It was slavery in every way: no food, no medicine, no clothing, no sanitation," Murphy said, adding that it was all the more painful knowing that Mitsubishi built fighter aircraft used against American forces. (Japanese company to apologize for U.S. POWs' treatment, <https://www.cbsnews.com/news/mitsubishi-to-apologize-to-us-pows-for-forced-labor-in-japan-during-wwii/>)

Therefore, the offenses and aggressions against humanity the Rising Sun Flag poses on the community with what it is associated with, is equivalent to the Swastika of Nazism and anti-Semitism in modern era.

Once again, the Rising Sun Flag served as the sole emblem of the Imperial Japan's crimes against humanity during the war time. Use of the war emblem in such manners is an offense to the community and an aggression towards the humanity as a whole.

Second, understanding what the Rising Sun Flag means to the community with multicultural heritages in Koreatown, the RFK Mural Festival poses the same offensiveness and aggression as Swastika of Nazism. It would have the same emotional and psychological effects that are damaging to the surrounding community as the RFK Schools promoting hate crimes against humanity.

The law requires one to take it down even if one commits such offense in reckless disregard of the risk of terrorizing because of the display of such symbols.

California Penal Code, Article 4.5. Terrorizing [11410 – 11414]
(http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=11411)



ARTICLE 4.5. Terrorizing [11410 - 11414]

(Article 4.5 added by Stats. 1982, Ch. 1624, Sec. 2.)

11411.

(a) Any person who hangs a noose, knowing it to be a symbol representing a threat to life, on the private property of another, without authorization, for the purpose of terrorizing the owner or occupant of that private property or in reckless disregard of the risk of terrorizing the owner or occupant of that private property, or who hangs a noose, knowing it to be a symbol representing a threat to life, on the property of a primary school, junior high school, high school, college campus, public park, or place of employment, for the purpose of terrorizing any person who attends or works at the school, park, or place of employment, or who is otherwise associated with the school, park, or place of employment, shall be punished by imprisonment in a county jail not to exceed one year, or by a fine not to exceed five thousand dollars (\$5,000), or by both the fine and imprisonment for the first conviction or by imprisonment in a county jail not to exceed one year, or by a fine not to exceed fifteen thousand dollars (\$15,000), or by both the fine and imprisonment for any subsequent conviction.

(b) Any person who places or displays a sign, mark, symbol, emblem, or other physical impression, including, but not limited to, a Nazi swastika, on the private property of another, without authorization, for the purpose of terrorizing the owner or occupant of that private property or in reckless disregard of the risk of terrorizing the owner or occupant of that private property shall be punished by imprisonment in a county jail not to exceed one year, by a fine not to exceed five thousand dollars (\$5,000), or by both the fine and imprisonment for the first conviction and by imprisonment in a county jail not to exceed one year, by a fine not to exceed fifteen thousand dollars (\$15,000), or by both the fine and imprisonment for any subsequent conviction.



(c) Any person who engages in a pattern of conduct for the purpose of terrorizing the owner or occupant of private property or in reckless disregard of terrorizing the owner or occupant of that private property, by placing or displaying a sign, mark, symbol, emblem, or other physical impression, including, but not limited to, a Nazi swastika, on the private property of another on two or more occasions, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 for 16 months or two or three years, by a fine not to exceed ten thousand dollars (\$10,000), or by both the fine and imprisonment, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed five thousand dollars (\$5,000), or by both the fine and imprisonment. A violation of this subdivision shall not constitute felonious conduct for purposes of Section 186.22.

(d) Any person who burns or desecrates a cross or other religious symbol, knowing it to be a religious symbol, on the private property of another without authorization for the purpose of terrorizing the owner or occupant of that private property or in reckless disregard of the risk of terrorizing the owner or occupant of that private property, or who burns, desecrates, or destroys a cross or other religious symbol, knowing it to be a religious symbol, on the property of a primary school, junior high school, or high school for the purpose of terrorizing any person who attends or works at the school or who is otherwise associated with the school, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 for 16 months or two or three years, by a fine of not more than ten thousand dollars (\$10,000), or by both the fine and imprisonment, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed five thousand dollars (\$5,000), or by both the fine and imprisonment for the first conviction and by imprisonment pursuant to subdivision (h) of Section 1170 for 16 months or two or three years, by a fine of not more than ten thousand dollars (\$10,000), or by both the fine and imprisonment, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed fifteen thousand



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dollars (\$15,000), or by both the fine and imprisonment for any subsequent conviction.

(e) As used in this section, “terrorize” means to cause a person of ordinary emotions and sensibilities to fear for personal safety.

(f) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(Amended by Stats. 2011, Ch. 15, Sec. 496. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

Third, here are just few of the recent cases of the numerous cases which show how the community responds to such hate symbols.

1. *Swastika found in Bathroom at Calabasas High School*

A Swastika was found inside a bathroom at Calabasas High School. The school’s principal immediately sent an email to parents informing that of the incident and explained that the symbol of the Nazi party, which is synonymous with hate and anti-Semitism, was promptly removed even though it was not hate-motivated.

(Swastika found in Bathroom at Calabasas High School, <https://patch.com/california/calabasas/swastika-found-bathroom-calabasas-high-school>)

2. *Zara fashion chain offered children’ pajamas resembling concentration camp uniforms*

Zara made made a pajama design with an inspiration by the Sheriff's stars from the Classic Western films. Yet, when faced with complaints that it bore a disturbing resemblance to concentration camp uniforms, it apologized with sincerity and decided not to have such design in their stores any longer. Zara withdrew the entire range of design which had more than 3,330 stores in 66 countries. (Zara Apologizes For Pajamas That Look Just Like A Concentration Camp Uniform , https://www.huffingtonpost.com/2014/08/27/zara-anti-semitism_n_5722162.html)

3. *George Washington University is taking action against Jewish student who posted a symbol he brought back from india that resembles Swastika*

Even though the student argued that the symbol he posted was not a Nazi one but something he brought from India that only looks similar to the Nazi Swastika, the school decided to suspend the student for the act of vandalism. The university stated that “the Swastika has acquired an intrinsically anti-Semitic meaning, and therefore the act of posting it in a university residence hall is utterly unacceptable.” The university further urged the entire community to be aware of the symbol's association with genocide perpetuated against the Jewish people and its harmful effects. (Swastikas, Hate and Confusion, <https://www.insidehighered.com/news/2015/04/27/universitys-action-over-student-who-posted-swastika-bulletin-board-sets>)

Every single incident shows that even just a bare similarity was not to be allowed due to the what such symbol is associated with and its effects.

Just imagine having Swastika along with the profile of Ava Gardner, combined with architectural elements and ornaments from the original site's brass doors, Moorish arches, columns and palms, at the heart of Jewish community such as Hancock Park or Beverly Hills. This would definitely bring an uproar from the entire Jewish American community as offensive and unacceptable.



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Now, you have the entire community in Koreatown regardless of race and ethnicity in front of you, requesting that you consider what the Rising Sun Flag symbol is associated with and its effects on the community. It is associated with massive killings of innocent people based on race and ethnicity, inhumane crimes against humanity with chemical weapons developed by horrendous human experiments and military aggression at the cost of women and forced laborers.

Failure to clearly understand about the above issue, causes the tragic incident such as the Pittsburg synagogue shooting recently.

Please take this as our formal complaint against the schools' acts in causing the above-explained offenses and/or omission to act in promptly curing the problems caused therefrom. Please also take this as our formal request that you immediately remove the RFK Mural Festival and replace it with what the true cultural values reflect at the heart of Koreatown, Los Angeles. We request your schools and LAUSD please let us know whether you would comply with our requests by letting us know by no later than 5 p.m. on 11/15/2018. In doing so, we ask that you uphold the international commitment to protect and respect the values of humanity.

We stand with the listed community organizations.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Chan Yong (Jake) Jeong', is written over a horizontal line.

Chan Yong (Jake) Jeong, Esq.

President

Wilshire Community Coalition

Exhibit A



Exhibit B

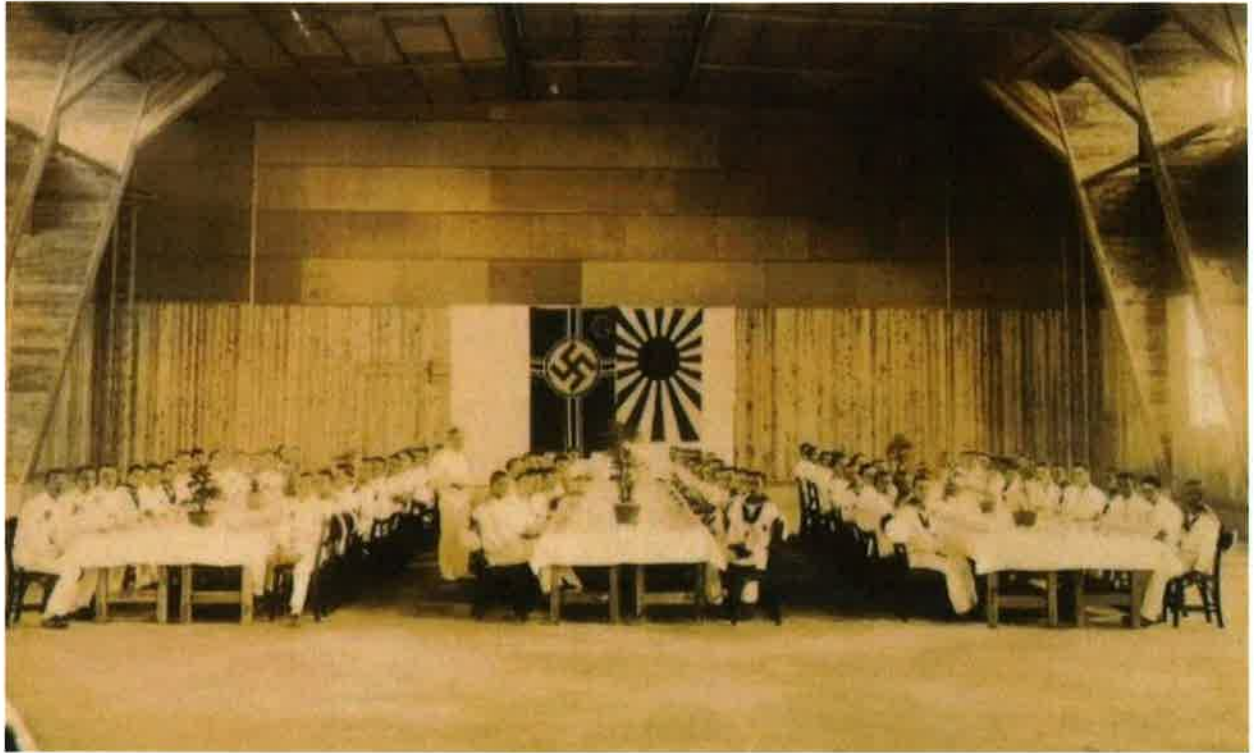


Exhibit C

BEAU STANTON

[Home](#)[About](#)[Artwork](#)[Exhibitions](#)[Murals](#)[Press](#)[Shop](#) **RFK Mural Festival**

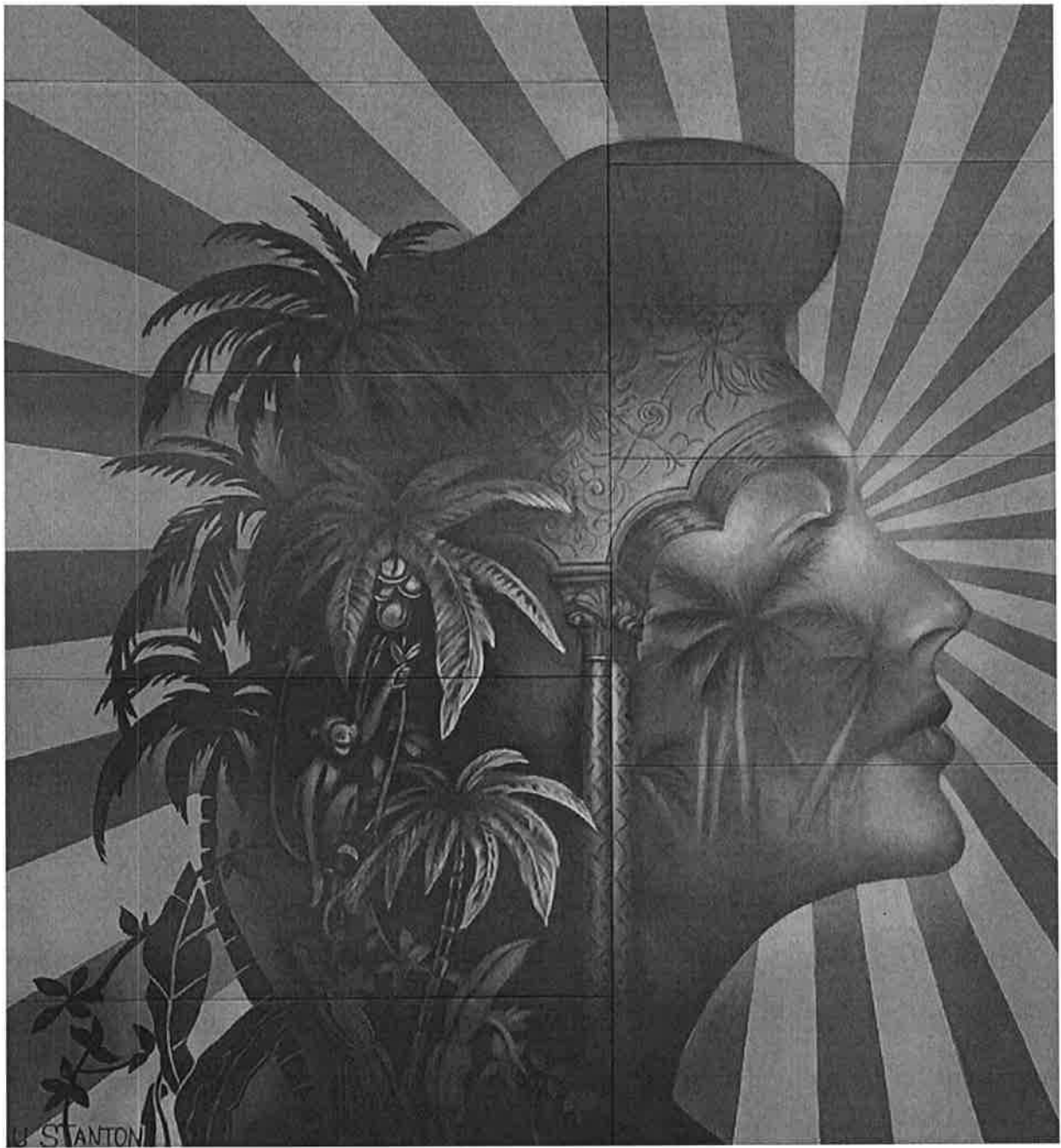
- [2016](#)
- [Murals](#)

Completed in May 2016 for the RFK Mural Festival organized by Branded Arts at the Robert F Kennedy Schools in LA's Koreatown, former sight of the historic Ambassador Hotel and Cocoanut Grove.

The image depicts the profile of Ava Gardner, a classic Hollywood actress who regularly attended the Cocoanut Grove, combined with architectural elements and ornaments from the original site's brass doors, moorish arches, columns, and palms.

[next](#)

[previous](#)

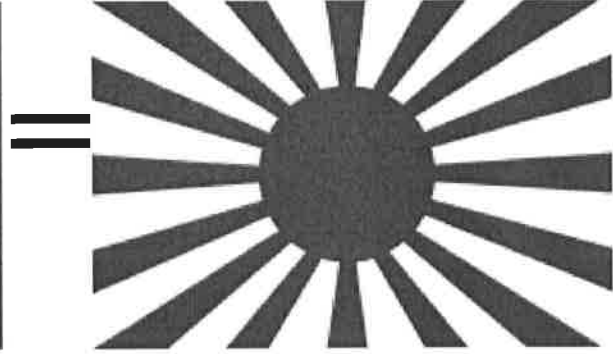
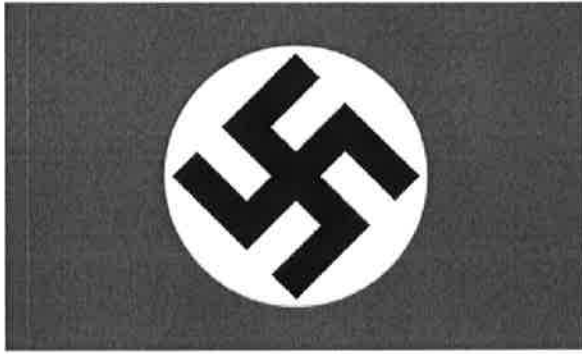




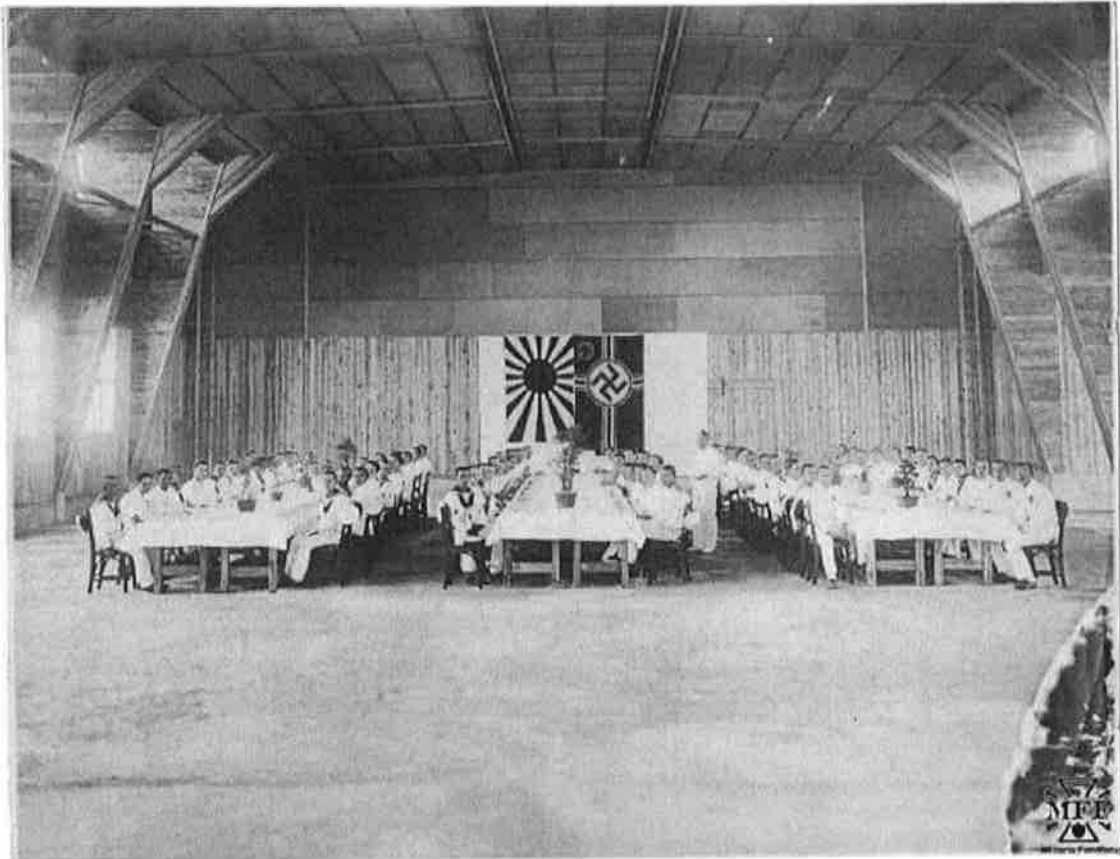
Photos:

Recent News:

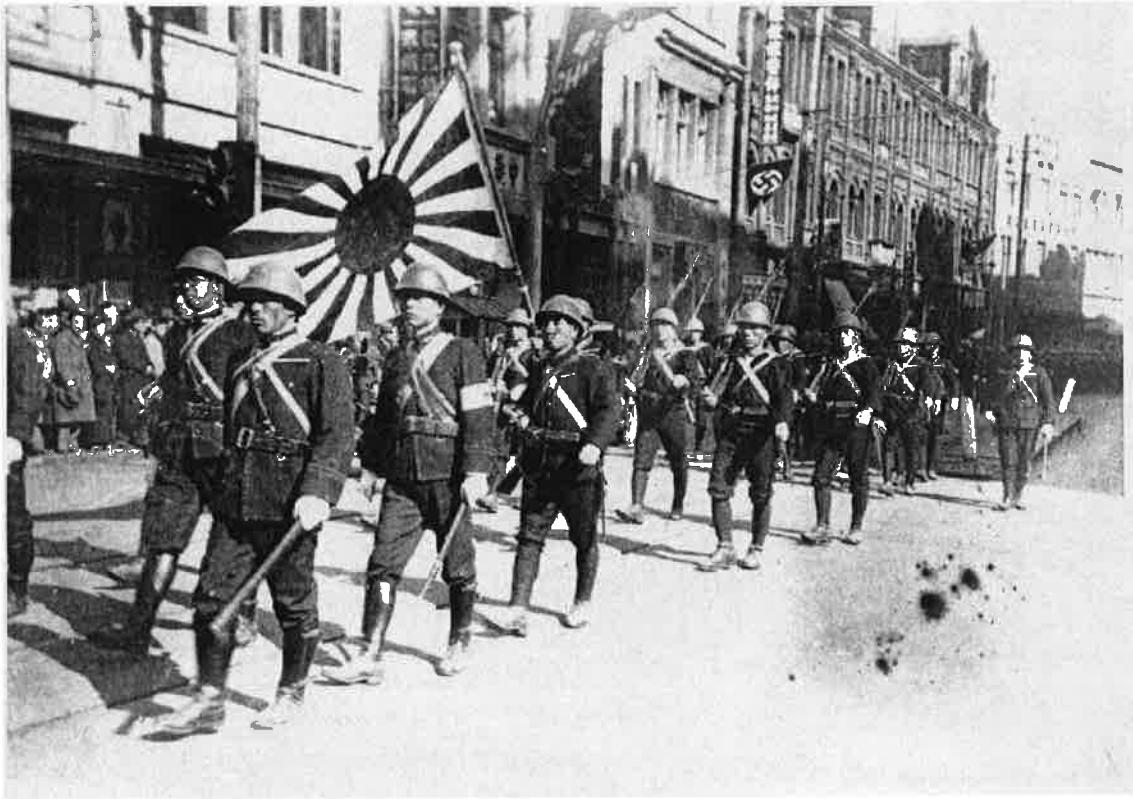
Exhibit D



During World War 2, some 50 million casualties worldwide were caused by the Nazi Germany, among which were six million Jews who died in Auschwitz and other concentration camps. For this, the West has been stigmatizing Swastika and Nazi salute as symbols of Nazi war crimes.



Germans in particular maintain watchful eyes over public use of Swastika and other nationalistic tendencies as they worry reemergence of a militaristic or a totalitarian regime. As such, Germans are regretful of their past war crimes and their chancellors have offered apologetic remarks to the neighboring victims.

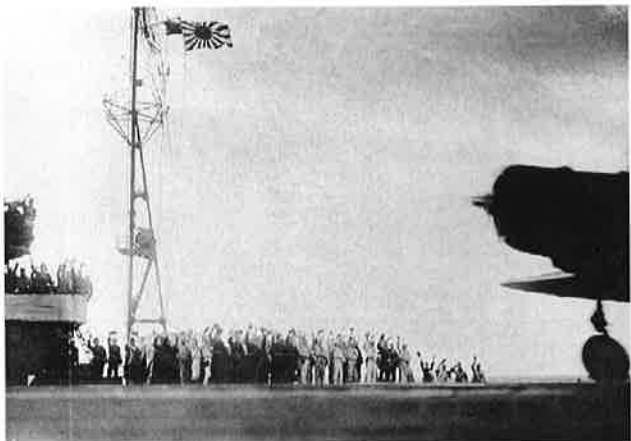


Turn the globe over to Japan, one of the allies of Nazi Germany during World War 2, who also caused 50 million casualties in the Asia Pacific. What have they done for their war crimes? Are they regretful of their past? Are they offering any apology before history?

1. What is a rising sun flag?



A rising sun flag is **the military flag and ensign used primarily by the military forces of Imperial Japan and Japan's Self Defense Forces**. It illustrates red sun rays that emanate from the red circle in the middle, which symbolizes the rising sun, as shared in the Japanese flag.



In 1870 during the Meiji period, rising-sun flag with sixteen rays was first adopted as the flag of the Imperial Japanese Army. A similar design was adopted in 1889 as the ensign of the Imperial Japanese Navy, which soon allowed the entire Japanese military to use the rising-sun flag as the emblem. Subsequently, as eight-rayed version was adopted by the Japanese flagship, the rising-sun flag became **the symbol of the Japanese military**.

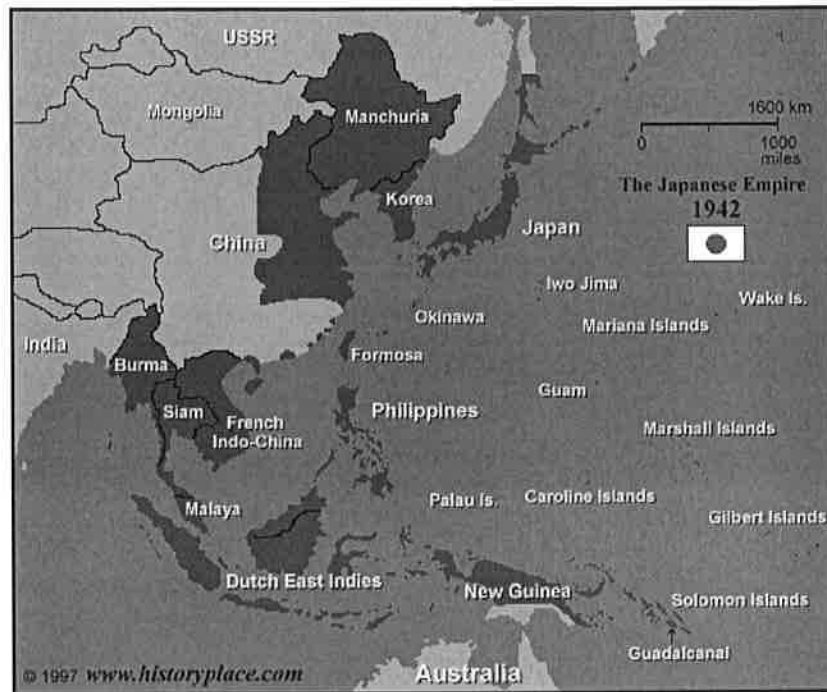


The rising-sun flag **has been the symbol of Japan's militaristic imperialism, and still serves to be the symbol of Japanese Self-Defense Forces**. However, there are recent phenomena to utilize the symbol in fashion or in international sporting events although it is considered extremely offensive in countries of former Japanese imperialism as it reminds Japan's former war crimes.

What A Korean Must Know #3 The Rising Sun Flag



2. Japan's War Crime



Before the eventual fall in 1945, the occupied territories of Japanese empire boasted its enormity and the victims of the war were innumerable. Horrors of Japanese fascism extended all over the Asia-pacific region, including China, Korea, the Philippines, Indochina, Indonesia and Australia. Remnants and records of Japanese war crimes and atrocities still remain to this day. **This, however, is widely received in Japan as a source of pride, not shame.**



Civilians slain by the Japanese soldiers



Japanese bayonet practice with dead Chinese near Tianjin



[Japan marks 67th anniversary of WWII's end] [Japan Marks The 67th Anniversary Of World War II]

In Korea alone, **total of 6,126,180 civilians** were conscripted and mobilized into forced labor camps according to the 1947 document by Japan's Treasury Department titled "Historical data for overseas activities of the Japanese civilians". The number accounted for **20% of the entire Korean population**.

Koreans who were conscripted into labor concentration camps within Korean peninsula were rather the lucky ones. Approximately 1.5 million were conscripted to Sakhalin Island and forced into mining; some even to near-equator regions such as the Samoan Islands.

In response to the Great Kanto Earthquakes of 1923 and the subsequent social instabilities, Japanese government spread disinformation that the Koreans had poisoned the drinking wells in Japan. As a result, angry crowds of Japanese civilians immediately took actions by killing off Koreans indiscriminately with bamboo spears.

During the Japanese occupation, Korean liberation army remained active in Manchuria for its geographical proximity to the Korean peninsula. However, their efforts were put under the test in part by the Japanese military and in another the Manchurian warlords who cooperated with the Japanese. Not only were the summary executions of the Korean soldiers common upon arrests, but also civilians were slaughtered as retaliation. An example of this was documented in 1920, where Japan burned some 2500 residential houses and 30 schools, while massacring 10,000 civilians in the region.



Nanking Massacre is a famous case for Japan's war crime in China which involved killing of approximately **300,000 people** during Japanese advance into Nanjing and approximately 42,000 after the seizure. The massacre took place in forms of rape and kill for women; live burial and burning were also common.

The violence of Nanking did not only target the Chinese. Residences of diplomats of the United States, the United Kingdom and Germany, as well as American hospitals, schools and churches were looted for helping Chinese refugees.



Execution of an American POW, a clear violation of the Geneva Convention for humane treatment of POWs

For women of the occupied territories, the horrors of Japan's fascism came in forms of **sexual slavery**. These sex slaves, better known as comfort women, were young women of the occupied territories such as Korea, China, Indonesia, the Philippines and

Australia who were lured with promises of works in factories and other workplaces. However, Japan is still reluctant to regret and apologize for its crime.

The following are excerpts from an article regarding comfort women.

"The Department of the Army of the Japanese empire installs and executes the military-run comfort stations throughout army bases with objectives in preventing STIs, maintaining public order and providing sexual comfort for soldiers in response to the rising anti-Japanese sentiment after the frequent rape cases during the Nanking Massacre of 1937."

"The total number of comfort women is estimated as high as **400,000**. Among them, a few were Japanese prostitutes, some were Chinese, Filipinos and Dutch people of the occupied territories and the rest were 200,000 Koreans who were unwillingly conscripted."

"Most of the conscripted Koreans were from the unfortunate backgrounds of extreme poverty and were recruited by deception or abduction."

"Sex slaves were stripped of rights of having day-offs and contract revocation. They suffered from 20 to 30 unwanted intercoursces per day and were exposed into physical and mental violence, as well as unwanted pregnancies."

"After the war, these sex slaves were either left to die at the abandoned comfort stations (i.e. military brothels of WW2 era Japan) or were mass slaughtered. For an example, shortly after the American mass air-raid of the Chuuk Island, located in the South Pacific, the Japanese military stationed in the island decided to slaughter these women as they were thought as the national disgrace. The slaughter took place by machine-gunning these 60-70 former slaves at the bomb shelter. In China, injured comfort women during the retreat were stabbed to death by the Japanese soldiers. Ones who were left behind at these comfort stations had to suffer from rape by the locals, death by starvation, or internment camps."

"As of 2001, 192 living Korean women are listed as the victims of Japanese sexual slavery by the Korean government. Among them, 6.2% witnessed the mass slaughter, 22.4% the concentration camp, 9.9% the death threat from the locals, 16.1% the near-death by starvation, and 3.6% the near-rape crisis by the soldiers of the countries that took over the former Japanese territories."



Unit 731 was another aspect of Japan's war crime. It was established in Harbin, China as a covert biological and chemical weapons of mass destruction research and development unit of Imperial Japan.



Live human specimen were often used in Unit 731 for torturous experiments to develop pathological weapons. These experiments included injecting pathogens into live human body, vivisection without anesthesia, and extreme temperature survival tests. Nearly

3000 victims lost their lives in these procedures.



Unit 731 Japanese Torture & Human Med...



Rising sun flag served as **the sole emblem of Japan's crimes against humanity** during the war time. However, Japan still uses the symbol enthusiastically and boastfully as the symbol of Japanese Self-Defense Forces and as a cultural item. Use of the war emblem in such manners is an offense to the modern global community and an aggression towards the humanity as a whole.



The last picture depicts the entirety of Japan's war crimes.



3. Nazi salutes and Neo-Nazi banner fined at sporting events



The UEFA fined the German football association as German supporters caused concerns at the Euro 2012 by Hitler saluting. In Europe, any public display that relates to the war crimes of Nazi Germany, including Swastika, is a subject of sanction.

"UEFA, European football's governing body, fined the German football association €25,000 (\$31,000) for the behavior of its fans during a Euro 2012 match against Denmark in Lviv, Ukraine, on June 17."

German Football Association was also fined for displaying offensive banner containing Neo-Nazi symbols.

Read more on the Spiegel. [*Sieg, Sieg' Chants and Hitler Salutes, Behavior of Some German Fans Cause for Concern*]



Vivienne Élisabeth
@viviennebreton

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That awkward moment the German Ambassador gives the Nazi salute, and is spotted by Camilla and Boris!
pic.twitter.com/XPFaWhvS

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Another controversy was invoked during the Opening ceremony of the 2012 London Olympics, when German ambassador displayed an action that highly resembles the Nazi salute.

Read more. [*Spectators React on London Olympics 'Nazi' Salute, IOC Says Wrong Interpretation*]

A similar controversy was around German rower alleging Neo-Nazi boyfriend.

Read more. [*Nazi-Boyfriend Allegations Causes German Olympic Rower to Leave London*]

In Europe, any action, speech or display that reminds them of Nazism or extreme nationalism is viewed as highly concerning. This include swastika, Hitler salute, or any speech that glorify the World War 2 era crimes.

4. Banning of the flag at the Beijing Olympics

As Europe sanctions any Nazi-related public display such as Swastika or Nazi salutes, Asian countries take strong concerns at public display of any symbol that reminds of Japan's imperialism such as rising-sun flag. As an example, **Japanese supporters were warned by the Olympics committee for waving rising-sun flags at a football match during the Beijing Olympics.** Beijing clearly stated that "flags and banners of a political, ethnic, or religious nature are banned at Olympic venues", affirming the inappropriate nature of the flag with the racial and political undertones.

Japan fans warned about rising sun flag



Japanese sporting fans have been warned not to fly Japan's 'rising sun' flag at the Olympics, because it might anger Chinese, who have been taught to identify the flag with Japan's militaristic past.

"We explain in a safety guideline for Japanese tourists coming to see the Olympics that the old military flag may cause trouble," Norio Saito, a Beijing Embassy official told Reuters on Friday.

The "rising sun" flag, with 16 rays extending from a red sun on a white background, was displayed by the Imperial Japanese Navy and is still the emblem of the Japanese Maritime Self-Defense Forces, as the current navy is known.

The embassy guideline notes that flags and banners of a political, ethnic or religious nature are banned at Olympic venues and discourages Japanese tourists from showing items that could conjure up bitter memories of the wartime past, which still haunt Sino-Japanese ties six decades later.

Read more on the Reuters. [*Japan fans warned not to fly naval flag*]

Rising-sun flag is as offensive to the Asian countries as Swastika is to the Jews. However, such symbol is still being widely distributed and used in sporting events as cheering tools and national team uniforms, as fashion icons, and even in children's animations.

5. Rising-sun flag at sporting events



In the West, symbols or banners that relate back to Nazi Germany are subjects of concerns and sanctions. However, Japan's use of this symbol of the past war crime as a tool of support their athletes in sporting events is a common practice even after the waning from the Beijing Olympics, **even in countries that suffered during the period of imperialistic fascism**. This is comparable to hoisting and waving Swastika in international sporting events in Europe.

【会場への持ち込み禁止物に関して 회장에의 반입해 금지물에 관해서

下記の物を持ち込むこと、又は使用することは禁止されています。

◎競技の進行を妨害するおそれのある物…ガスホーン、レーザーペン、ホイッスル等

◎競技の進行を妨害するおそれのある物…発煙筒、爆竹、花火、その他の危険物又はそれに類するもの 옥일기(디자인 된, 응원 플래그·응원 배너 포함한다)

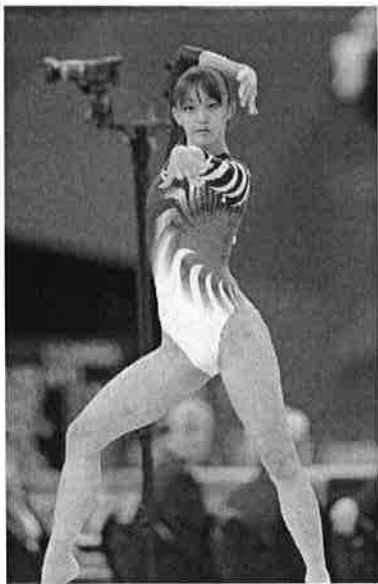
◎旭日旗(デザインされた、応援フラッグ・応援バナー含む)

As issues around the use of rising-sun flag in sporting events became prominent in the international community, Japanese football association (JFA) prohibited the flag at the FIFA U-20 Women's World Cup events.

JFA's decision, however, was overturned the next day by the protests of the Japanese supporters. This incident well reflects the general perception of this symbol of the past war crimes.

6. Rising-sun flag in sport uniforms and fashion designs

For the national gymnastics uniforms at the London Olympics, Japan selected the design that emblazoned the rising-sun flag.



Asahi Press of Japan reported the use of the rising-sun flag as the design component of the uniform.

Read more on Asahi. [*OLYMPICS/ Rising-sun brightens Olympic gymnastics uniforms*].

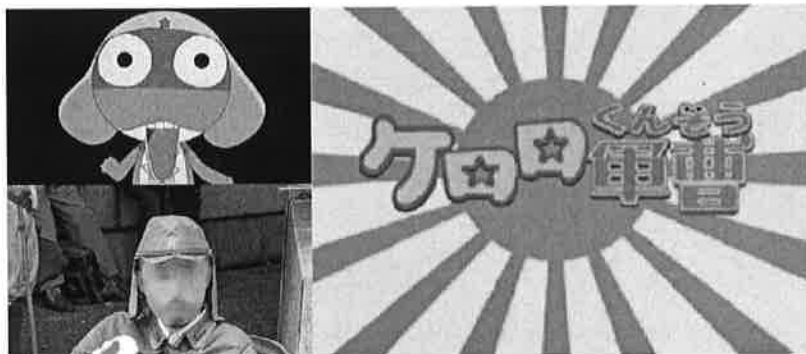
Japan ended up donating the uniform to the Olympic museum in Switzerland for display. The following is an excerpt from the article regarding donating the uniform.

"Kohei Uchimura (Konami), who won the gold medal at the Man's Individual All-around Gymnastics-Artistics event, donated his uniform to the Olympics museum in Lausanne, Switzerland as requested by the IOC."



Rising-sun emblem is emblazoned in many fashion items as well. As celebrities using fashion items emblazoning the symbol, the use of the symbol in the public eyes has become a norm.

7. Rising-sun flag in animations



Rising sun flag is also used in in children's animations. While it may be aesthetically pleasing, prolonged exposure to this controversial emblem at young ages can numb down children's conception of Japan's war crimes committed under this banner.


This Page was translated by Akuma.
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Since 2012.8.12.

Exhibit E

HISTORY STORIES



FEB 20, 2018

The Brutal History of Japan's 'Comfort Women'

ERIN BLAKEMORE

Between 1932 and 1945, Japan forced women from Korea, China and other occupied countries to become military prostitutes.

Lee Ok-seon was running an errand for her parents when it happened: a group of uniformed men burst out of a car, attacked her and dragged her into the vehicle. As they drove away, she had no idea that she would never see her parents again.

She was 14 years old.

That fateful afternoon, Lee's life in Busan, a town in what is now South Korea, ended for good. The teenager was taken to a so-called "comfort station"—a brothel that serviced Japanese soldiers—in Japanese-occupied China. There, she became one of the tens of thousands of "comfort women" subjected to forced prostitution by the imperial Japanese army between 1932 and 1945.

It's been nearly a century since the first women were forced into sexual slavery for imperial Japan, but the details of their servitude remains painful and politically divisive in Japan and the countries it once occupied. Records of the women's subjugation is scant; there are very few survivors and an estimated 90 percent of "comfort women" did not survive the war.

Though military brothels existed in the Japanese military since 1932, they expanded widely after one of the most infamous incidents in imperial Japan's attempt to take over the Republic of China and a broad swath of Asia: the Rape of Nanking. On December 13, 1937, Japanese troops began a six-week-long massacre that essentially destroyed the Chinese city of Nanking. Along the way, Japanese troops raped between 20,000 and 80,000 Chinese women.

The mass rapes horrified the world, and Emperor Hirohito was concerned with its impact on Japan's image. As legal historian Carmen M. Agibay notes, he ordered the military to expand its so-called "comfort stations," or military brothels, in an effort to prevent further atrocities, reduce sexually transmitted diseases and ensure a steady and isolated group of prostitutes to satisfy Japanese soldiers' sexual appetites.

"Recruiting" women for the brothels amounted to kidnapping or coercing them. Women were rounded up on the streets of Japanese-occupied territories, convinced to travel to what they thought were nursing units or jobs, or purchased from their parents as indentured servants. These women came from all over southeast Asia, but the majority were Korean or Chinese.

Once they were at the brothels, the women were forced to have sex with their captors under brutal, inhumane conditions. Though each woman's experience was different, their testimonies share many similarities: repeated rapes that increased before battles, agonizing physical pain, pregnancies, sexually transmitted diseases and bleak conditions.

"It was not a place for humans," Leetold Deutsche Welle in 2013. Like other women, she was threatened and beaten by her captors. "There was no rest," recalled Maria Rosa Henson, a Filipina woman who was forced into prostitution in 1943. "They had sex with me every minute."

The end of World War II did not end military brothels in Japan. In 2007, Associated Press reporters discovered that the United States authorities allowed "comfort stations" to operate well past the end of the war and that tens of thousands of women in the brothels had sex with American men until Douglas MacArthur shut the system down in 1946.

By then, between 20,000 and 410,000 women had been enslaved in at least 125 brothels. In 1993, the UN's Global Tribunal on Violations of Women's Human Rights estimated that at the end of World War II, 90 percent of the "comfort women" had died.

After the end of World War II, however, documents on the system were destroyed by Japanese officials, so the numbers are based on estimates by historians that rely on a variety of extant documents. As Japan rebuilt after World War II, the story of its enslavement of women was downplayed as a distasteful remnant of a past people would rather forget.

Meanwhile, women who had been forced into sexual slavery became societal outcasts. Many died of sexually transmitted infections or complications from their violent treatment at the hands of Japanese soldiers; others committed suicide.

For decades, the history of the “comfort women” went undocumented and unnoticed. When the issue was discussed in Japan, it was denied by officials who insisted that “comfort stations” had never existed.

Then, in the 1980s, some women began to share their stories. In 1987, after the Republic of South Korea became a liberal democracy, women started discussing their ordeals publicly. In 1990, the issue flared into an international dispute when South Korea criticized a Japanese official’s denial of the events.

In the years that followed, more and more women came forward to give testimony. In 1993, Japan’s government finally acknowledged the atrocities. Since then, however, the issue has remained divisive. The Japanese government finally announced it would give reparations to surviving Korean “comfort women” in 2015, but after a review, South Korea asked for a stronger apology. Japan recently condemned that request—a reminder that the issue remains as much a matter of present foreign relations as past history.

Meanwhile, a few dozen women forced into sexual slavery by Japan are still alive. One of them is Yong Soo Lee, a 90-year-old survivor who has been vocal about her desire to receive an apology from the Japanese government. “I never wanted to give comfort to those men,” she told the *Washington Post* in 2015. “I don’t want to hate or hold a grudge, but I can never forgive what happened to me.”

FACT CHECK: *We strive for accuracy and fairness. But if you see something that doesn't look right, contact us!*

RELATED CONTENT

Exhibit F

WIKIPEDIA

Japanese war crimes

War crimes of the Empire of Japan occurred in many Asia-Pacific countries during the period of Japanese imperialism, primarily during the Second Sino-Japanese War and World War II. These incidents have been described as an Asian Holocaust.^[1] Some war crimes were committed by military personnel from the Empire of Japan in the late 19th century, although most took place during the first part of the Shōwa Era, the name given to the reign of Emperor Hirohito, until the surrender of the Empire of Japan in 1945.

The war crimes involved the Imperial Japanese Army and the Imperial Japanese Navy under Emperor Hirohito and were responsible for the deaths of millions. Historical estimates of the number of deaths ranges between 3^[2] and 14^[3] million civilians and prisoners of war through massacre, human experimentation, starvation, and forced labor that was either directly perpetrated or condoned by the Japanese military and government.^{[4][5][6][7][8]} Some Japanese soldiers have admitted to committing these crimes.^[9] Airmen of the Imperial Japanese Army Air Service and Imperial Japanese Navy Air Service were not included as war criminals because there was no positive or specific customary international humanitarian law that prohibited the unlawful conduct of aerial warfare either before or during World War II. The Imperial Japanese Army Air Service took part in conducting chemical and biological attacks on enemy nationals during the Second Sino-Japanese War and World War II and the use of such weapons in warfare were generally prohibited by international agreements signed by Japan, including the Hague Conventions (1899 and 1907), which banned the use of "poison or poisoned weapons" in warfare.^{[10][11]}

Since the 1950s, senior Japanese Government officials have issued numerous apologies for the country's war crimes. Japan's Ministry of Foreign Affairs states that the country acknowledges its role in causing "tremendous damage and suffering" during World War II, especially in regard to the IJA entrance into Nanjing during which Japanese soldiers killed a large number of non-combatants and engaged in looting and rape.^[12] That being said, some members of the Liberal Democratic Party in the Japanese government such as former prime minister Junichiro Koizumi and current Prime Minister Shinzō Abe have prayed at the Yasukuni Shrine, which includes convicted Class A war criminals in its honored war dead. Some Japanese history textbooks only offer brief references to the various war crimes,^[13] and members of the Liberal Democratic Party have denied some of the atrocities such as government involvement in abducting women to serve as "comfort women" (sex slaves).^{[9][14]} Allied authorities found that Koreans and Taiwanese serving in the forces of the Empire of Japan also committed war crimes, in addition to Japanese military and civil personnel.^{[15][16]}

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Definitions

War crimes have been defined by the Tokyo Charter as "violations of the laws or customs of war,"^[17] which includes crimes against enemy combatants and enemy non-combatants.^[18] War crimes also included deliberate attacks on citizens and property of neutral states as they fall under the category of non-combatants, as at the attack on Pearl Harbor.^[19] Military personnel from the Empire of Japan have been accused or convicted of committing many such acts during the period of Japanese imperialism from the late 19th to mid-20th centuries. They have been accused of conducting a series of human rights abuses against civilians and prisoners of war throughout East Asia and the western Pacific region. These events reached their height during the Second Sino-Japanese War of 1937–45 and the Asian and Pacific campaigns of World War II (1941–45). In addition to Japanese civil and military personnel, Koreans and Taiwanese who were forced to serve in the military of the Empire of Japan were also found to have committed war crimes as part of the Japanese Imperial Army.^{[20][21]}

International and Japanese law

Japan did not sign the 1929 Geneva Convention on the Prisoners of War (except the 1929 Geneva Convention on the Sick and Wounded),^[22] though in 1942, it did promise to abide by its terms.^[23] The crimes committed also fall under other aspects of international and Japanese law. For example, many of the crimes committed by Japanese personnel during World War II broke Japanese military law, and were subject to court martial, as required by that law.^[24] The Empire also violated international agreements signed by Japan, including provisions of the Hague Conventions (1899 and 1907) such as protections for prisoners of war and a ban on the use of chemical weapons, the 1930 Forced Labour Convention which prohibited forced labor, the 1921 International Convention for the Suppression of the Traffic in Women and Children which prohibited human trafficking, and other agreements.^{[25][26]} The Japanese government also signed the Kellogg-Briand Pact (1929), thereby rendering its actions in 1937–45 liable to charges of crimes against peace,^[27] a charge that was introduced at the Tokyo Trials to prosecute "Class A" war criminals. "Class B" war criminals were those found guilty of war crimes *per se*, and "Class C" war criminals were those guilty of crimes against humanity. The Japanese government also accepted the terms set by the Potsdam Declaration (1945) after the end of the war, including the provision in Article 10 of punishment for "all war criminals, including those who have visited cruelties upon our prisoners".

Japanese law does not define those convicted in the post-1945 trials as criminals, despite the fact that Japan's governments have accepted the judgments made in the trials, and in the Treaty of San Francisco (1952). This is because the treaty does not mention the legal validity of the tribunal. Had Japan certified the legal validity of the war crimes tribunals in the San Francisco Treaty, the war crimes would have become open to appeal and overturning in Japanese courts. This would have been unacceptable in international diplomatic circles. Current Prime Minister Shinzō Abe has advocated the position that Japan accepted the Tokyo tribunal and its judgements as a condition for ending the war, but that its verdicts have no relation to domestic law. According to this view, those convicted of war crimes are not criminals under Japanese law.^[28]

Historical and geographical extent

Outside Japan, different societies use widely different timeframes in defining Japanese war crimes. For example, the annexation of Korea by Japan in 1910 was enforced by the Japanese military, and the Society of Yi Dynasty Korea was switched to the political system of the Empire of Japan. Thus, North and South Korea refer to "Japanese war crimes" as events occurring during the period of Korea under Japanese rule.

By comparison, the Western Allies did not come into military conflict with Japan until 1941, and North Americans, Australians, South East Asians and Europeans may consider "Japanese war crimes" to be events that occurred in 1942–1945.^[29]



Soochow, China, 1938. A ditch full of the bodies of Chinese civilians killed by Japanese soldiers.



Japanese bayonet practice with a dead Chinese near Tianjin

Japanese war crimes were not always carried out by ethnic Japanese personnel. A small minority of people in every Asian and Pacific country invaded or occupied by Japan collaborated with the Japanese military, or even served in it, for a wide variety of reasons, such as economic hardship, coercion, or antipathy to other imperialist powers.^[30]

Japan's sovereignty over Korea and Formosa (Taiwan), in the first half of the 20th century, was recognized by international agreements—the Treaty of Shimonoseki (1895) and the Japan–Korea Annexation Treaty (1910)—and they were considered at the time to be integral parts of the Japanese Empire. Under the international law of today, there is a possibility the Japan-Korea Annexation Treaty was illegal,^[31] as the native populations were not consulted, there was armed resistance to Japan's annexations, and war crimes may also have been committed during the civil wars.

Background

Japanese military culture and imperialism

Military culture, especially during Japan's imperialist phase, had great bearing on the conduct of the Japanese military before and during World War II. After the Meiji Restoration and the collapse of the Tokugawa shogunate, the Emperor became the focus of military loyalty. During the so-called "Age of Empire" in the late 19th century, Japan followed the lead of other world powers in developing an empire, pursuing that objective aggressively.

Unlike many other major powers, Japan had not signed the Geneva Convention—also known as the Convention relative to the Treatment of Prisoners of War, Geneva July 27, 1929—which was the version of the Geneva Convention that covered the treatment of prisoners of war during World War II.^[32] Nevertheless, Japan ratified the Hague Conventions of 1899 and 1907 which contained provisions regarding prisoners of war^[33] and an Imperial Proclamation (1894) stated that Japanese soldiers should make every effort to win the war without violating international law. According to historian Yuki Tanaka, Japanese forces during the First Sino-Japanese War, released 1,790 Chinese prisoners without harm, once they signed an agreement not to take up arms against Japan again.^[34] After the Russo-Japanese War (1904–05), all 79,367 Russian Empire prisoners were released and were paid for labour performed, in accordance with the Hague Convention.^[34] Similarly the behaviour of the Japanese military in World War I (1914–18) was at least as humane as that of other militaries, with some German POWs of the Japanese finding life in Japan so agreeable that they stayed and settled in Japan after the war.^{[35][36]}

The events of the 1930s and 1940s

By the late 1930s, the rise of militarism in Japan created at least superficial similarities between the wider Japanese military culture and that of Nazi Germany's elite military personnel, such as those in the Waffen-SS. Japan also had a military secret police force within the IJA, known as the Kempeitai, which resembled the Nazi Gestapo in its role in annexed and occupied countries, but which had existed for nearly a decade before Hitler's own birth.^[37] Perceived failure or insufficient devotion to the Emperor would attract punishment, frequently of the physical kind.^[38] In the military, officers would assault and beat men under their command, who would pass the beating on to lower ranks, all the way down. In POW camps, this meant prisoners received the worst beatings of all,^[39] partly in the belief that such punishments were merely the proper technique to deal with disobedience.^[38]

Crimes

The Japanese military during the 1930s and 1940s is often compared to the military of Nazi Germany during 1933–45 because of the sheer scale of suffering that both of them caused. Much of the controversy regarding Japan's role in World War II revolves around the death rates of prisoners of war and civilians under Japanese occupation. Historian Sterling

Seagrave has written that:

Arriving at a probable number of Japan's war victims who died is difficult for several interesting reasons, which have to do with Western perceptions. Both Americans and Europeans fell into the unfortunate habit of seeing WW1 and WW2 as separate wars, failing to comprehend that they were interlaced in a multitude of ways (not merely that one was the consequence of the other, or of the rash behavior of the victors after WW1). Wholly aside from this basic misconception, most Americans think of WW2 in Asia as having begun with Pearl Harbor, the British with the fall of Singapore, and so forth. The Chinese would correct this by identifying the Marco Polo Bridge incident as the start, or the Japanese seizure of Manchuria earlier. It really began in 1895 with Japan's assassination of Korea's Queen Min, and invasion of Korea, resulting in its absorption into Japan, followed quickly by Japan's seizure of southern Manchuria, etc. – establishing that Japan was at war from 1895–1945. Prior to 1895, Japan had only briefly invaded Korea during the Shogunate, long before the Meiji Restoration, and the invasion failed. Therefore, Rummel's estimate of 6-million to 10-million dead between 1937 (the Rape of Nanjing) and 1945, may be roughly corollary to the time-frame of the Nazi Holocaust, but it falls far short of the actual numbers killed by the Japanese war machine. If you add, say, 2-million Koreans, 2-million Manchurians, Chinese, Russians, many East European Jews (both Sephardic and Ashkenazi), and others killed by Japan between 1895 and 1937 (conservative figures), the total of Japanese victims is more like 10-million to 14-million. Of these, I would suggest that between 6-million and 8-million were ethnic Chinese, regardless of where they were resident.^[3]



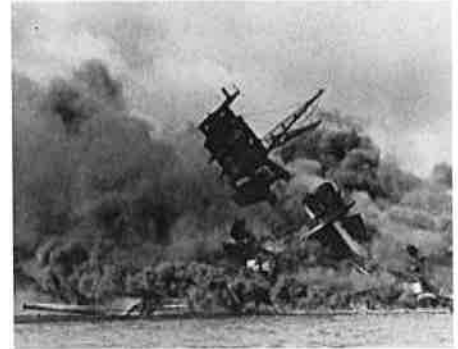
Two Japanese officers, Toshiaki Mukai and Tsuyoshi Noda competing to see who could kill (with a sword) one hundred people first. The bold headline reads, "Incredible Record" (in the Contest to Decapitate 100 People)—Mukai 106 – 105 Noda —Both 2nd Lieutenants Go Into Extra Innings".

According to the findings of the Tokyo Tribunal, the death rate among POWs from Asian countries, held by Japan was 27.1%.^[40] The death rate of Chinese POWs was much higher because—under a directive ratified on August 5, 1937, by Emperor Hirohito—the constraints of international law on treatment of those prisoners was removed.^[41] Only 56 Chinese

POWs were released after the surrender of Japan.^[42] After March 20, 1943, the Japanese Navy was under orders to execute all prisoners taken at sea.^[43]

Attacks on neutral powers

Article 1 of the 1907 Hague Convention III – The Opening of Hostilities prohibited the initiation of hostilities against neutral powers "without previous and explicit warning, in the form either of a reasoned declaration of war or of an ultimatum with conditional declaration of war" and Article 2 further stated that "[t]he existence of a state of war must be notified to the neutral Powers without delay, and shall not take effect in regard to them until after the receipt of a notification, which may, however, be given by telegraph." Japanese diplomats intended to deliver the notice to the United States thirty minutes before the attack on Pearl Harbor on December 7, 1941, but it was delivered to the U.S. government an hour after the attack was over. Tokyo transmitted the 5,000-word notification (commonly called the "14-Part Message") in two blocks to the Japanese Embassy in Washington, but transcribing the message took too long for the Japanese ambassador to deliver it in time.^[44] The 14-Part Message was actually about sending a message to U.S. officials that peace negotiations between Japan and the U.S. were likely to be terminated, not a declaration of war. In fact, Japanese officials were well aware that the 14-Part Message was not a proper declaration of war as required by the 1907 Hague Convention III – The Opening of Hostilities. They decided not to issue a proper declaration of war anyway as they feared that doing so would expose the possible leak of the secret operation to the Americans.^{[45][46]} Some conspiracy theorists charged that President Franklin D. Roosevelt willingly allowed the attack to happen in order to create a pretext for war, but no credible evidence supports that claim.^{[47][48][49]} The day after the attack on Pearl Harbor, Japan declared war on the U.S. and the U.S. declared war on Japan in response the same day.



The USS Arizona (BB-39) burning during the Japanese attack on Pearl Harbor

Simultaneously with the bombing of Pearl Harbor on December 7, 1941 (Honolulu time), Japan invaded the British colonies of Malaya and bombed Singapore and began land actions in Hong Kong, without a declaration of war or an ultimatum. Both the U.S. and Britain were neutral when Japan attacked their territories without explicit warning of a state of war.^{[50][51]}

The U.S. officially classified all 3,649 military and civilian casualties and destruction of military property at Pearl Harbor as non-combatants as there was no state of war between the U.S. and Japan when the attack occurred.^{[52][53][54]} Joseph B. Keenan, the chief prosecutor in the Tokyo Trials, says that the attack on Pearl Harbor not only happened without a declaration of war but was also a treacherous and deceitful act. In fact, Japan and the U.S. were still negotiating for a possible peace agreement which kept U.S. officials very distracted when Japanese planes bombed Pearl Harbor. Keenan explained the definition of a war of aggression and the criminality of the attack on Pearl Harbor:

The concept of aggressive war may not be expressed with the precision of a scientific formula, or described like the objective data of the physical sciences. Aggressive War is not entirely a physical fact to be observed and defined like the operation of the laws of matter. It is rather an activity involving injustice between nations, rising to the level of criminality because of its disastrous effects upon the common good of international society. The injustice of a war of aggression is criminal of its extreme grossness, considered both from the point of view of the will of the aggressor to inflict injury and from the evil effects which ensue ... Unjust war are plainly crimes and not simply torts or breaches of contracts. The act comprises the willful, intentional, and unreasonable destruction of life, limb, and property, subject matter which has been

regarded as criminal by the laws of all civilized peoples ... The Pearl Harbor attack breached the Kellogg–Briand Pact and the Hague Convention III. In addition, it violated Article 23 of the Annex to the Hague Convention IV, of October 1907 ... But the attack of Pearl Harbor did not alone result in murder and the slaughter of thousands of human beings. It did not eventuate only in the destruction of property. It was an outright act of undermining and destroying the hope of a world for peace. When a nation employs a deceit and treachery, using periods of negotiations and the negotiations themselves as a cloak to screen a perfidious attack, then there is a prime example of the crime of all crimes.^{[55][56]}

Admiral Isoroku Yamamoto, who planned the attack on Pearl Harbor, was fully aware that if Japan lost the war, he would be tried as a war criminal for that attack (although he was killed by the United States Army Air Forces in Operation Vengeance in 1943). At the Tokyo Trials, Prime Minister Hideki Tojo; Shigenori Tōgō, then Foreign Minister; Shigetarō Shimada, the Minister of the Navy; and Osami Nagano, Chief of Naval General Staff, were charged with crimes against peace (charges 1 to 36) and murder (charges 37 to 52) in connection with the attack on Pearl Harbor. Along with war crimes and crimes against humanity (charges 53 to 55), Tojo was among the seven Japanese leaders sentenced to death and executed by hanging in 1948, Shigenori Tōgō received a 20-year sentence, Shimada received a life sentence, and Nagano died of natural causes during the Trial in 1947.^{[46][57]}

Over the years, many Japanese nationalists argued that the attack on Pearl Harbor was justified as they acted in self-defense in response to the oil embargo imposed by the United States. Most historians and scholars agreed that the oil embargo cannot be used as justification for using military force against a foreign nation imposing the oil embargo because there is a clear distinction between a perception that something is essential to the welfare of the nation-state and a threat truly being sufficiently serious to warrant an act of force in response, which Japan failed to consider. Japanese scholar and diplomat, Takeo Iguchi, states that it is "[h]ard to say from the perspective of international law that exercising the right of self-defense against economic pressures is considered valid." While Japan felt that its dreams of further expansion would be brought to a screeching halt by the American embargo, this "need" cannot be considered proportional with the destruction suffered by the U.S. Pacific Fleet at Pearl Harbor, intended by Japanese military planners to be as comprehensive as possible.^[46]

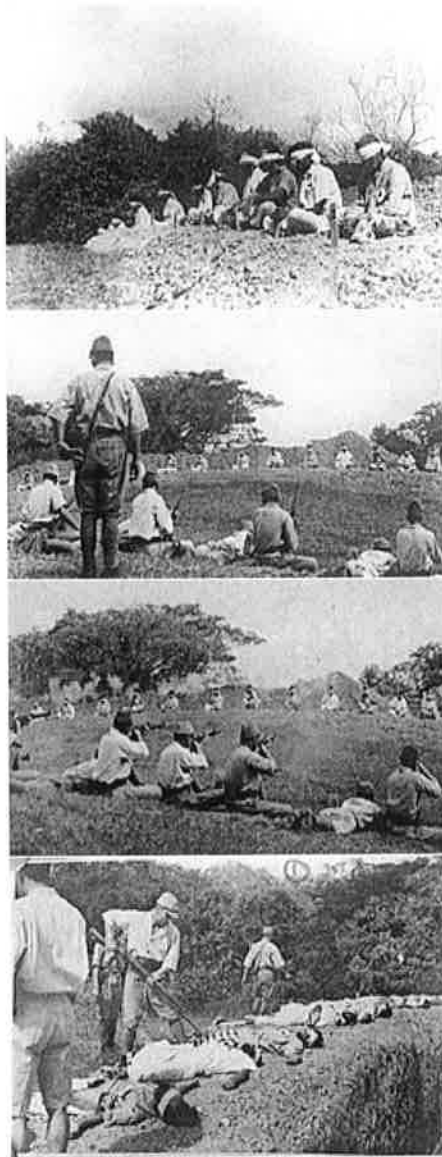
Mass killings

R. J. Rummel, a professor of political science at the University of Hawaii, estimates that between 1937 and 1945, the Japanese military murdered from nearly 3 to over 10 million people, most likely 6 million Chinese, Koreans, Malaysians, Indonesians, Filipinos and Indochinese, among others, including Western prisoners of war. According to Rummel, "This democide [i.e., death by government] was due to a morally bankrupt political and military strategy, military expediency and custom, and national culture."^[2] According to Rummel, in China alone, during 1937–45, approximately 3.9 million Chinese were killed, mostly civilians, as a direct result of the Japanese operations and a total of 10.2 million Chinese were killed in the course of the war.^[58] The most infamous incident during this period was the Nanking Massacre of 1937–38, when, according to the findings of the International Military Tribunal for the Far East, the Japanese Army massacred as many as 300,000 civilians and prisoners of war, although the accepted figure is somewhere in the hundreds of thousands.^[59]

Japanese War Crimes and Crimes Against Humanity

Location	In and around East Asia and the Pacific
Deaths	3,000,000 ^[2] to 14,000,000 ^[3] civilians and P.O.W.s

During the Second Sino-Japanese War the Japanese followed what has been referred to as a "killing policy", including killings committed against minorities like Hui Muslims in China. According to Wan Lei, "In a Hui clustered village in Gaocheng county of Hebei, the Japanese captured twenty Hui men among whom they only set two younger men free



From top to bottom; Japanese soldiers shooting blindfolded Sikh prisoners before bayonetting them. This set of four photographs were found among Japanese records when British troops entered Singapore.

through "redemption", and buried alive the other eighteen Hui men. In Mengcun village of Hebei, the Japanese killed more than 1,300 Hui people within three years of their occupation of that area." Mosques were also desecrated and destroyed by the Japanese, and Hui cemeteries were also destroyed. After the Rape of Nanking mosques in Nanjing were found to be filled with dead bodies.^[60] Many Hui Chinese Muslims in the Second Sino-Japanese war fought in the war against Japan.

The Hui Muslim county of Dachang was subjected to slaughter by the Japanese.^[61]

In Southeast Asia, the Manila massacre of February 1945 resulted in the death of 100,000 civilians in the Philippines. It is estimated that at least one out of every 20 Filipinos died at the hands of the Japanese during the occupation.^{[62][63]} In Singapore during February and March 1942, the Sook Ching massacre was a systematic extermination of perceived hostile elements among the Chinese population there. Lee Kuan Yew, the ex-Prime Minister of Singapore, said during an interview with National Geographic that there were between 50,000 and 90,000 casualties,^[64] while according to Major General Kawamura Saburo, there were 5,000 casualties in total.^[65]

There were other massacres of civilians, e.g. the Kalagong massacre. In wartime Southeast Asia, the Overseas Chinese and European diaspora were special targets of Japanese abuse; in the former case, motivated by Sinophobia vis-à-vis the historic expanse and influence of Chinese culture that did not exist with the Southeast Asian indigenes, and the latter, motivated by a racist Pan-Asianism and a desire to show former colonial subjects the impotence of their Western masters.^[66] The Japanese executed all the Malay Sultans on Kalimantan and wiped out the Malay elite in the Pontianak incidents. In the Jesselton Revolt, the Japanese slaughtered thousands of native civilians during the Japanese occupation of British Borneo and nearly wiped out the entire Suluk Muslim population of the coastal islands. During the Japanese occupation of the Philippines, when a Moro Muslim juramentado swordsman launched a suicide attack against the Japanese, the Japanese would massacre the man's entire family or village.

Historian Mitsuyoshi Himeta reports that a "Three Alls Policy" (*Sankō Sakusen*) was implemented in China from 1942 to 1945 and was in itself responsible for the deaths of "more than 2.7 million" Chinese civilians. This scorched earth strategy, sanctioned by Hirohito himself, directed Japanese forces to "Kill All, Burn All, and Loot All". Additionally, captured Allied servicemen and civilians were massacred in various incidents, including:

- Alexandra Hospital massacre
- Laha massacre^[67]
- Banka Island massacre^[68]
- Parit Sulong
- Palawan Massacre
- SS Behar
- SS Tjisalak massacre perpetrated by Japanese submarine I-8
- Wake Island massacre
- Tinta Massacre
- Bataan Death March
- Shin'yō Maru Incident
- Sulug Island massacre
- Pontianak incidents
- Manila massacre (concurrent with the Battle of Manila)

Human experimentation and biological warfare

Special Japanese military units conducted experiments on civilians and POWs in China. One of the most infamous was Unit 731 under Shirō Ishii. Unit 731 was established by order of Hirohito himself. Victims were subjected to experiments including but not limited to vivisection and amputations without anesthesia and testing of biological weapons. Anesthesia was not used because it was believed that anesthetics would adversely affect the results of the experiments.^[69]

To determine the treatment of frostbite, prisoners were taken outside in freezing weather and left with exposed arms, periodically drenched with water until frozen solid. The arm was later amputated; the doctor would repeat the process on the victim's upper arm to the shoulder. After both arms were gone, the doctors moved on to the legs until only a head and torso remained. The victim was then used for plague and pathogens experiments.^[70]



Shirō Ishii, commander of Unit 731

According to one estimate, the experiments carried out by Unit 731 alone caused 3,000 deaths.^[71] Furthermore, according to the 2002 *International Symposium on the Crimes of Bacteriological Warfare*, the number of people killed by the Imperial Japanese Army germ warfare and human experiments is around 580,000.^[72] According to other sources, "tens of thousands, and perhaps as many as 400,000, Chinese died of bubonic plague, cholera, anthrax and other diseases", resulting from the use of biological warfare.^[73] Top officers of Unit 731 were not prosecuted for war crimes after the war, in exchange for turning over the results of their research to the Allies. They were also reportedly given responsible positions in Japan's pharmaceutical industry, medical schools and health ministry.^{[74][75]}

One case of human experimentation occurred in Japan itself. At least nine out of 11 crew members survived the crash of a U.S. Army Air Forces B-29 bomber on Kyūshū, on May 5, 1945. (This plane was Lt. Marvin Watkins' crew of the 29th Bomb Group of the 6th Bomb Squadron.^[76]) The bomber's commander was separated from his crew and sent to Tokyo for interrogation, while the other survivors were taken to the anatomy department of Kyushu University, at Fukuoka, where they were subjected to vivisection or killed.^{[77][78]}

During the final months of World War II, Japan had planned to use plague as a biological weapon against U.S. civilians in San Diego, California, during Operation Cherry Blossoms at Night, hoping that the plague would spread terror to the American population, and thereby dissuade America from attacking Japan. The plan was set to launch at night on September 22, 1945, but Japan surrendered five weeks earlier.^{[79][80][81][82]}

On March 11, 1948, 30 people, including several doctors and one female nurse, were brought to trial by the Allied war crimes tribunal. Charges of cannibalism were dropped, but 23 people were found guilty of vivisection or wrongful removal of body parts. Five were sentenced to death, four to life imprisonment, and the rest to shorter terms. In 1950, the military governor of Japan, General Douglas MacArthur, commuted all of the death sentences and significantly reduced most of the prison terms. All of those convicted in relation to the university vivisection were free after 1958.^[83] In addition, many participants who were responsible for these vivisections were never charged by the Americans or their allies in exchange for the information on the experiments.

In 2006, former IJN medical officer Akira Makino stated that he was ordered—as part of his training—to carry out vivisection on about 30 civilian prisoners in the Philippines between December 1944 and February 1945.^[84] The surgery included amputations.^[85] Most of Makino's victims were Moro Muslims.^{[86][87][88][89][90]} Ken Yuasa, a former military doctor in China, has also admitted to similar incidents in which he was compelled to participate.^[91]

Use of chemical weapons

According to historians Yoshiaki Yoshimi and Kentaro Awaya, during the Second Sino-Japanese War, gas weapons, such as tear gas, were used only sporadically in 1937, but in early 1938 the Imperial Japanese Army began full-scale use of phosgene, chlorine, Lewisite and nausea gas (red), and from mid-1939, mustard gas (yellow) was used against both Kuomintang and Communist Chinese troops.^[92]

According to Yoshimi and Seiya Matsuno, Emperor Hirohito signed orders specifying the use of chemical weapons in China.^[93] For example, during the Battle of Wuhan from August to October 1938, the Emperor authorized the use of toxic gas on 375 separate occasions, despite the 1899 Hague Declaration IV, 2 – Declaration on the Use of Projectiles the Object of Which is the Diffusion of Asphyxiating or Deleterious Gases^[94] and Article 23 (a) of the 1907 Hague Convention IV – The Laws and Customs of War on Land.^{[25][95]} A resolution adopted by the League of Nations on 14 May condemned the use of poison gas by Japan.

Another example is the Battle of Yichang in October 1941, during which the 19th Artillery Regiment helped the 13th Brigade of the IJA 11th Army by launching 1,000 yellow gas shells and 1,500 red gas shells at the Chinese forces. The area was crowded with Chinese civilians unable to evacuate. Some 3,000 Chinese soldiers were in the area and 1,600 were affected. The Japanese report stated that "the effect of gas seems considerable".^[96]

In 2004, Yoshimi and Yuki Tanaka discovered in the Australian National Archives documents showing that cyanide gas was tested on Australian and Dutch prisoners in November 1944 on Kai Islands (Indonesia).^[97]

Torture of prisoners of war

Japanese imperial forces employed widespread use of torture on prisoners, usually in an effort to gather military intelligence quickly.^[98] Tortured prisoners were often later executed. A former Japanese Army officer who served in China, Uno Shintaro, stated:

The major means of getting intelligence was to extract information by interrogating prisoners. Torture was an unavoidable necessity. Murdering and burying them follows naturally. You do it so you won't be found out. I believed and acted this way because I was convinced of what I was doing. We carried out our duty as instructed by our masters. We did it for the sake of our country. From our filial obligation to our ancestors. On the battlefield, we never really considered the Chinese humans. When you're winning, the losers look really miserable. We concluded that the Yamato race [i.e., Japanese] was superior.^[99]



An Australian POW, Sgt. Leonard Siffleet, captured in New Guinea, about to be beheaded by a Japanese officer with a guntō, 1943

The effectiveness of torture might also have been counterproductive to Japan's war effort. After the dropping of the atomic bombs on Hiroshima and Nagasaki during World War II, the Japanese military tortured a captured American P-51 fighter pilot named Marcus McDilda in order to discover how many atomic bombs the Allies had and what the future targets were. McDilda, who knew nothing about the atomic bomb nor the Manhattan Project, "confessed" under torture that the U.S. had 100 atomic bombs and that Tokyo and Kyoto were the next targets. McDilda's false confession may have swayed the Japanese leaders' decision to surrender.^[100]

Execution and killing of captured Allied airmen



A blindfolded Doolittle Raider taken captive in 1942

Many Allied airmen captured by the Japanese on land or at sea were executed in accordance with official Japanese policy. During the Battle of Midway in June 1942, three American airmen who were shot down and landed at sea were spotted and captured by Japanese warships. After brief interrogations, two airmen were killed, their bodies then tied to five-gallon kerosene cans filled with water and dumped overboard from destroyer Makigumo; the third was killed and his body dumped overboard from Arashi.

On August 13, 1942, Japan passed the Enemy Airmen's Act, which stated that Allied pilots who bombed non-military targets in the Pacific Theater and were captured on land or at sea by Japanese forces were subject to trial and punishment despite the absence of any international law containing provisions regarding aerial warfare.^[101] This legislation was passed in response to the Doolittle Raid, which occurred on April 18,

1942, in which American B-25 bombers under the command of Lieutenant Colonel James Doolittle bombed Tokyo and other Japanese cities. According to the Hague Convention of 1907 (the only convention which Japan had ratified regarding the treatment of prisoners of war), any military personnel captured on land or at sea by enemy troops were to be treated as prisoners of war and not punished for simply being lawful combatants. Eight Doolittle Raiders captured upon landing in China (and unaware of the existence of the Enemy Airmen's Act) were the first Allied aircrew to be brought before a kangaroo court in Shanghai under the act, charged with alleged (but unproven) strafing of Japanese civilians during the Doolittle Raid. The eight aircrew were forbidden to give any defense and, despite the lack of legitimate evidences, were found guilty of participating in aerial military operations against Japan. Five of the eight sentences were commuted to life imprisonment; the other three airmen were taken to a cemetery outside Shanghai, where they were executed by firing squad on October 14, 1942.^{[102][103]}

The Enemy Airmen's Act contributed to the deaths of hundreds of Allied airmen throughout the Pacific War. An estimated 132 Allied airmen shot down during the bombing campaign against Japan in 1944–1945 were summarily executed after short kangaroo trials or drumhead courts-martial. Imperial Japanese military personnel deliberately killed 33 American airmen at Fukuoka, including fifteen who were beheaded shortly after the Japanese Government's intention to surrender was announced on August 15, 1945.^[104] Mobs of civilians also killed several Allied airmen before the Japanese military arrived to take the airmen into custody.^[105] Another 94 airmen died from other causes while in Japanese custody, including 52 who were killed when they were deliberately abandoned in a prison during the bombing of Tokyo on May 24–25, 1945.^{[106][107]}

Cannibalism

Many written reports and testimonies collected by the Australian War Crimes Section of the Tokyo tribunal, and investigated by prosecutor William Webb (the future Judge-in-Chief), indicate that Japanese personnel in many parts of Asia and the Pacific committed acts of cannibalism against Allied prisoners of war. In many cases this was inspired by ever-increasing Allied attacks on Japanese supply lines, and the death and illness of Japanese personnel as a result of hunger. According to historian Yuki Tanaka: "cannibalism was often a systematic activity conducted by whole squads and under the command of officers".^[108] This frequently involved murder for the purpose of securing bodies. For example, an Indian POW, Havildar Changdi Ram, testified that: "[on November 12, 1944] the Kempeitai beheaded [an Allied] pilot. I saw this from behind a tree and watched some of the Japanese cut flesh from his arms, legs, hips, buttocks and carry it off to their quarters ... They cut it [into] small pieces and fried it."^[109]

In some cases, flesh was cut from living people: another Indian POW, Lance Naik Hatam Ali (later a citizen of Pakistan), testified in New Guinea and stated:

... the Japanese started selecting prisoners and every day one prisoner was taken out and killed and eaten by the soldiers. I personally saw this happen and about 100 prisoners were eaten at this place by the Japanese. The remainder of us were taken to another spot 50 miles [80 km] away where 10 prisoners died of sickness. At this place, the Japanese again started selecting prisoners to eat. Those selected were taken to a hut where their flesh was cut from their bodies while they were alive and they were thrown into a ditch where they later died.^[110]

According to another account by Jemadar Abdul Latif of 4/9 Jat Regiment of the Indian Army who was rescued by the Australian army at the Sepik Bay in 1945:

"At the village of Suaid, a Japanese medical officer periodically visited the Indian compound and selected each time the healthiest men. These men were taken away ostensibly for carrying out duties, but they never reappeared,"^[111]

Perhaps the most senior officer convicted of cannibalism was Lt Gen. Yoshio Tachibana (立花芳夫, *Tachibana Yoshio*), who with 11 other Japanese personnel was tried in August 1946 in relation to the execution of U.S. Navy airmen, and the cannibalism of at least one of them, during August 1944, on Chichi Jima, in the Bonin Islands. The airmen were beheaded on Tachibana's orders. Because military and international law did not specifically deal with cannibalism, they were tried for murder and "prevention of honorable burial". Tachibana was sentenced to death, and hanged.^[112]

Forced labor

The Japanese military's use of forced labor, by Asian civilians and POWs also caused many deaths. According to a joint study by historians including Zhifen Ju, Mitsuyoshi Himeta, Toru Kubo and Mark Peattie, more than 10 million Chinese civilians were mobilised by the Kōa-in (Japanese Asia Development Board) for forced labour.^[113] More than 100,000 civilians and POWs died in the construction of the Burma-Siam Railway.^[114]

The U.S. Library of Congress estimates that in Java the Japanese military forced between four and ten million romusha (Japanese: "manual laborers") to work.^[115] About 270 thousand of these Javanese laborers were sent to other Japanese-held areas in Southeast Asia, but only 52 thousand were repatriated to Java, meaning that there was a death rate of eighty percent.



Australian and Dutch prisoners of war at Tarsau in Thailand, 1943

According to historian Akira Fujiwara, Emperor Hirohito personally ratified the decision to remove the constraints of international law (The Hague Conventions) on the treatment of Chinese prisoners of war in the directive of 5 August 1937. This notification also advised staff officers to stop using the term "prisoners of war".^[116] The Geneva Convention exempted POWs of sergeant rank or higher from manual labour, and stipulated that prisoners performing work should be provided with extra rations and other essentials. Japan was not a signatory to the 1929 Geneva Convention on the Prisoners of War at the time, and Japanese forces did not follow the convention, although they ratified the 1929 Geneva Convention on the Sick And Wounded.^[22]

Comfort women

The terms "comfort women" (慰安婦 *ianfu*) Hangul: '위안부'; Hanja: *wianbu* or "military comfort women" (從軍慰安婦 *jūgun-ianfu*) are euphemisms for women in Japanese military brothels in occupied countries, who were often recruited by deception or abducted and forced into sexual slavery.

In 1992, historian Yoshiaki Yoshimi published material based on his research in archives at Japan's National Institute for Defense Studies. Yoshimi claimed that there was a direct link between imperial institutions such as the Kōa-in and "comfort stations". When Yoshimi's findings were published in the Japanese news media on 12 January 1993, they caused a sensation and forced the government, represented by Chief Cabinet Secretary Kato Koichi, to acknowledge some of the facts that same day. On 17 January Prime Minister Kiichi Miyazawa presented formal apologies for the suffering of the victims, during a trip in South Korea. On 6 July and 4 August, the Japanese government issued two statements by which it recognised that "Comfort stations were operated in response to the request of the military of the day", "The Japanese military was, directly or indirectly, involved in the establishment and management of the comfort stations and the transfer of comfort women" and that the women were "recruited in many cases against their own will through coaxing and coercion".^[117]

The controversy was re-ignited on 1 March 2007, when Japanese Prime Minister Shinzō Abe mentioned suggestions that a U.S. House of Representatives committee would call on the Japanese Government to "apologise for and acknowledge" the role of the Japanese Imperial military in wartime sex slavery. Abe denied that it applied to comfort stations. "There is no evidence to prove there was coercion, nothing to support it."^[118] Abe's comments provoked negative reactions overseas. For example, a New York Times editorial on March 6 said:^[119]

These were not commercial brothels. Force, explicit and implicit, was used in recruiting these women. What went on in them was serial rape, not prostitution. The Japanese Army's involvement is documented in the government's own defense files. A senior Tokyo official more or less apologized for this horrific crime in 1993 ... Yesterday, he grudgingly acknowledged the 1993 quasi apology, but only as part of a pre-emptive declaration that his government would reject the call, now pending in the United States Congress, for an official apology. America isn't the only country interested in seeing Japan belatedly accept full responsibility. Korea, China, and the Philippines are also infuriated by years of Japanese equivocations over the issue.

The same day, veteran soldier Yasuji Kaneko admitted to The Washington Post that the women "cried out, but it didn't matter to us whether the women lived or died. We were the emperor's soldiers. Whether in military brothels or in the villages, we raped without reluctance."^[120]

The Bahay na Pula in the Philippines is an example of a military-operated brothel.^[121]

On 17 April 2007, Yoshimi and another historian, Hirofumi Hayashi, announced the discovery, in the archives of the Tokyo Trials, of seven official documents suggesting that Imperial military forces, such as the Tokkeitai (naval secret police), directly coerced women to work in frontline brothels in China, Indochina and Indonesia. These documents were initially made public at the war crimes trial. In one of these, a lieutenant is quoted as confessing having organized a brothel and having used it himself. Another source refers to Tokkeitai members having arrested women on the streets, and after enforced medical examinations, putting them in brothels.^[122]

On May 12, 2007, journalist Taichiro Kaijimura announced the discovery of 30 Netherland government documents submitted to the Tokyo tribunal as evidence of a forced massed prostitution incident in 1944 in Magelang.^[123]

In other cases, some victims from East Timor testified they were forced when they were not old enough to have started menstruating and repeatedly raped by Japanese soldiers.^[124]

A Dutch-Indonesian comfort woman, Jan Ruff-O'Hearn (now resident in Australia), who gave evidence to the U.S. committee, said the Japanese Government had failed to take responsibility for its crimes, that it did not want to pay compensation to victims and that it wanted to rewrite history. Ruff-O'Hearn said that she had been raped "day and night" for three months by Japanese soldiers when she was 19.^[125]

Only one Japanese woman published her testimony. In 1971 a former comfort woman, forced to work for Japanese soldiers in Taiwan, published her memoirs under the pseudonym of Suzuko Shirota.^[126]

There are different theories on the breakdown of the comfort women's place of origin. While some Japanese sources claim that the majority of the women were from Japan, others, including Yoshimi, argue as many as 200,000 women,^{[127][128]} mostly from Korea, and some other countries such as China, the Philippines, Burma, the Dutch East Indies, Netherlands,^[129] and Australia^[130] were forced to engage in sexual activity.^{[131][132][133][134]} In June 2014, more official documents from the government of Japan's archives were made public, documenting sexual violence committed by Imperial Japanese soldiers in French Indochina and Indonesia.^[135]

On 26 June 2007, the U.S. House of representatives Foreign Affairs Committee passed a resolution asking that Japan "should acknowledge, apologize and accept historical responsibility in a clear and unequivocal manner for its military's coercion of women into sexual slavery during the war".^[136] On 30 July 2007, the House of Representatives passed the resolution, while Shinzō Abe said this decision was "regrettable".^[136]

Looting

Many historians state that the Japanese government and individual military personnel engaged in widespread looting during the period of 1895 to 1945.^{[137][138]} The stolen property included private land, as well as many different kinds of valuable goods looted from banks, depositories, temples, churches, mosques, museums, other commercial premises and private homes.

Perfidy

Throughout the Pacific War, Japanese soldiers often feigned injury or surrender in order to lure the approaching American forces before attacking them. One of the most famous examples of this was the "Goettge Patrol" during the early days of the Guadalcanal Campaign in August 1942. After the patrol saw a white flag displayed on the west bank of Matanikau River, Marine Corps Lieutenant Colonel Frank Goettge assembled 25 men, primarily consisting of intelligence personnel, to search the area. Unknown to the patrol, the white flag was actually a Japanese flag with the Hinomaru disc insignia obscured. A Japanese prisoner earlier deliberately tricked the Marines into an ambush by telling them that there were a number of Japanese west of the Matanikau River who wanted to surrender.^[139] The Goettge Patrol landed by boat west of the Lunga Point perimeter, between Point Cruz and the Matanikau River, on a reconnaissance mission to contact a group of Japanese troops that American forces believed might be willing to surrender. Soon after the patrol landed, a group of Japanese naval troops ambushed and almost completely wiped out the patrol. Goettge was among the dead. Only three Americans made it back to American lines in the Lunga Point perimeter alive. News of the killing and treachery by the Japanese outraged the American Marines:

This was the first mass killing of the Marines on Guadalcanal. We were shocked. Shocked ... because headquarters had believed anything a Jap had to say ... The loss of this patrol and the particularly cruel way in which they had met death, hardened our hearts toward the Japanese. The idea of taking prisoners was swept from our minds. It was too dangerous.^[140]

Second Lieutenant D. A. Clark of the 7th Marines told a similar story while patrolling Guadalcanal:

I was on my first patrol here, and we were moving up a dry stream bed. We saw 3 Japs come down the river bed out of the jungle. The one in front was carrying a white flag. We thought they were surrendering. When they got up to us they dropped the white flag and then all 3 threw hand grenades. We killed 2 of these Japs, but 1 got away. Apparently they do not mind a sacrifice in order to get information.^[139]

Samuel Eliot Morison, in his book, *The Two-Ocean War: A Short History of the United States Navy in the Second World War*, wrote:

There were innumerable incidents such as a wounded Japanese soldier at Guadalcanal seizing a scalpel and burying it in the back of a surgeon who was about to save his life by an operation; and a survivor of the Battle of Vella Lavella, rescued by PT-163, pulling a gun and killing a bluejacket in the act of giving a Japanese sailor a cup of coffee.^[141]

(A PT is a patrol torpedo boat and a bluejacket is an enlisted sailor.)

These incidents, along with many other perfidious actions of the Japanese throughout the Pacific War, led to an American tendency to shoot the dead or wounded Japanese soldiers and those who were attempting to surrender and not take them as prisoners of war easily. Two Marines of Iwo Jima told cautionary tales. One confided: "They always told you take prisoners but we had some bad experiences on Saipan taking prisoners, you take them and then as soon as they get behind the lines they drop grenades and you lose a few more people. You get a little bit leery of taking prisoners when they are fighting to the death and so are you." The other reported, "Very few of them came out on their own; when they did, why, usually one in the front he'd come out with his hands up and one behind him, he'd come out with a grenade."^{[142][143][144]}

War crimes trials

Soon after the war, the Allied powers indicted 25 persons as Class-A war criminals, and 5,700 persons were indicted as Class-B or Class-C war criminals by Allied criminal trials. Of these, 984 were initially condemned to death, 920 were actually executed, 475 received life sentences, 2,944 received some prison terms, 1,018 were acquitted, and 279 were not sentenced or not brought to trial. These numbers included 178 ethnic Taiwanese and 148 ethnic Koreans.^[145] The Class-A charges were all tried by the International Military Tribunal for the Far East, also known as "the Tokyo Trials". Other courts were formed in many different places in Asia and the Pacific.

Tokyo Trials

The International Military Tribunal for the Far East was formed to try accused people in Japan itself.

High-ranking officers who were tried included Kōichi Kido and Sadao Araki. Three former (unelected) prime ministers: Kōki Hirota, Hideki Tojo and Kuniaki Koiso were convicted of Class-A war crimes. Many military leaders were also convicted. Two people convicted as Class-A war criminals later served as ministers in post-war Japanese governments.

- Mamoru Shigemitsu served as foreign minister both during the war and in the post-war Hatoyama government.
- Okinori Kaya was finance minister during the war and later served as justice minister in the government of Hayato Ikeda. These two had no direct connection to alleged war crimes committed by Japanese forces, and foreign governments never raised the issue when they were appointed.

Hirohito and all members of the imperial family implicated in the war such as Prince Chichibu, Prince Asaka, Prince Takeda and Prince Higashikuni were exonerated from criminal prosecutions by MacArthur, with the help of Bonner Fellers who allowed the major criminal suspects to coordinate their stories so that the Emperor would be spared from indictment.^[146] Some historians criticize this decision. According to John Dower, "with the full support of MacArthur's headquarters, the prosecution functioned, in effect, as a defense team for the emperor"^[147] and even Japanese activists who endorse the ideals of the Nuremberg and Tokyo charters, and who have labored to document and publicize the atrocities of the Showa regime "cannot defend the American decision to exonerate the emperor of war responsibility and then, in the chill of the Cold War, release and soon afterwards openly embrace accused



General Tomoyuki Yamashita (second right) was tried in Manila between October 29 and December 7, 1945, by a U.S. military commission relating to the Manila massacre and earlier occurrences in Singapore, and was sentenced to death. The case set a precedent regarding the responsibility of commanders for war crimes, and is known as the Yamashita Standard.

right-winged war criminals like the later prime minister Nobusuke Kishi.^[148] For Herbert Bix, "MacArthur's truly extraordinary measures to save Hirohito from trial as a war criminal had a lasting and profoundly distorting impact on Japanese understanding of the lost war."^[149]

Other trials

Between 1946 and 1951, the United States, the United Kingdom, China, the Soviet Union, Australia, New Zealand, Canada, France, the Netherlands and the Philippines all held military tribunals to try Japanese indicted for Class B and Class C war crimes. Some 5,600 Japanese personnel were prosecuted in more than 2,200 trials outside Japan. Class B defendants were accused of having committed such crimes themselves; class C defendants, mostly senior officers, were accused of planning, ordering or failing to prevent them.

The judges presiding came from the United States, China, the United Kingdom, Australia, the Netherlands, France, the Soviet Union, New Zealand, India and the Philippines. Additionally, the Chinese Communists also held a number of trials for Japanese personnel. More than 4,400 Japanese personnel were convicted and about 1,000 were sentenced to death.

The largest single trial was that of 93 Japanese personnel charged with the summary execution of more than 300 Allied POWs, in the Laha massacre (1942). The most prominent ethnic Korean convicted was Lieutenant General Hong Sa Ik, who orchestrated the organisation of prisoner of war camps in Southeast Asia. In 2006, the South Korean government "pardoned" 83 of the 148 convicted Korean war criminals.^[21] One hundred-sixty Taiwanese who had served in the forces of the Empire of Japan were convicted of war crimes and 11 were executed.^[20]



26 October 1945, Sandakan, North Borneo. During the investigation into Sandakan Death Marches and other incidents, Sergeant Hosotani Naoji (left, seated), a member of the *Kempeitai* unit at Sandakan, is interrogated by Squadron Leader F.G. Birchall (second right) of the Royal Australian Air Force, and Sergeant Mamo (right), a Nisei member of the U.S. Army/Allied Translator and Interpreter Service. Naoji confessed to shooting two Australian POWs and five ethnic Chinese civilians.

Post-war events and reactions

The parole-for-war-criminals movement

In 1950, after most Allied war crimes trials had ended, thousands of convicted war criminals sat in prisons across Asia and across Europe, detained in the countries where they were convicted. Some executions were still outstanding as many Allied courts agreed to reexamine their verdicts, reducing sentences in some cases and instituting a system of parole, but without relinquishing control over the fate of the imprisoned (even after Japan and Germany had regained their status as sovereign countries).

An intense and broadly supported campaign for amnesty for all imprisoned war criminals ensued (more aggressively in Germany than in Japan at first), as attention turned away from the top wartime leaders and towards the majority of "ordinary" war criminals (Class B/C in Japan), and the issue of criminal responsibility was reframed as a humanitarian problem.

On March 7, 1950, MacArthur issued a directive that reduced the sentences by one-third for good behavior and authorized the parole of those who had received life sentences after fifteen years. Several of those who were imprisoned were released earlier on parole due to ill-health.

The Japanese popular reaction to the Tokyo War Crimes Tribunal found expression in demands for the mitigation of the sentences of war criminals and agitation for parole. Shortly after the San Francisco Peace Treaty came into effect in April 1952, a movement demanding the release of B- and C-class war criminals began, emphasizing the "unfairness of the war crimes tribunals" and the "misery and hardship of the families of war criminals". The movement quickly garnered the support of more than ten million Japanese. In the face of this surge of public opinion, the government commented that "public sentiment in our country is that the war criminals are not criminals. Rather, they gather great sympathy as victims of the war, and the number of people concerned about the war crimes tribunal system itself is steadily increasing."

The parole-for-war-criminals movement was driven by two groups: those from outside who had "a sense of pity" for the prisoners; and the war criminals themselves who called for their own release as part of an anti-war peace movement. The movement that arose out of "a sense of pity" demanded "just set them free (*tonikaku shakuho o*) regardless of how it is done".

On September 4, 1952, President Truman issued Executive Order 10393, establishing a Clemency and Parole Board for War Criminals to advise the President with respect to recommendations by the Government of Japan for clemency, reduction of sentence, or parole, with respect to sentences imposed on Japanese war criminals by military tribunals.^[150]

On May 26, 1954, Secretary of State John Foster Dulles rejected a proposed amnesty for the imprisoned war criminals but instead agreed to "change the ground rules" by reducing the period required for eligibility for parole from 15 years to 10.^[151]

By the end of 1958, all Japanese war criminals, including A-, B- and C-class were released from prison and politically rehabilitated. Hashimoto Kingorō, Hata Shunroku, Minami Jirō, and Oka Takazumi were all released on parole in 1954. Araki Sadao, Hiranuma Kiichirō, Hoshino Naoki, Kaya Okinori, Kido Kōichi, Ōshima Hiroshi, Shimada Shigetarō, and Suzuki Teiichi were released on parole in 1955. Satō Kenryō, whom many, including Judge B.V.A. Röling regarded as one of the convicted war criminals least deserving of imprisonment, was not granted parole until March 1956, the last of the Class A Japanese war criminals to be released. On April 7, 1957, the Japanese government announced that, with the concurrence of a majority of the powers represented on the tribunal, the last ten major Japanese war criminals who had previously been paroled were granted clemency and were to be regarded henceforth as unconditionally free from the terms of their parole.

Official apologies

The Japanese government considers that the legal and moral positions in regard to war crimes are separate. Therefore, while maintaining that Japan violated no international law or treaties, Japanese governments have officially recognised the suffering which the Japanese military caused, and numerous apologies have been issued by the Japanese government. For example, Prime Minister Tomiichi Murayama, in August 1995, stated that Japan "through its colonial rule and aggression, caused tremendous damage and suffering to the people of many countries, particularly to those of Asian nations", and he expressed his "feelings of deep remorse" and stated his "heartfelt apology". Also, on September 29, 1972, Japanese Prime Minister Kakuei Tanaka stated: "[t]he Japanese side is keenly conscious of the responsibility for the serious damage that Japan caused in the past to the Chinese people through war, and deeply reproaches itself."^[152]

The official apologies are widely viewed as inadequate or only a symbolic exchange by many of the survivors of such crimes or the families of dead victims. On October 2006, while Prime Minister Shinzo Abe expressed an apology for the damage caused by its colonial rule and aggression, more than 80 Japanese lawmakers from his ruling party LDP paid visits to the Yasukuni Shrine. Many people aggrieved by Japanese war crimes also maintain that no apology has been issued for particular acts or that the Japanese government has merely expressed "regret" or "remorse".^[153] On 2 March 2007, the issue was raised again by Japanese prime minister Shinzō Abe, in which he denied that the military had forced women

into sexual slavery during World War II. He stated, "The fact is, there is no evidence to prove there was coercion." Before he spoke, a group of Liberal Democratic Party lawmakers also sought to revise the Kono Statement.^{[9][14]} This provoked negative reaction from Asian and Western countries.

On 31 October 2008, the chief of staff of Japan's Air Self-Defense Force Toshio Tamogami was dismissed with a 60 million yen allowance^[154] due to an essay he published, arguing that Japan was not an aggressor during World War II, that the war brought prosperity to China, Taiwan and Korea, that the Imperial Japanese Army's conduct was not violent and that the Greater East Asia War is viewed in a positive way by many Asian countries and criticizing the war crimes trials which followed the war.^[155] On 11 November, Tamogami added before the Diet that the personal apology made in 1995 by former prime minister Tomiichi Murayama was "a tool to suppress free speech".^[154]

Some in Japan have asserted that what is being demanded is that the Japanese Prime Minister or the Emperor perform *dogeza*, in which an individual kneels and bows his head to the ground—a high form of apology in East Asian societies that Japan appears unwilling to do.^[156] Some point to an act by West German Chancellor Willy Brandt, who kneelt at a monument to the Jewish victims of the Warsaw Ghetto, in 1970, as an example of a powerful and effective act of apology and reconciliation similar to *dogeza*, although not everyone agrees.^[157]

On 13 September 2010, Japanese Foreign Minister Katsuya Okada met in Tokyo with six former American POWs of the Japanese and apologized for their treatment during World War II. Okada said: "You have all been through hardships during World War II, being taken prisoner by the Japanese military, and suffered extremely inhumane treatment. On behalf of the Japanese government and as the foreign minister, I would like to offer you my heartfelt apology."^[158]

On 29 November 2011, Japanese Foreign Minister Kōichirō Genba apologized to former Australian POWs on behalf of the Japanese government for pain and suffering inflicted on them during the war.^[159]

Compensation

There is a widespread perception that the Japanese government has not accepted the legal responsibility for compensation and, as a direct consequence of this denial, it has failed to compensate the individual victims of Japanese atrocities. In particular, a number of prominent human rights and women's rights organisations insist that Japan still has a moral or legal responsibility to compensate individual victims, especially the sex slaves conscripted by the Japanese military in occupied countries and known as "*comfort women*".

The Japanese government officially accepted the requirement for monetary compensation to victims of war crimes, as specified by the Potsdam Declaration. The details of this compensation have been left to bilateral treaties with individual countries, except North Korea, because Japan recognises South Korea as the sole legitimate government of the Korean Peninsula. In the Asian countries involved, claims to compensation were either abandoned by their respective countries, or were paid out by Japan under the specific understanding that it was to be used for individual compensation. In some cases such as with South Korea, the compensation was not paid out to victims by their governments, instead being used for civic projects and other works. Due to this, large numbers of individual victims in Asia received no compensation.

Therefore, the Japanese government's position is that the proper avenues for further claims are the governments of the respective claimants. As a result, every individual compensation claim brought to Japanese court has failed. Such was the case in regard to a British POW who was unsuccessful in an attempt to sue the Japanese government for additional money for compensation. As a result, the British Government later paid additional compensation to all British POWs. There were complaints in Japan that the international media simply stated that the former POW was demanding compensation and failed to clarify that he was seeking *further* compensation, in addition to that paid previously by the Japanese government.

A small number of claims have also been brought in US courts, though these have also been rejected.^[160]

During the treaty negotiation with South Korea, the Japanese government proposed that it pay monetary compensation to individual Korean victims, in line with the payments to Western POWs. The Korean government instead insisted that Japan pay money collectively to the Korean government, and that is what occurred. The South Korean government then used the funds for economic development. The content of the negotiations was not released by the Korean government until 2004, although it was public knowledge in Japan. Due to the release of the information by the Korean government, a number of claimants have stepped forward and are attempting to sue the government for individual compensation of victims.

There are those that insist that because the governments of China and Taiwan abandoned their claims for monetary compensation, then the moral or legal responsibility for compensation belongs with these governments. Such critics also point out that even though these governments abandoned their claims, they signed treaties that recognised the transfer of Japanese colonial assets to the respective governments. Therefore, to claim that these governments received no compensation from Japan is incorrect, and they could have compensated individual victims from the proceeds of such transfers. Others dispute that Japanese colonial assets in large proportion were built or stolen with extortion or force in occupied countries, as was clearly the case with artworks collected (or stolen) by Nazis during World War II throughout Europe.

The Japanese government, while admitting no legal responsibility for the so-called "comfort women", set up the Asian Women's Fund in 1995, which gives money to people who claim to have been forced into prostitution during the war. Though the organisation was established by the government, legally, it has been created such that it is an independent charity. The activities of the fund have been controversial in Japan, as well as with international organisations supporting the women concerned. Some argue that such a fund is part of an ongoing refusal by the Japanese government to face up to its responsibilities, while others say that the Japanese government has long since finalised its responsibility to individual victims and is merely correcting the failures of the victims' own governments. California Congressman Mike Honda, speaking before U.S. House of Representatives on behalf of the women, said that "without a sincere and unequivocal apology from the government of Japan, the majority of surviving Comfort Women refused to accept these funds. In fact, as you will hear today, many Comfort Women returned the Prime Minister's letter of apology accompanying the monetary compensation, saying they felt the apology was artificial and disingenuous."^[161]

Intermediate compensation

The term "intermediate compensation" (or intermediary compensation) was applied to the removal and reallocation of Japanese industrial (particularly military-industrial) assets to Allied countries. It was conducted under the supervision of Allied occupation forces. This reallocation was referred to as "intermediate" because it did not amount to a final settlement by means of bilateral treaties, which settled all existing issues of compensation. By 1950, the assets reallocated amounted to 43,918 items of machinery, valued at ¥165,158,839 (in 1950 prices). The proportions in which the assets were distributed were: China, 54.1%; the Netherlands, 11.5%; the Philippines 19%, and; the United Kingdom, 15.4%.

Compensation under the San Francisco Treaty

Compensation from Japanese overseas assets

Japanese overseas assets refers to all assets owned by the Japanese government, firms, organization and private citizens, in colonised or occupied countries. In accordance with Clause 14 of the San Francisco Treaty, Allied forces confiscated all Japanese overseas assets, except those in China, which were dealt with under Clause 21. It is considered that Korea was also entitled to the rights provided by Clause 21.

Compensation to Allied POWs

Clause 16 of the San Francisco Treaty stated that Japan would transfer its assets and those of its citizens in countries which were at war with any of the Allied Powers or which were neutral, or equivalents, to the Red Cross, which would sell them and distribute the funds to former prisoners of war and their families. Accordingly, the Japanese government and private citizens paid out £4,500,000 to the Red Cross.

Country/region	Value (1945, ¥15=US\$1)	2018 US dollars ^[162]
Korea	70,256,000,000	\$63.7 billion
Taiwan	42,542,000,000	\$38.6 billion
North East China	146,532,000,000	\$133 billion
North China	55,437,000,000	\$50.2 billion
Central South China	36,718,000,000	\$33.3 billion
Others	28,014,000,000	\$25.4 billion
Total	¥379,499,000,000	\$344 billion

According to historian Linda Goetz Holmes, many funds used by the government of Japan were not Japanese funds but relief funds contributed by the governments of the US, the UK and the Netherlands and sequestered in the Yokohama Specie Bank during the final year of the war.^[163]

Allied territories occupied by Japan

Country	Amount in Yen	Amount in US\$	2018 US dollars ^[162]	Date of treaty
Burma	72,000,000,000	200,000,000	\$1.83 billion	5 November 1955
Philippines	198,000,000,000	550,000,000	\$4.95 billion	9 May 1956
Indonesia	80,388,000,000	223,080,000	\$1.89 billion	20 January 1958
Vietnam	14,400,000,000	38,000,000	\$319 million	13 May 1959
Total	¥364,348,800,000	US\$1,012,080,000		

Clause 14 of the treaty stated that Japan would enter into negotiations with Allied powers whose territories were occupied by Japan and suffered damage by Japanese forces, with a view to Japan compensating those countries for the damage.

Accordingly, the Philippines and South Vietnam received compensation in 1956 and 1959 respectively. Burma and Indonesia were not original signatories, but they later signed bilateral treaties in accordance with clause 14 of the San Francisco Treaty.

The last payment was made to the Philippines on 22 July 1976.

Debate in Japan

From a fringe topic to an open debate

Until the 1970s, Japanese war crimes were considered a fringe topic in the media. In the Japanese media, the opinions of the political centre and left tend to dominate the editorials of newspapers, while the right tend to dominate magazines. Debates regarding war crimes were confined largely to the editorials of tabloid magazines where calls for the overthrow of "Imperialist America" and revived veneration of the Emperor coexisted with pornography. In 1972, to commemorate the normalisation of relationship with China, Asahi Shimbun, a major liberal newspaper, ran a series on Japanese war crimes

in China including the Nanking Massacre. This opened the floodgates to debates which have continued ever since. The 1990s are generally considered to be the period in which such issues become truly mainstream, and incidents such as the Nanking Massacre, Yasukuni Shrine, comfort women, the accuracy of school history textbooks, and the validity of the Tokyo Trials were debated, even on television.

As the consensus of Japanese jurists is that Japanese forces did not technically commit violations of international law, many right wing elements in Japan have taken this to mean that war crimes trials were examples of victor's justice. They see those convicted of war crimes as "Martyrs of Shōwa" (昭和殉難者 *Shōwa Jūmansha*), Shōwa being the name given to the rule of Hirohito. This interpretation is vigorously contested by Japanese peace groups and the political left. In the past, these groups have tended to argue that the trials hold some validity, either under the Geneva Convention (even though Japan hadn't signed it), or under an undefined concept of international law or consensus. Alternatively, they have argued that, although the trials may not have been technically *valid*, they were still *just*, somewhat in line with popular opinion in the West and in the rest of Asia.

By the early 21st century, the revived interest in Japan's imperial past had brought new interpretations from a group which has been labelled both "new right" and "new left". This group points out that many acts committed by Japanese forces, including the Nanjing Incident, were violations of the Japanese military code. It is suggested that had war crimes tribunals been conducted by the post-war Japanese government, in strict accordance with Japanese military law, many of those who were accused would still have been convicted and executed. Therefore, the moral and legal failures in question were the fault of the Japanese military and the government, for not executing their constitutionally defined duty.

The new right/new left also takes the view that the Allies committed no war crimes against Japan, because Japan was not a signatory to the Geneva Convention, and as a victors, the Allies had every right to demand some form of retribution, to which Japan consented in various treaties.

Under the same logic, the new right/new left considers the killing of Chinese who were suspected of guerrilla activity to be perfectly legal and valid, including some of those killed at Nanjing, for example. They also take the view that many Chinese civilian casualties resulted from the scorched earth tactics of the Chinese nationalists. Though such tactics are arguably legal, the new right/new left takes the position that some of the civilian deaths caused by these scorched earth tactics are wrongly attributed to the Japanese military.

Similarly, they take the position that those who have attempted to sue the Japanese government for compensation have no legal or moral case.

The new right and new left also take a less sympathetic view of Korean claims of victimhood, because prior to annexation by Japan, Korea was a tributary of the Qing dynasty and, according to them, the Japanese colonisation, though undoubtedly harsh, was "better" than the previous rule in terms of human rights and economic development.

They also argue that, the Kantōgun (also known as the Kwantung Army) was at least partly culpable. Although the Kantōgun was nominally subordinate to the Japanese high command at the time, its leadership demonstrated significant self-determination, as shown by its involvement in the plot to assassinate Zhang Zuolin in 1928, and the Manchurian Incident of 1931, which led to the foundation of Manchukuo in 1932. Moreover, at that time, it was the official policy of the Japanese high command to confine the conflict to Manchuria. But in defiance of the high command, the Kantōgun



Member of the right-wing revisionist group "Japanese Society for History Textbook Reform" putting up a banner reading "[Give] the children correct history textbooks" in front of the Yasukuni Jinja

invaded China proper, under the pretext of the Marco Polo Bridge Incident. The Japanese government not only failed to court martial the officers responsible for these incidents, but it also accepted the war against China, and many of those who were involved were even promoted. (Some of the officers involved in the Nanking Massacre were also promoted.)

Whether or not Hirohito himself bears any responsibility for such failures is a sticking point between the new right and new left. Officially, the imperial constitution, adopted under Emperor Meiji, gave full powers to the Emperor. Article 4 prescribed that "The Emperor is the head of the Empire, combining in Himself the rights of sovereignty, and exercises them, according to the provisions of the present Constitution" and article 11 prescribed that "The Emperor has the supreme command of the Army and the Navy".

For historian Akira Fujiwara, the thesis that the emperor as an organ of responsibility could not reverse cabinet decisions is a myth (*shinwa*) fabricated after the war.^[164] Others argue that Hirohito deliberately styled his rule in the manner of the British constitutional monarchy, and he always accepted the decisions and consensus reached by the high command. According to this position, the moral and political failure rests primarily with the Japanese High Command and the Cabinet, most of whom were later convicted at the Tokyo War Crimes Tribunal as class-A war criminals, apart all members of the imperial family such as Prince Chichibu, Prince Yasuhiko Asaka, Prince Higashikuni, Prince Hiroyasu Fushimi and Prince Takeda.

Nippon Kaigi, the main revisionist lobby

The denial of Japanese war crimes is one of the key missions of the openly revisionist lobby Nippon Kaigi (Japan Conference), a nationalistic nonparty organisation that was established in 1997 and also advocates patriotic education, the revision of the constitution, and official visits to Yasukuni Shrine.^{[165][166][167][168]} Nippon Kaigi's members and affiliates include countless lawmakers, many ministers, a few prime ministers, and the chief priests of prominent Shinto shrines. The chairman, Toru Miyoshi, is a former Chief Justice of the Supreme Court of Japan.

Later investigations

As with investigations of Nazi war criminals, official investigations and inquiries are still ongoing. During the 1990s, the South Korean government started investigating some people who had allegedly become wealthy while collaborating with the Japanese military.^{[169][170]} In South Korea, it is also alleged that, during the political climate of the Cold War, many such people or their associates or relatives were able to acquire influence with the wealth they had acquired collaborating with the Japanese and assisted in the covering-up, or non-investigation, of war crimes in order not to incriminate themselves. With the wealth they had amassed during the years of collaboration, they were able to further benefit their families by obtaining higher education for their relatives.^[170]

Non-government bodies and persons have also undertaken their own investigations. For example, in 2005, a South Korean freelance journalist, Jung Soo-woong, located in Japan some descendants of people involved in the 1895 assassination of Empress Myeongseong (Queen Min). The assassination was conducted by the Genyōsha, perhaps under the auspices of the Japanese government, because of the Empress's involvement in attempts to reduce Japanese influence in Korea. Jung recorded the apologies of the persons.

As these investigations continue more evidence is discovered each day. It has been claimed that the Japanese government intentionally destroyed the reports on Korean comfort women.^{[171][172]} Some have cited Japanese inventory logs and employee sheets on the battlefield as evidence for this claim. For example, one of the names on the list was of a comfort woman who stated she was forced to be a prostitute by the Japanese. She was classified as a nurse along with at least a dozen other verified comfort women who were not nurses or secretaries. Currently, the South Korean government is looking into the hundreds of other names on these lists.^[173]

Today, further allegations of cover-ups by Japan and other countries continue to emerge as more investigations are conducted. For example, in 2011 it was alleged in an article published in the *Japan Times* newspaper that the British government were involved in the covering-up of Japanese war crimes as they wanted to end the warcrime trials early in order to re-establish good relations with Japan post-war to prevent the spread of communism.^[174] Meanwhile, scholars and public intellectuals continue to criticize Japan for what they view as a refusal to acknowledge and apologize fully for Japanese war crimes. Amitai Etzioni of the Institute for Communitarian Policy Studies, who was a child in Germany when the Nazis rose to power, has stated in response to Prime Minister Abe's visits to Yasukuni Shrine, "Unlike Japan, [Germany] faced their past, came to terms with it and learned from it. Japan should do the same."^[175]

Tamaki Matsuoka's documentary "Torn Memories of Nanjing" includes interviews with Japanese veterans who admit to raping and killing Chinese civilians.^[176]

Japanese Imperial Family's concerns

Potentially in contrast to Prime Minister Abe's example of his Yasukuni Shrine visits, by February 2015 some concern within the Imperial House of Japan — which normally does not issue such statements — over the issue was voiced by Crown Prince Naruhito,^[177] expected to succeed his father in late April 2019. Naruhito stated on his 55th birthday (February 23, 2015) that it was "important to look back on the past humbly and correctly", in reference to Japan's role in World War II-era war crimes, and that he was concerned about the ongoing need to, in his own words: "correctly pass down tragic experiences and the history behind Japan to the generations who have no direct knowledge of the war, at the time memories of the war are about to fade".^[178] Two visits to the Yasukuni Shrine in the second half of 2016 by Japan's former foreign minister, Masahiro Imamura, was again followed by controversy that still shows potential for concern over how Japan's World War II history may be remembered by its citizens.^{[179][180]}

List of major crimes

- Andaman Islands occupation
- Balalae Island

Massacres

- Alexandra Hospital massacre
- Banka Island massacre^[68]
- Changjiao massacre
- Kalagong massacre
- Laha massacre^[67]
- Manila massacre
- Nanking Massacre
- Palawan massacre
- Pantingan River Massacre
- Parit Sulong Massacre
- Sook Ching massacre
- Tol Plantation massacre
- Wake Island massacre

Units

- Unit 100
- Unit 516
- Unit 543
- Unit 731
- Unit 1644
- Unit 1855
- Unit 8604
- Unit 9420

War crimes

- Bataan Death March
- Burma Railway
- Chichijima incident
- Comfort women
- Hell ships
- Panjiayu tragedy
- Sandakan Death Marches
- Three Alls Policy
- War crimes in Manchukuo
- Changteh chemical weapon attack
- Kaimingye germ weapon attack

See also

- [Japan and weapons of mass destruction](#)
- [Nazi human experimentation](#)

Japanese movements

- [Statism in Shōwa Japan](#)
- [Japanese nationalism](#)
- [Political extremism in Japan](#)
- [Nippon Kaigi](#)
- [Uyoku dantai](#)

Anti-Japanese movements

- [2005 anti-Japanese demonstrations](#)
- [Anti-Japanese sentiment](#)
- [Anti-Japanese sentiment in China](#)
- [Anti-Japanese sentiment in Korea](#)

Agreements

- [Japan-China Joint Declaration On Building a Partnership of Friendship and Cooperation for Peace and Development](#)
- [Joint Communiqué of the Government of Japan and the Government of the People's Republic of China](#)

War crimes

- [Command responsibility](#)
- [List of war crimes](#)
- [Nazi crime](#)
- [German war crimes](#)
- [Vergangenheitsbewältigung](#)
- [Italian war crimes](#)
- [Allied war crimes during World War II](#)
- [British war crimes](#)
- [Soviet war crimes](#)
- [United States war crimes](#)

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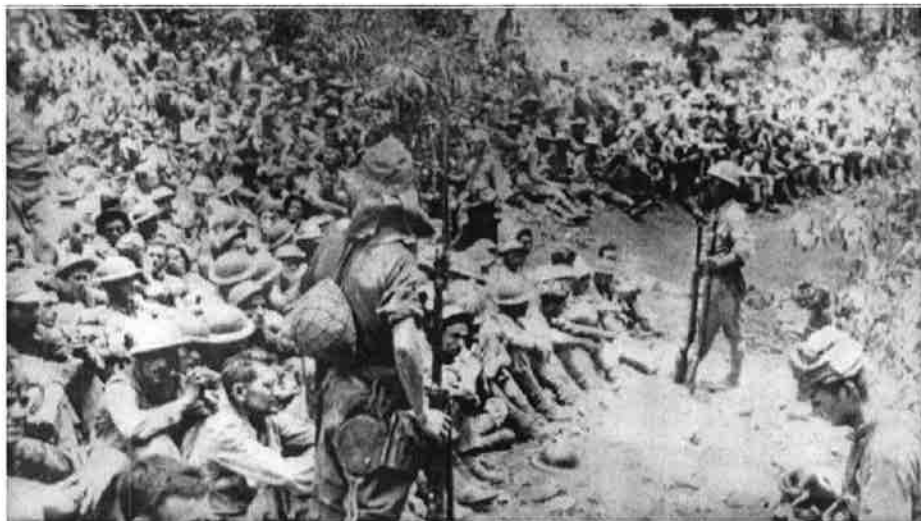
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Exhibit G

AP 1 July 15, 2015, 5:58 AM

Japanese company to apologize for U.S. POWs' treatment



Japanese soldiers stand guard over American war prisoners just before the start of the Bataan Death March following the Japanese occupation of the Philippines. / AP

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WASHINGTON -- A major Japanese corporation will offer a landmark apology this weekend for using U.S. prisoners of war for forced labor during World War II, according to the Simon Wiesenthal Center that is hosting the event.

A senior executive of Mitsubishi Materials Corp. will apologize to 94-year-old James Murphy, of Santa Maria, California, and relatives of other former POWs who toiled at plants its predecessor company operated in Japan during the conflict.

Rabbi Abraham Cooper, associate dean at the center - an organization that primarily educates about the Holocaust - called it an important gesture, coming as it does ahead of the 70th anniversary in August of the end of the war that has heightened scrutiny of Japan's attitude to its past abuses.

"As far as I know, this is a piece of history," said Cooper, who is helping moderate the closed-door meeting Sunday at the center's Museum of Tolerance in Los Angeles. "It's the first time a major Japanese company has ever made such a gesture. We hope this will spur other companies to join in and do the same."

70 years later, WWII POW gets his well-earned metal

A press release from the Wiesenthal Center said the apology will be made by Hikaru Kimura, senior executive officer for Mitsubishi Materials Corp. The company did not immediately respond to a call seeking comment late Monday. Mitsubishi Materials U.S.A. Corp. said Tuesday it had no information about it.

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Deadly school shooting in North Carolina, authorities say it was a case of bullying



School bus accident in Indiana kills three siblings



New surgery eliminates common foot problem

Masato Otaka, spokesman for the Japanese Embassy in Washington, said to the extent of his knowledge, it was an initiative of Mitsubishi Materials. He said the Japanese government has no involvement.

Japan's government issued a formal apology to American POWs in 2009 and again in 2010, but until now, the dwindling ranks of veterans have gained little traction in their demand that Japanese corporations that used them as slaves at mines and industrial plants under often brutal conditions do the same.

Some 12,000 American prisoners were shipped to Japan and forced to work at more than 50 sites to support imperial Japan's war effort, and about 10 percent died, according to Kinue Tokudome, director of the U.S.-Japan Dialogue on POWs, who has spearheaded the lobbying effort for companies to apologize.

Japan's government recently acknowledged that tens of thousands of South Koreans, Chinese and World War II POWs were conscripted to fill labor shortages at factories, mines and other sites as part of its successful attempt to win U.N. world heritage status for 23 historical Japanese industrial sites.

Tokudome said Mitsubishi Materials will be apologizing for its use of forced labor by some 900 American troops at four locations operated by its predecessor company, Mitsubishi Mining Co. Only two living survivors of that ordeal could be located to accept the apology, and of them, only Murphy is fit enough to make the trip to Los Angeles.

WWII soldier who hid in jungle for 29 years dies at 91

Speaking by phone from Santa Maria, California, Murphy recounted how he was shipped to Japan as a POW, two-and-a-half years following his capture in the Philippines where he was serving as a radio operator for the U.S. Army Air Corps. He had survived the notorious Bataan Death March, when thousands of Americans and Filipinos are believed to have perished as they were made to trudge 65 miles to prison camps after their defeat by Japanese forces.

Murphy spent one year at a copper mine near Hanawa with about 500 other POWs, an experience he described as "a complete horror."

"It was slavery in every way: no food, no medicine, no clothing, no sanitation," Murphy said, adding that it was all the more painful knowing that Mitsubishi built fighter aircraft used against American forces.

He said he forgave his captors after the war, but has hankered for an apology for 70 years. He participated in a class action lawsuit attempting to sue the Japanese government for the year he spent in the copper mine, which failed. No money is being offered by the corporation, but Murphy said he considered the upcoming apology "a big deal."

Murphy said if other companies followed suit, it would help provide closure for surviving POWs and build a better relationship between Japan and the United States, already close allies.

Another former POW, Lester Tenney, 94, who met briefly with Japanese Prime Minister Shinzo Abe during a high-profile visit to Washington in April, reserved comment on the planned apology until he hears it, but added, "At least it is a step in the right direction after all these years."

Tenney was forced to work for coal mine near the town of Omuta run by Mitsui Mining Company during the war. He will also attend Sunday's event.

A delegation from Mitsubishi Materials will then travel Tuesday to a small museum in Wellsburg, West Virginia, which commemorates American POWs who survived the Bataan Death March. A statement from the museum says the delegation will announce a donation to support educational programming at the



Mob boss Whitey Bulger found dead in prison after alleged attack by one or more inmates










Human remains found near Vatican embassy, bone fragments under investigation

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museum, and Edward Jackfert, a former POW, will thank Mitsubishi Materials "for being the first Japanese company to come forth and publicly apologize."

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Exhibit H

Swastika Found In Bathroom At Calabasas High School

The school promptly removed the hate symbol but not before it had upset several students and staff members.

By Alexander Nguyen | May 5, 2017 8:32 pm ET



CALABASAS, CA — A swastika was found inside a bathroom Friday morning at Calabasas High School, school officials said. The school's principal sent an email home to parents informing that of the incident.



The symbol of the Nazi party, which is synonymous with hate and anti-Semitism, was promptly removed but not before upsetting some students and staff members, the email said.

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"We immediately removed it, contacted law enforcement and began an investigation," principal CJ Foss said in the email. "We also contacted the Anti-Defamation League for resources and support."

Patch attempted to contact the school as well as the school district for more information but calls were not returned.



In 2011, a similar incident happened at the school. Three students were charged with felony vandalism in that incident. The vandalism in that case was not hate-motivated but

was a result of the students being bullied and wanted to hurt their classmates, authorities said.

Anyone with information about Friday's incident was asked to contact the school.

— *Photo credit: Patrick Pelletier/Wiki Commons*

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Exhibit I



BUSINESS 08/27/2014 10:26 am ET | Updated Dec 06, 2017

Zara Apologizes For Pajamas That Look Just Like A Concentration Camp Uniform

Fashion giant Zara pulled a children's shirt from its stores after customers complained that the striped pajama top with a yellow star resembled Holocaust prison garb.

The shirt, produced in Turkey, was sold in the Spanish retailer's Albanian, French, Israeli and Swedish online stores. It was removed on Wednesday hours after it went on sale.



The retailer, owned by Spanish giant Inditex, flooded Twitter early Wednesday morning with multilingual apologies, insisting the garment was modeled on cowboy sheriffs of the Old West, not on the uniforms Nazis forced Jews to wear in World War II concentration camps nor the infamous yellow stars that Nazis forced all Jewish people to wear in and outside the camps.

"Zara has issued a heartfelt apology on its social network profiles," Inditex said in a statement sent to The Huffington Post. "The items will be reliably destroyed."



By Wednesday morning, a [link](#) to the shirt displayed a message saying the item was no longer available and redirected shoppers to a white-and-blue striped children's shirt emblazoned with the French and Spanish word for "well," *bien*.

The company said sales of the shirt "have been marginal."

Zara remained mum about the controversy on Facebook, where some of its 22.4 million fans posted comments lambasting the company for its insensitivity.

"After your concentration camp tee shirt I was wondering when is your ZYKLON B perfume coming out?" one Facebook user [wrote](#), referring to the cyanide-based gas used by the Nazis to slaughter [more than 4 million](#) Jews, "for those wanting to smell like the gas chambers?"

"Whomever the anti-Semitic person is that decided to market your Nazi-inspired "sherrif" t-shirt should be fired!" [wrote](#) another. "I will never, EVER buy any of your products again!"

This isn't the first time Zara has been accused of anti-Semitism.

In 2007, the company was forced to withdraw a [\\$78 handbag](#) after a woman in Kent, England complained in the [Daily Mail](#) it was embroidered with Hindu and Buddhist symbols that resemble swastikas. The bags were produced by a supplier in India.

Two years later, the Anti-Defamation League defended Zara against a chain email claiming the company "has been openly anti-Semitic for a long time."

"The suggestion that Zara is 'anti-Semitic' is false," the ADL said in a [statement](#). "And the 'bags with swastikas' reference involves an isolated incident that Zara's parent company quickly remedied."

But, amid a recent uptick in anti-Semitic violence around the world in response to the war between Israel and Gaza, many found the company's excuse tone-deaf. The fact that the shirt was stitched in Turkey, which has engaged in saber-rattling with Israel under the rule of now President-elect Recep Tayyip Erdogan, only salted the wound.

"Israel has no 'sheriffs.' Moreover, the world 'Sheriff' vanishes in letter that are transparent, outline shapes on the bright yellow fabric of the star," Hana Levi Julian wrote in the Jewish Press. "To survivors of the Holocaust and their relatives and friends in Israel, that message is crystal clear. It is especially loud after recent fiery rhetoric from [Erdogan,] who has made his dislike of Jews and Israelis very plain over the years."

Later on Wednesday, the ADL welcomed Zara's swift apology and removal of the shirt.

"This is not the first time we have seen a retail clothing company make this same offensive mistake," Abraham H. Foxman, the group's national director and a Holocaust survivor, said in a statement. "The fact that this keeps happening shows that there is a serious need for education about the Holocaust and the history of anti-Semitism."

This story has been updated with the new statement from the ADL



Alexander C. Kaufman 
Reporter, HuffPost

[Suggest a correction](#)

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Exhibit J

Swastikas, Hate and Confusion

George Washington U is taking action against Jewish student who posted a symbol he brought back from India. Other campuses are accused of not doing enough about the hateful use of the image.

By [Scott Jaschik](#) // April 27, 2015

[56 COMMENTS \(/NEWS/2015/04/27/UNIVERSITYS-ACTION-OVER-STUDENT-WHO-POSTED-SWASTIKA-BULLETIN-BOARD-SETS#DISQUS_THREAD\)](#)

WIKIPEDIA

From left: Nazi flag with swastika, a Hindu swastika and a Japanese clan's swastika

A student disciplinary process at George Washington University might not seem like hot news in India, but this weekend it was receiving attention in [The Times of India](http://timesofindia.indiatimes.com/world/us/US-university-mulling-ban-on-swastika/articleshow/47042256.cms) (<http://timesofindia.indiatimes.com/world/us/US-university-mulling-ban-on-swastika/articleshow/47042256.cms>), [The Hindustan Times](http://www.hindustantimes.com/world-news/us-varsity-mulling-ban-on-hindu-religious-symbol-swastika/article1-1340728.aspx) (<http://www.hindustantimes.com/world-news/us-varsity-mulling-ban-on-hindu-religious-symbol-swastika/article1-1340728.aspx>) and elsewhere.

The case is being interpreted by some law professors as a move by the university to effectively ban the swastika from the university's campus. And the reason the case is attracting interest in India is that a student who posted a swastika on a fraternity bulletin board was Jewish -- and the symbol he posted was not a Nazi one, but something he had picked up on a trip to India to learn more about religions there, including some that used the swastika as a holy symbol for centuries before the Nazis adopted it.

As shown in the illustration above, the Nazi swastika was typically black on white, surrounded by red, on a 45-degree angle. Those of Eastern religions typically feature horizontal and vertical lines, sometimes with dots added and different color arrangements.

The dispute at George Washington comes as a number of colleges have in the last year responded to swastikas on campuses -- sometimes with Jewish students or organizations as the apparent target. [A freshman at the University of Missouri at Columbia](http://www.kshb.com/news/university-of-missouri-student-arrested-in-connection-to-anti-semitic-graffiti) (<http://www.kshb.com/news/university-of-missouri-student-arrested-in-connection-to-anti-semitic-graffiti>) was arrested last week for a swastika graffiti and anti-Semitic vandalism. Numerous other campuses have reported swastika incidents in the current academic year. Among them: [Emory University](https://www.insidehighered.com/quicktakes/2014/10/06/swastikas-painted-jewish-fraternity-emory) (<https://www.insidehighered.com/quicktakes/2014/10/06/swastikas-painted-jewish-fraternity-emory>), the [University of California at Davis](https://www.insidehighered.com/quicktakes/2015/02/02/jewish-fraternity-uc-davis-defaced-swastikas) (<https://www.insidehighered.com/quicktakes/2015/02/02/jewish-fraternity-uc-davis-defaced-swastikas>) and

local laws simply because people don't have the legal right to deface property that is not their own. That was also the case with a series of swastikas at GW this year (before the case of the student who picked up a swastika in India).

Some Jewish organizations have criticized some colleges and universities for not responding strongly enough (in the view of these groups) to swastika vandalism. Nineteen organizations wrote to GW President Stephen Knapp, saying he had not done enough (<http://www.amchainitiative.org/letter-to-gwu-president-steven-knapp-regarding-university-response-to-swastikas/>), in March, after the first round of swastikas on campus this year.

Then came the student who returned from India. He put the swastika on the bulletin board of his fraternity (Zeta Beta Tau, a historically Jewish fraternity), and another student saw it and reported the swastika to the university before getting an explanation. As officials investigated, the student (whose name hasn't been revealed) came forward and said that he had been hoping to have a conversation about the symbol and did not intend to offend anyone. He stressed that this was an Indian swastika, not a Nazi one. The student has told people that while in India, he became fascinated by the idea that a symbol that was not one of hate could become so defined by hate, and that he wanted to explore this issue.

The student has been suspended and banned from campus and a hearing was held last week over his actions. He could face expulsion.

Knapp issued a statement after the ZBT swastika incident that two GW law professors say raises serious legal issues for the university.

"A member of Zeta Beta Tau has now admitted posting the swastika, which he says he acquired while traveling in India over spring break. While the student claims his act was not an expression of hatred, the university is referring the matter to the [police] for review by its hate crimes unit," Knapp said. "Since its adoption nearly a century ago as the symbol of the Nazi Party, the swastika has acquired an intrinsically anti-Semitic meaning, and therefore the act of posting it in a university residence hall is utterly unacceptable. Our entire community should be aware of the swastika's association with genocide perpetrated against the Jewish people and should be concerned about the extremely harmful effects that displaying this symbol has on individuals and on the climate of our entire university community."

John Banzhaf, a law professor at GW who is backing the student but does not represent him, said that many people should be concerned by Knapp making it university policy that the student's intent is irrelevant. Banzhaf said he believed that many swastikas are illegal and a violation of university rules either because they constitute vandalism or are attempts to intimidate Jewish students. But that wasn't the case here.

Under the interpretation outlined by Knapp, Banzhaf said, a student from India with a swastika in his room would be violating the university's rules and could fear suspension or expulsion. Banzhaf also said it was

Jonathan Turley, another GW law professor, has written [a blog post \(http://jonathanturley.org/2015/03/17/george-washington-university-investigates-swastika-postings-as-possible-hate-crime/\)](http://jonathanturley.org/2015/03/17/george-washington-university-investigates-swastika-postings-as-possible-hate-crime/), questioning whether the student who posted the swastika could be seen as having committed a hate crime when he committed no crime, since posting something on a bulletin board is legal.

The Hindu American Foundation is also calling on GW to withdraw the president's statement and to stop seeking to punish the student who posted a swastika from India.

"Contrary to the hateful and violent meaning the swastika has come to take on for many since its misappropriation by the Nazis, the original swastika is an ancient and holy symbol. It is still commonly used at the entrance of Hindu homes, in temples, and on invitations to special occasions such as weddings and other rites of passage. The four limbs of the Hindu swastika have diverse symbolic meanings: the four Vedas (Hindu holy texts); the four stages of life; the four goals of life; the four Yugas (eras); the four seasons; and the four directions. As such, the symbol cannot be dismissed as one of 'intrinsically anti-Semitic meaning,'" said [a letter from the foundation to GW \(http://hafsite.org/blog/an-open-letter-to-gw-president-stein-knapp/\)](http://hafsite.org/blog/an-open-letter-to-gw-president-stein-knapp/).

The letter added: "Furthermore, we are highly concerned with your attempt to expel the student who posted the symbol without any attempt to understand the context of his actions. The consequences of the university's expulsion could very well be a de facto ban on the use of the swastika in any context on campus. As such, Hindu, Buddhist, Jain or Native American students who sought to use the symbol in a religious manner would be unable to do so without facing the risk of punishment. Such consequences violate both federal and D.C. law and call into question your commitment to religious diversity on campus."

A spokesperson for George Washington said via email that the university did not comment on individual cases. But she said it was not true that GW had banned any symbol. "The university has not banned nor is it attempting to ban religious symbols," she said. "Student organizations and individual students are free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt the regular and essential operation of the institution."

Read more by [Scott Jaschik](#)

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