



Association for **L**earning & **P**reserving the **H**istory of WWII in **A**sia

## Exploring the Links between Racism and Sexism: The lesser-known History of the Batavia Trials



# RULES OF WAR

## IN A NUTSHELL

# Activity 1

- Do you think that trials serve an important purpose after a war or conflict?
- If yes, what are some of these purpose/s?
- If your answer is no, explain why you think so.



위안부 침상 증명 영상자료 최초 발굴

## 최초 공개 영상 속 위안부 모습

기존 공개 사진



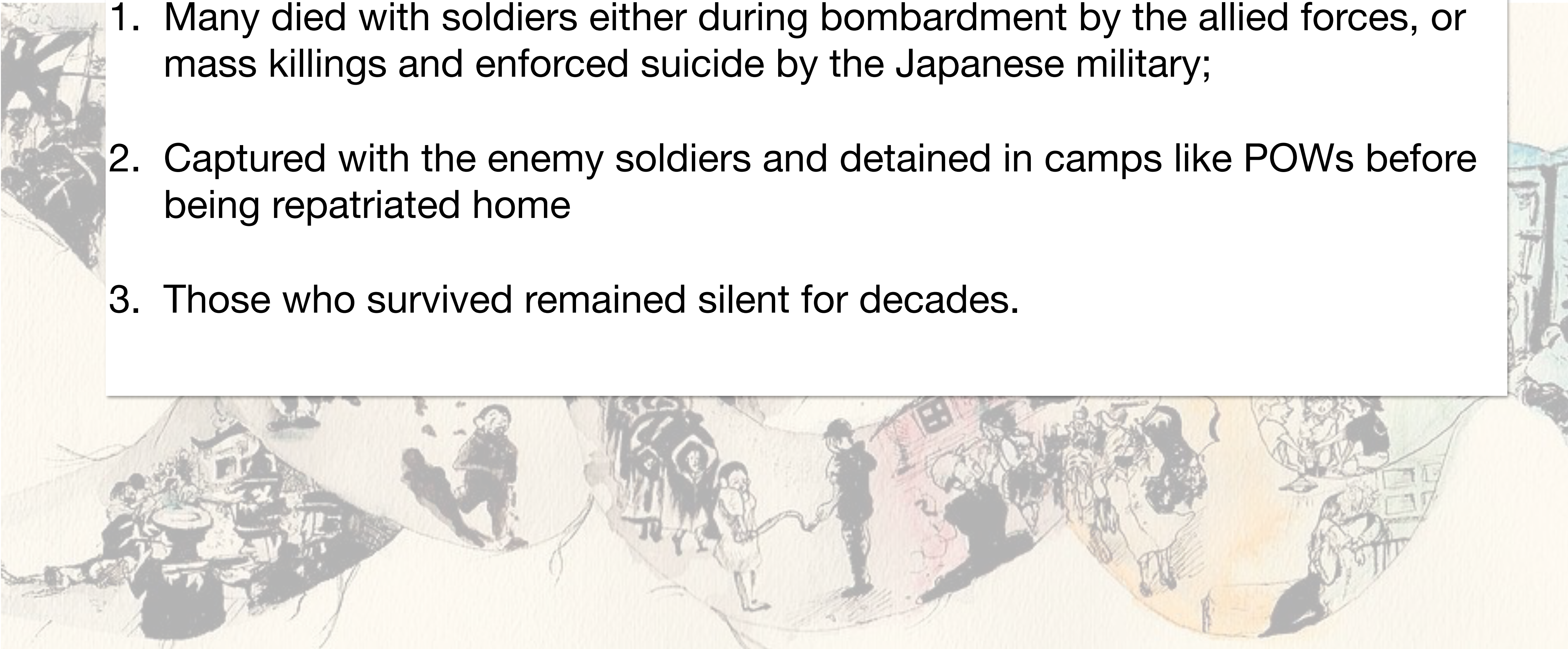
최초 공개된 영상 캡처 사진





# The fate of the “Comfort Women”

1. Many died with soldiers either during bombardment by the allied forces, or mass killings and enforced suicide by the Japanese military;
2. Captured with the enemy soldiers and detained in camps like POWs before being repatriated home
3. Those who survived remained silent for decades.





# International Military Tribunal for the Far East 1946-1948

## PARTICULARS OF BREACHES

All the offences are breaches of the laws and Customs of War, in addition to, and as proved in part by, the several Articles of the Conventions and assurances specifically mentioned.

### SECTION ONE

Inhumane treatment, contrary in each case to Article 4 of the said Annex to the said Hague Convention and the whole of the said Geneva Convention and to the said assurances. In addition to the inhumane treatment alleged in Sections Two to Six hereof inclusive, which are incorporated in this Section, prisoners of war and civilian internees were murdered, beaten, tortured and otherwise ill-treated, and female prisoners were raped by members of the Japanese forces.

### SECTION TWO

Illegal employment of prisoner of war labour, contrary in each case to Article 6 of the said Annex to the said Hague Convention and

There was no indictment for military sexual slavery  
(LAW: enforced prostitution)



# Post-War Justice

The Allied powers knew about  
Japanese Military Sexual Slavery

GUIDE QUESTION:

Do the persons who know about injustice bear a duty  
to do somethings about it?





CAPT. WL CHAN

SGT. FURUMOTO

GANT HIRABAYASHI

ROBERT HONDA



1986

JAPANESE GARRISON AT MYITKYINA, BURMA -14 AUGUST 1944



CBI-44-21636

Capt Chan, San Francisco, Cal., 1012 Jackson Street, in charge of prisoners of war at Myitkyina, Burma with the captured "Comfort Girls" of the Japanese garrison at Myitkyina.

14 August 1944

Photog: T/4 Shearer

wlb

## KNOW THE ANSWERS



Here are some of the Japanese "comfort" girls captured by the Allied forces in Burma. These particular girls were captured after the fall of Myitkyina and are mostly Koreans. It was the job of CIC to question these girls for informational purposes.

INDIA - BURMA THEATER

# Roundup

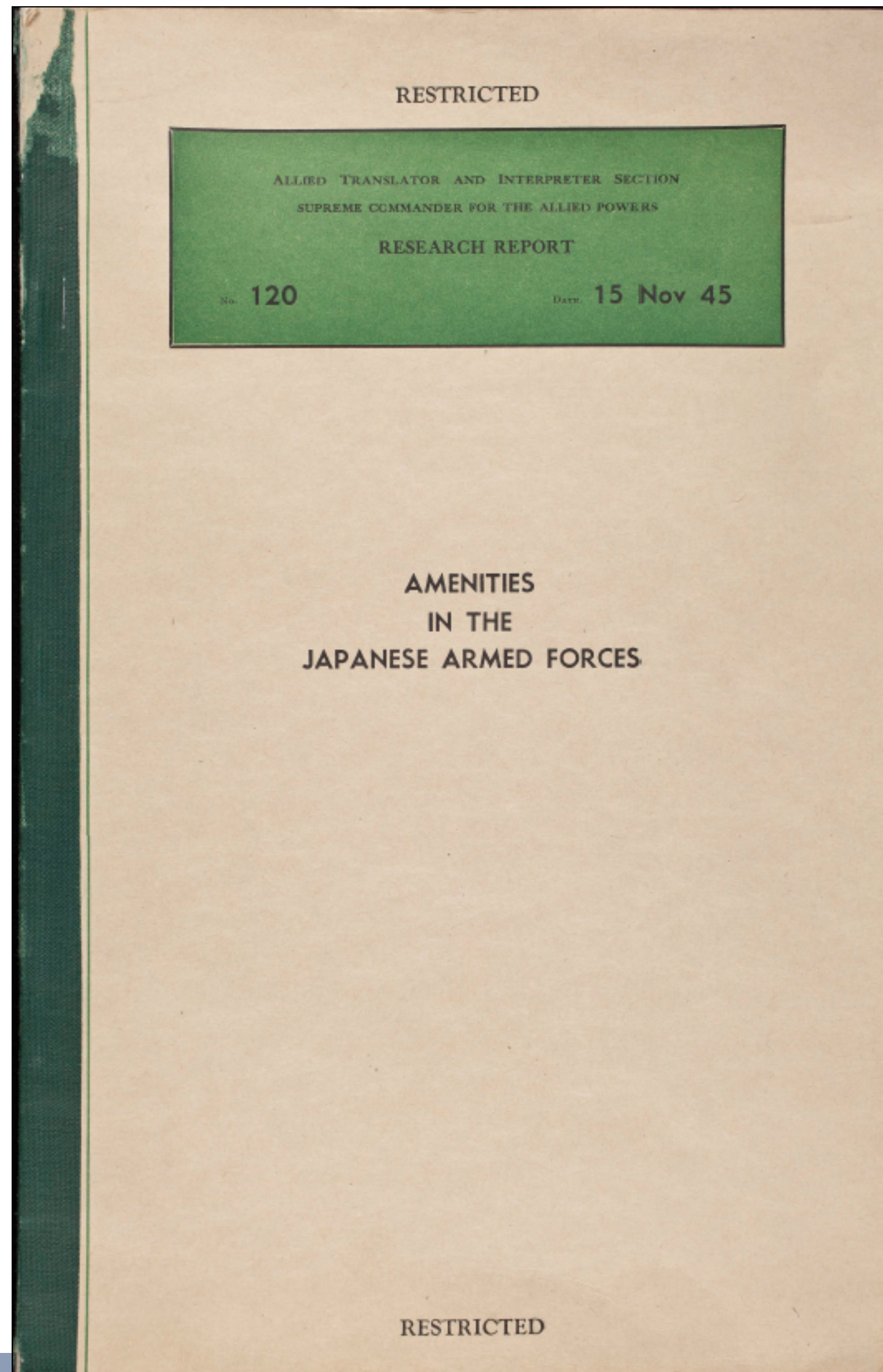
Vol. III No. 50.

Delhi, Thursday, Aug. 16, 1945.  
Reg. No. L5015



# Report No. 120

## “Amenities in the Japanese Armed Forces”



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RESTRICTED

In the Report:

- An entire section on brothels (as an amenity that soldiers are entitled to)
- Detailed regulations of the brothels (operation, management, hygiene, rank and pricing)
- Geographic Locations all over Southeast Asia
- Requisition forms (for the operation of a brothel)



## JAP 'COMFORT GIRLS'

**SALWEEN FRONT (UP)** - Chinese troops mopping up among the Japanese fortifications on the Salween Front, recently captured 10 Japanese and Korean women who had lived with the enemy troops throughout three months of shattering artillery bombardment and desperate close-in fighting that fully reduced Sungshan Mountain.

The Japanese had shipped a supply of women to the forward fortresses at Sungshan and other large garrisons on the Salween Front. American liaison officers in action with the Chinese troops were inclined to doubt their own eyes when they first encountered this evidence of Japanese ruthlessness at Tengchung, where they found one Korean girl buried alive in a Japanese ammunition dump as a result of a nearby bomb burst.

With the help of a Japanese-speaking Chinese student who had escaped from Manchuria and now is serving with the Americans, the personal story of five of the pathetic women of Sungshan was obtained. Four of them were Korean peasant girls, 24 to 27 years old. They wore Western type cotton dresses they said they purchased in Singapore.

They sat on low stools and eagerly puffed American cigarettes as they gradually relaxed from the shock of months of bomb and shell explosions. They said that early in the spring of 1942 Japanese political officers arrived in their home village, Pingyang, Korea. With propaganda posters and speeches the Japs began a recruitment campaign for "WAC" organizations which they said were to be sent to Singapore to do noncombatant work in rear areas - running rest camps for Japanese troops, entertaining and helping in hospitals. All four said they needed money desperately. One said her father, a farmer, had injured his knee and that for the \$1,500 puppet currency (about \$12 US), given her when she enlisted, his doctor bills were paid.

A party of 18 such girls sailed from Korea in June, 1942. Enroute they said they were fed stories of Japanese victories and of a new empire being created in Southeast Asia. They said they first became worried when they were shipped direct through Singapore and that when they were placed on a train headed north from Rangoon they became certain of their fate.

When the party reached Sungshan, on the Salween Front, the four were placed under the charge of a fifth woman - a 35 year old regular Japanese prostitute who also was captured in the mopping up action.

There was a total of 24 girls at Sungshan. Among other duties, they had to wash Japanese soldiers' clothing, cook their food and clean out the caves in which they lived. They said they were paid nothing and received no mail from home.

When Chinese troops attacked Sungshan, the girls lived below ground in caves. Fourteen of the original 24 were killed by shell-fire. They said they had all been told they would be tortured if captured by the Chinese and all admitted they had believed such stories. They declined to give their correct names to protect their families but all said what they had lived through for the past two years had completely reversed their former naive trust of their Japanese overlords.





**ACTIVITY 2**

**Form groups of 3**





1994



2006



2014



2019



- Task: To analyze key documents that will help provide information or any leads regarding the BATAVIA Trials that involved “Comfort Women.”
- Each group will be conducting research during a specific year, which means that the document/s available to the group will be different or slightly different.



- Use the tool provided to guide your analysis and discussion
- Please don't write on the documents –
- Do take notes on the worksheet
- No googling



ANALYSE A PRIMARY SOURCE DOCUMENT	
TITLE	AUTHOR
REVIEWED BY	
TYPE OF DOCUMENT	<b>HISTORICAL FACTS</b> WHAT IS IT TALKING ABOUT?  WHY DID THE AUTHOR WRITE IT? (QUOTE EVIDENCE FROM THE DOCUMENT THAT TELLS YOU THIS)
<b>PARTS</b> WHEN/WHERE IS IT FROM?  WHO WROTE IT? WHO IS MEANT TO READ IT?	
<b>CRITICAL ANALYSIS</b> WHAT WAS HAPPENING WHEN THIS DOCUMENT WAS CREATED?  WHAT CAN YOU FIND OUT FROM THE DOCUMENT THAT YOU MIGHT NOT FIND ELSEWHERE?  WHAT OTHER HISTORICAL DOCUMENTS CAN HELP YOU UNDERSTAND THIS EVENT OR TOPIC?	
NOTES	CONCLUSION



# Research Questions

**1. Were cases of Military Sexual Slavery in Asia ever prosecuted at the end of World War II?**

**Yes/No**

Make a note of what you found:  
Surprising  
Interesting  
Troubling

**2. What primary sources or records are available on the Batavia Trials? What do they tell us?**

**Primary  
Source  
Documents**

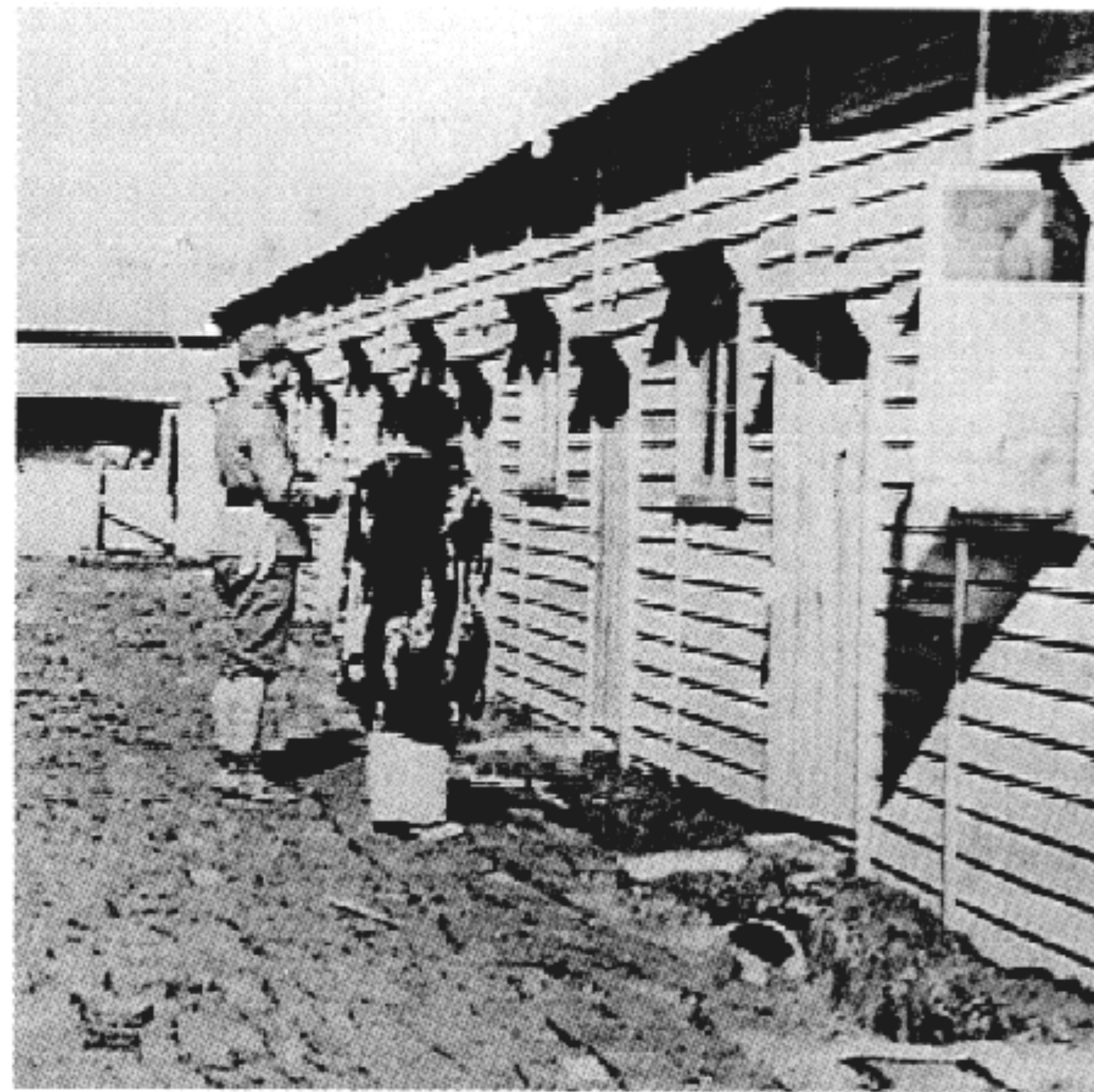


# The Dutch Military Trial at Batavia

- The Dutch issued an Extraordinary Penal Law Decree (22 Dec 1943) in order to avoid implementing retrospective legislation and in the vain hope of deterring war crimes.
- In 1946, this was extended to the liberated Dutch East Indies and it equipped the Temporary Courts Martial with adjudicatory powers to try war crimes.
- Japanese military men and civilians were charged with the rape, ill-treatment, abduction and enforced prostitution of (Dutch) women and girls after World War II.



# The Awochi Case



CASE No. 76

TRIAL OF WASHIO AWOCHI  
NETHERLANDS TEMPORARY COURT-MARTIAL AT BATAVIA  
(JUDGMENT DELIVERED ON 25TH OCTOBER, 1946)

*Enforced prostitution a war crime.*

A. OUTLINE OF THE PROCEEDINGS

The accused, Washio Awochi, a Japanese hotel-keeper who ran a club-restaurant in Batavia from 1943 to 1945, was tried for having forced Dutch women to practice prostitution in the premises of the club.

1. THE CHARGE

The accused was charged with having "in time of war and as a subject of a hostile power, namely Japan," and "owner of the Sakura-Club, founded for the use of Japanese civilians," committed "war crimes by, in violation of the laws and customs of war, recruiting women and girls to serve the said civilians or causing them to be recruited for the purpose, and then under the direct or indirect threat of the Kempei (Japanese Military Police) should they wish to leave, forcing them to commit prostitution with the members of the said club," which the women and girls "were not able to leave freely."



1945-1949



### Post War Tribunals

Tokyo Trial (IMTFE)+ Over 49  
other Military Tribunals all  
over the A.P. region

\*Access to the Records of the Temporary Courts Martial at  
Batavia is still restricted until 2022/2025.

1990s

1991 - Testimony: Kim Hak Sun

1992- Testimony: Jan Ruff O' Hearne

1994 & 1998 Reports and Partial Survey of RIOD

2006

Danny Friedmann

Access to Dutch Records  
(Restricted Access)

2014

Danny Friedmann

at CUHK: Centre for Rights and  
Justice: Translation Project : English  
translation/annotation of Dutch  
Judgments

2019

Tokyo Trial (IMTFE) Records

Upcoming Book: Griselda Molemans



## Information on the Batavia Trial: A Timeline



# Judgement/Sentencing

- Major Nozaki Seiji, Guilty, 12 years
- Col. Ikeda Shoichi, Guilty, 15 years
- Furuya Iwao (Japanese Military Employee), Guilty, 20 years

Each of them served shorter sentences: They were released after 5 years, 6 years and 11 years respectively.

Like the US, Dutch Foreign Ministry commuted the remaining sentence by 1958.



# How the cases were prosecuted

- Planned nature of the crime of abduction and recruitment under false promises
- Proof of a Chain of command that established the liability of Military officers
- Absence of voluntariness of the women and girls





**Why did the Dutch Military Tribunal only prosecute offences committed against Dutch nationals?**

**Why did the Allies, other than the Dutch, not pursue such sex-related offences at war crimes trials convened after WWII?**

**(Fred Borch, Author: *Military Trials of War Criminals in the Netherlands East Indies 1946-1949*)**



**200 GADIS INDONESIA JANG  
DITIPOE DJEPANG.**

Pakerdjahan mentjari  
marika ada hasilnja.

Sepandjang „Sun. Times“ paker-  
djahan mentjari di saloeroe Malaya  
boeat katemoeken 200 lebih gadis-  
gadis Indonesia jang telah ditipoe  
oleh Djepang dan dikirim ka Sin-  
gapore soeda berhasil baik sekali.  
Lebih dari 75 percent dari itoe  
prampoean-prampoean moeda jang  
ilang telah dikatemoeken oleh Pa-  
lang Merah Indonesia.

Satoe gerakan loeas jang dilak-  
koeken oleh pembesar-pembesar  
Djepang di Djawa dan Sumatra di  
taon 1943 boeat dapetken „gadis-  
gadis penghiboer“ telah berkasoe-  
dahan dengan datengnja sadjoem-  
blah besar gadis-gadis Indonesia  
ka Singapore.

Pada sabelonnja brangkat dari  
marika poenja roemah itoe gadis-  
gadis dikasi tace oleh itoe orang  
Djepang bahoesa marika bakal didi-  
dik mendjadi djoeroe rawat. Mari-  
ka didjandjiken gadji jang besar  
dan makanan jang baik. Marika  
djoega didjandjiken pakean dan  
kamoedian dikirim poelang ka ma-  
sing-masing poenja tempat apa-

## Evidence of local women placed under Japanese Military Sexual Slavery

News report (November 1946) about  
the repatriation of over 200 Javanese  
girls who had been brought over to  
Singapore and North Kalimantan to  
become nurses, but had actually been  
conscripted to become *gadis-gadis  
penhibur* (“Comfort Women”), NIOD  
Archives



# Archival Photos

Australian landing barge at Kupang (Timor) bringing liberated Javanese women ashore from the Japanese junk in which they had been crowded for four days, October 1945

(Source: Australian War Memorial)





# Voluntariness or the Consent Standard prevalent at the time

- Guilt/Innocence of the accused according to the determination of the “moral and sexual purity or chastity” of the victim (deservedness)
- The burden of proof – not just evidence of the acts that constituted the crime, but also evidence that the victim did not deserve the treatment she received in the hands of the accused.



## Women's Moral Invisibility

## Intersections of Race/Gender

### Failure of the Legal System to Recognize the Injustice

- Views about women and women's sexuality
- Views about the Power relations between Women/Men
- A minority view recognized that the perpetrator's acts were unjust regardless of the circumstances of the women
- Ultimately, cases were only filed on behalf of Dutch citizens







# Broadening the frame of Justice



Intersections of Race and Gender