

The People's Korea

No. 1,902

DECEMBER 29, 2001

http://www.korea-np.co.jp/pk/ (1961年8月22日第3種郵便物認可 月2回発行)

U.S. to Send Envoy and Food to DPRK

The United States has sounded out the DPRK on a possible visit to Pyongyang of Jack Prichard, U.S. special envoy on Korean affairs, in an attempt to resume its stalled dialogue, the South Korean daily The Korea Herald said.

"North Korea has not yet responded to the suggestion, which was delivered through working-level channels involving the North's UN representative in New York," the paper quoted a South Korean government's source as saying.

If he visits, Prichard would explain to North Korean leaders that the proposed topics including nuclear issues, missile development and conventional forces, are not prerequisites and that Washington is ready to resume negotiations at "any time and anywhere," it said.

So far, Pyongyang has dismissed Washington's conditional resumption of talks including Bush's June 6 formula, escalating condemnation of Washington's anti-Pyongyang rhetoric focusing on the North

Korean leader's personalities.

On the other hand, the U.S. Department of State issued on December 19 a statement that the U.S. government will donate 105,000 metric tons of soybeans, vegetable oil, wheat, rice, and nonfat dry milk to North Korea. Funding will come from the U.S. Department of Agriculture's Section 416 (b) food aid program, and the commodities will be allocated to the World Food Program's emergency feeding operations. This brings total U.S. food aid to North Korea since 1995 to 1.8 million metric tons, valued at \$591 million, the statement said.

"We are pleased that North Korea has agreed to work with the United Nations to update its nutritional survey." "We encourage other donors to respond to the World Food Program's 2002 appeal for North Korea. Our donation reflects our longstanding policy of giving assistance to meet the identified humanitarian need to the North Korean people," it added.

Emperor Hirohito and 9 Others Found Guilty: Final Judgement of Int'l Tribunal



A judgement paper is handed over former "comfort woman" Kwak Kum Nyo (center) from a judge after the final judgement was given in Hague on Dec. 4.

The "Women's International War Crimes Tribunal on Japan's Military Sexual Slavery" held on December 8-12, 2000 in Tokyo issued its Preliminary Findings, finding Emperor Hirohito guilty of responsibility for allowing a system of rape and sexual slavery as a crime against humanity. The judges also decided that the Japanese government has incurred state responsibility for the establishment and maintenance of the "comfort women" system. After a one-year-long careful review of evidence, the Tribunal was held again in The Hague on December 4 to deliver a Final Judgement which found Emperor Showa and nine other government and military leaders of Japan guilty of penal and State responsibility.

The judges of the Tribunal included Gabrielle Kirk-MacDonald, the former President of the International Criminal Tribunal for Yugoslavia (from the USA); Carmen Argibay, President of the Interna-

tional Association of Women Jurists (from Argentina); Christine Chinkin, professor at the London University (from the UK); and Willy Mutunga, President of the Human Rights Commission (from Kenya). The civilian court on the war crimes of Imperial Japan was attended by survivors from victimized countries and prosecutors, over 70 in all, and many people from different parts of the world.

The event received wide coverage by local TV and newspapers. The full and official Judgement on December 4, 2001 exceeds 240 pages, which is composed of 1) Introduction and Background to the Proceedings, 2) Factual Findings, 3) Applicable Law, 4) Individual Criminal Responsibility, 5) State Responsibility, 6) Reparations and Recommendations, and 7) Conclusion.

(See Key points of the Final Judgement on page 4.)

DPRK Ready to Join 5 More Anti-Terror Pacts

Pyongyang recently told a visiting Swedish delegation that it is ready to join five more anti-terrorism treaties, media in Seoul reported.

On November 12 in New York, the DPRK UN ambassador signed two treaties against funding terrorism and hostage taking.

Borje Liunggren, Swedish ambassador in charge of Asian affairs who led a European Union delegation that visited the DPRK from December 1 to 4, told South Korean government officials during his stay in Seoul on December 5-6. According to the Swedish diplomat, North Korean Foreign Minister Paek Nam Sun said that there is no reason why Pyongyang won't join the five treaties since the DPRK is not a terrorism-sponsoring state.

"We see the North's willingness to join the treaties as a constructive and positive step," Liunggren was quoted as saying. Liunggren said he briefed EU officials on Pyongyang's intention and will convey it to the United States soon, The Korea Herald reported.

The Swedish embassy in Pyongyang, which represents U.S. interests as well, had reportedly delivered to the Bush administration on September 12 Pyongyang's message of regrets and condolences over the terrorist attacks on the U.S. which had taken place one day before. Colin Powell was reported to have conveyed through a New York channel his thanks for the quick

positive response from Pyongyang.

Washington has welcomed the DPRK's previous move to sign the two UN anti-terrorism conventions but has refused to drop the country from its list of states it says are suspected of backing terrorism. Pyongyang sees the U.S. blacklist as the most serious obstacle to its efforts to improve relations with Washington and to attract foreign capital.

The remaining five out of the 12 conventions in all concerning anti-terrorism, which Pyongyang says it is ready to sign, are: 1) the 1997 International Convention for the Suppression of Terrorist Bombings; 2) the 1980 Convention on the Physical Protection of Nuclear Material; 3) the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation; 4) the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf; and 5) the 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection.

The first and second conventions among the five are of particular significance because they address weapons of mass destruction which Pyongyang is suspected of developing, a South Korean official said.

North Korean Foreign Minister Paek also told the EU delegation that Pyongyang is willing to talk with Washington if the latter abjures its "hostile" position, the official was quoted as saying.

13th Asian Women's Soccer Championships

DPRK Wins Asian Women's Football Title



DPRK women's football team is warmly welcomed by people in Pyongyang on arriving at the Pyongyang railroad station.

Beating Japan in the final of the 13th Asian Women's Soccer Championships, the DPRK won an Asian championship for the first time in its women's football history.

Putting an end to China's seemingly unbreakable supremacy over the championship of Asian women's football, the DPRK women's football team was crowned as the new queen of Asian women's football.

The 13th Asian Women's Soccer Championships was held in Taipei from December 4 to 16, participated in by 14 Asian countries and regions.

In the preliminary round in Group B, the DPRK overwhelmed Guam, Vietnam and Singapore by 19-0, 4-0 and 24-0 respectively. Edging Japan by 1-0, the DPRK finished the preliminary round with a perfect record to qualify for the semifinals.

Following a clear-cut victory over its traditional rival China in the semifinal, one of the top teams in the world which had aimed at its eighth successive titles, the DPRK team defeated Japan by 2-0 in the final game.

In the final match with Japan on Dec. 16, the DPRK took the lead with Ri Kum Suk's goal in the 23rd minute in the second half. Powerful attackers of the DPRK team launched one fierce offensive after another, and seven minutes later Ri Un Gyong finally scored a crucial point to ensure its victory.

The DPRK women's soccer team netted a total of 53 goals in six games in the women's football event sponsored by the Asian Football Confederation (AFC). The team lost only one goal during in the games.

Review of Year 2001

Looking back on the year 2001, our readers will see that *The People's Korea* has introduced commentaries and chronology reviewing major events related to the Korean Peninsula.

Review of Inter-Korean Relations in 2001

North-South Relations -- Undergoing Ups-and-Downs

Ri Sang Yong, PK Staff Reporter

Continuing Inter-Korean Dialogues

In north Korea, the year 2001 began with the 2001 New Year joint editorial of three major newspapers which defined this year as a "year of decisive progress in accomplishing national reunification." This was emphatically demonstrated at the "Year 2001 Meeting for Independent Reunification," held on Jan. 10 in Pyongyang with more than 3,000 participants from all sections of society. This meeting displayed the enthusiastic determination and strong will of north Korea to mark this year as a "year to open up a phase in a turn for an independent national reunification." The meeting appealed to the south Korean authorities, saying that it is their urgent tasks to resume related talks at once to solve pending issues and activate multi-faceted cooperation and exchange with the north on the principle of co-prosperity and common interests.

In the third round of inter-Korean Red Cross Talks held from January 29 to 31, the north and the south agreed on a third round of reunions of separated families and relatives and the date of the exchange of correspondence between separated families and relatives.

According to the agreement reached in the inter-Korean Red Cross Talks, 200 people were reunited with their long-lost families and relatives for the first time in five decades in the 3rd round of family re-

unions. On Mar. 15, the north and the south exchanged the letters of 300 separated family members at the truce village of Panmunjom for the first time since the 1950-53 Korean War.

Pyongyang and Seoul held two rounds of inter-Korean military working-level talks to discuss the project of re-linking railways and road between Sinuiju of the north side and Seoul of the south side. Following the fourth round of talks held in the south side area of Panmunjom on Jan. 31, north and south Korea agreed on designating the areas to be placed under the control of the north and the south respectively and militarily ensuring the projects to re-link the railways and roads, in the fifth round of inter-Korean military working-level talks held on Feb. 8 in the north side area of Panmunjom.

North and south Korea continued to hold government-level dialogues in various fields, as both sides held talks on electric power accommodation on Feb. 7-10 and a meeting on a joint project of prevention of the flooding of the River Rimjin on Feb. 21-24.

Inauguration of Bush Administration And Stalled Inter-Korean Dialogues

However, inter-Korean cooperation and reconciliation processes were interrupted by the U.S.'s hard-line policy toward the DPRK and south Korea's obsequious stand, after the inauguration of the Bush Administration.

The 5th round of inter-Korean ministerial talks, which was scheduled to open in mid-March, was postponed for an indefinite period, as north Korea informed south Korea of the cancellation of the talks. The 4th round of Red Cross talks, which was planned for April 3, was also suspended. The decision to cancel the talks came just days after U.S. President Bush and South Korean President Kim Dae Jung held talks in Washington. Expressing his "skepticism" about the DPRK and its leadership, Bush signaled he would take a tougher line toward the DPRK.

Active Inter-Korean Grass Roots-level Exchanges

While inter-Korean governmental dialogues were suspended due to Washington's hard-line policy toward Pyongyang, exchanges and cooperation on a non-governmental level between the north and the south got into high gear.

Workers of north and south Korea held a joint May Day event at the foot of north Korea's scenic Mt. Kumgang from April 30 to May 2. In commemoration of the first anniversary of the historic inter-Korean summit and the issue of the June 15 North-South Joint Declaration, Koreans from various strata gathered at the foot of Mt. Kumgang to hold a "Grand National Seminar on National Reunification." In the first-ever pan-national seminar on the theme of "June 15 Joint Declaration and the Nation's Tasks," over 600 representatives of north and south Koreans and overseas Korean compatriots joined hands with each other to pledge further efforts for a peaceful reunification of the Korean Peninsula.

Farmers also held their joint event at the foot of Mt. Kumgang between July 18 and 19 to show their solidarity and firm stand to support and implement the June 15 North-South Joint Declaration. The gathering, named a "meeting of peasants of the north and the south for reunification," was participated in by almost 1,500 farmers from north and south Korea.

In celebration of the 56th anniversary of the liberation of Korea from 36-year Japanese colonial rule, the "2001 Grand National Festival for National Reunification" was held in Pyongyang on August 15 and 16, participated in by more than 4,000 delegates from the north and the south and overseas Koreans. This was the first time

that such a large number of Koreans at home and abroad met for the celebration of a liberation anniversary, though in the past some south Korean groups had sent their delegates to the north in violation of south Korea's notorious "National Security Law." An over 360-member south Korean delegation, which was made up of representatives of almost 220 organizations including political parties, civic and religious groups and press corps, developed active grass roots exchanges between north and south Korea.

Talks Resumed but Stalemated

After a six-months suspension, Pyongyang and Seoul again sat down at a negotiation table in the 5th round of inter-Korean ministerial talks held in Seoul from September 15 to 18. In the resumed inter-Korean government-level talks, both sides agreed to exchange visiting groups of separated families and relatives and to promote economic cooperation in various fields, while confirming "the mutual will to implement the June 15 North-South Joint Declaration and make positive efforts to ensure the sustainable development of inter-Korean relations."

But the resumed inter-Korean government-level contact was brought to a stalemate due to the negative influence of the September 11 terrorist attacks on the U.S. mainland and the U.S.-led military retaliatory war campaign against Afghanistan's ruling-Talibans under the pretext of the "war against terrorism."

The north side announced on October 12 postponement of the 4th round of separated family reunion scheduled for October 16-18 and sending of its Teakwon-do exhibition team to Seoul, which had been agreed upon at the resumed inter-Korean talks in mid-September. It denounced an "emergency alert" put on south Korea after the terrorist attacks on the U.S. as a "dangerous act of going against the spirit of the June 15 North-South Joint Declaration and getting on the nerves of north Korea."

The 6th north-south ministerial talks broke down, as both sides made no agreement during the 6-day talks held from November 9 to 14. This was the first time since the landmark inter-Korean summit in June last year that a high-level inter-Korean meeting ended with no agreement.

Review of DPRK's Foreign Relations in 2001

Progress and Regress

By Choe Kwan Ik, Editor

PROGRESS

The appearance of the unilateralist Bush administration in the beginning of the 21st century portended a devastating backlash in international relations. Nevertheless, before the new belligerent government in Washington started a "new war against terrorism" in the wake of the September 11 attacks with the aim of "remaking" the existing world order for the sake of the only superpower, Pyongyang achieved its desired result in its efforts to consolidate its status in the international society.

Ties with Two Big Neighbors Forged

Kim Jong Il's world strategy with the U.S. being an ultimate and foremost target started with his informal visit to the international commercial city Shanghai in January following last year's diplomatic foray to China. In return, Jiang Zemin paid an official visit to Pyongyang in early September for the first time in 11 years.

The primary significance of the Chinese leader's visit to Pyongyang, an expert on China's foreign affairs said, may be found in the fact that the tradition of mutual visits by top leaders as well as of their previous consultation between the two nations has been completely restored--a tradition established by preceding leaders. When Jiang was saying: "The world has changed

and the domestic situation in China has also changed. But the only one thing that has remained unchanged is Sino-(North)Korean relations," he meant that the traditional ties between the two nations are now beyond cold-war rhetoric.

This year marked Kim Jong Il's first-ever official visit to a foreign country--the former nuclear superpower Russia. It came in the form of a Guinness Book Records-breaking long journey by a special train along the 9000-km long Trans-Siberian Railway between July 26 and August 18.

The second summit meeting between Kim Jong Il and his Russian counterpart Vladimir V. Putin and an 8-point Moscow Declaration dated August 4, plus a 12-point joint declaration of the previous year in Pyongyang, indicated that the new leaders of the two nations reestablished strategic cooperative partnership to match the new century, which dismissed U.S. unilateralism by stressing the importance of establishing a just, new world system and of honoring the principles of independence, sovereignty and territorial integrity. The legally-binding bilateral agreement opposed the controversial U.S. missile defense shield plan and referred to the pullout of the U.S. forces from South Korea. Putin also stressed strong Russian support for the continuation of inter-Korean dialogue free from foreign interference, which euphemistically meant U.S. interference.

The Pyongyang-Moscow relations also herald an epoch-making, new stage in

which the Korean Peninsula will be linked with Europe by a Trans-Korean Railway and the Trans-Siberian Railway, and a pipeline of natural gas being linked within a few years--a great change in history.

Ties with EU Normalized

This year, a significant progress has also been made in Pyongyang's relations with the European Union. In May the EU set up diplomatic ties with the DPRK. Six more EU nations--Germany, Luxembourg, Greece, Netherlands, Belgium and Spain--also normalized their relations with Pyongyang in 2001. In the 15-member EU, only France and Ireland have no diplomatic ties with Pyongyang. A highlight in the Pyongyang-EU relations was a visit to Pyongyang by a high-powered EU delegation in early May led by Goran Persson, President of the European Council and Prime Minister of Sweden. The first-ever summit talks between a top EU leader and Kim Jong Il sent a strong message to the U.S. and the rest of the world: Kim Jong Il's readiness to unilaterally extend a moratorium on North Korean missile tests until at least 2003 and his intention to meet Kim Dae Jung some time in the future.

Canada, New Zealand, Brazil, Turkey, Kuwait, Bahrain are among those countries which opened diplomatic ties with Pyongyang this year. Pyongyang has thus far established formal relations with 156 countries all told. In another development, Pyongyang exchanged high-level delegations with various countries such as China, Russia, Italy, the United Kingdom, Brazil, Indonesia, Vietnam, Laos, Cambodia, Nepal Cuba and so on to develop bilateral ties and cooperation in different fields. International organizations such as FAO and WFP have expanded the scope of their activities in the

country to help increase its transparency. Some West European government-supported businesses and trade missions as well as multinational corporations have visited North Korea for the first time this year.

All of these are the fruit Pyongyang's Juche-oriented all-direction diplomacy has produced.

REGRESS AND STALEMATE

What Washington Has Done?

In a sharp contrast to the progress as seen above, the Bush administration's new North Korea policy brought a chaotic stalemate and regress to the Korean Peninsula, Pyongyang-Washington relations, in particular.

First, the Bush administration has undercut Korean efforts for national reconciliation and the peace process which was underway in accordance with the landmark inter-Korean joint declaration of June 15, 2000. Bush blatantly repudiated Kim Dae Jung's engagement policy with the North, and blocked the South's economic and energy assistance to Pyongyang. Despite his verbal "support" for Kim Dae Jung's reconciliatory policy, which was expressed afterwards, Bush's Korea policy stalled North-South relations by and large.

Second, it set the clock back in terms of bilateral relations between Pyongyang and Washington, only to aggravate the situation on the Korean Peninsula. Instead of picking up where his predecessor Clinton left off, George W. Bush moved the goalposts. Leon Sigal, a U.S. expert on Korean affairs, pointed to the facts: 1) The Bush administration has yet to reaffirm the Oct. 12, 2000, joint communique pledging no "hostile in-

(Continued on page 3)

Roundup in 2001

January

15 - 20 -- General Secretary Kim Jong Il paid an unofficial visit to the People's Republic of China.

15 -- The DPRK established diplomatic relations with Netherlands.

15--The DPRK established diplomatic relations with Turkey.

23 -- The DPRK established diplomatic relations with Belgium.

29 - 31 -- The third round of inter-Korean Red Cross talks was held on Mt. Kumgang. Both sides agreed on the third exchange of separated families and relatives from February 26 to 28.

31 -- The third round of inter-Korean military working-level talks was held in the south side's area of Panmunjom.

February

6 -- The DPRK established diplomatic relations with Canada.

7 -- The DPRK established diplomatic relations with Spain.

7 - 10 -- North and south Korea held the first meeting of the electric power cooperation subcommittee of the north-south committee of the promotion of economic cooperation in Pyongyang.

8 -- The fifth round of inter-Korean military working-level talks was held in the north side of Panmunjom.

21 - 24 -- North and south Korea held in Pyongyang the first meeting of the subcommittee for preventing flood damage in the area along the River Rimjin.

21 -- Han Duk Su, chairman of the Central Standing Committee of the General Association of Korean Residents in Japan (CHONGRYUN) and a deputy to the Supreme People's Assembly of the DPRK and a Labor Hero of the DPRK, died of pneumonia at the age of 94.

26 - 28 -- North and south Korea held the third exchange of delegations of separated families and relatives.

March

1 -- The DPRK established diplomatic relations with Germany.

5 -- The DPRK established diplomatic relations with Luxembourg.

8 -- The DPRK established diplomatic relations with Greece.

9 -- The DPRK established diplomatic relations with Brazil.

10 - 11 -- A working consultation between the General Federation of Trade Unions of Korea, the south Korean Confederation of South Korean Trade Unions was held on Mt. Kumgang. Working-level talks between the Union of Agricultural Workers of Korea and the National Federation of Peasants Association of south Korea were also held on Mt. Kumgang.

21 - 24 -- A delegation of the Communist Party of China, led by Zeng Qinghong, alternate member of the Political Bureau and member of the secretariat of the CPC Central Committee, visited the DPRK and had talks with General Secretary Kim Jong Il. Both sides agreed on Chinese President Jiang Zemin's visit to the DPRK within this year and China's provision of diesel oil to the DPRK.

24 -- General Secretary Kim Jong Il sent condolences and condolatory delegation to the bereaved family of the late Jong Ju Yong, Honorary Chairman and founder of the Hyundai Group.

26 -- The DPRK and New Zealand established their diplomatic relations.

April

5 -- The 4th Session of the 10th Supreme People's Assembly was held in Pyongyang.

6 - 11 -- An 80-member delegation of Chongryun made its third visit to south Korea.

6 -- The DPRK established diplomatic relations with Kuwait.

27 - 28 -- The DPRK high-ranking military delegation, led by Vice Marshall Kim Il Chol, Vice-chairman of the National Defense Commission, visited the Russian Federation.

May

1 -- Workers of north and south Korea held a joint May Day rally at the foot of Mt. Kumgang.

2 - 3 -- A high-level delegation of the European Union led by Goran Persson, President of the European Council and Prime Minister of Sweden, Javier Solana, high representative for common foreign and security policy of the EU, and Chris Patten, commissioner for external relations of the EC, made a two-day ground-breaking visit to the DPRK.

14 -- The DPRK established diplomatic relations with the EU.

15 - 19 -- The International fact-finding group to investigate GI's atrocities, led by former U.S. Attorney General Ramsey Clark visited the DPRK.

23 -- The DPRK and the State of Bahrain established their diplomatic relations.

25 - 26 -- The 19th Congress of the General Association of Korean Residents in Japan was held in Tokyo.

June

15 -- A grand seminar on national reunification on the theme of "June 15 Joint Declaration and Nation's Tasks" took place at the foot of Mt. Kumgang.

21 - 30 -- Foreign Minister Paek Nam Sun paid an official visit to Australia.

23 - 25 -- "The Korea International War Crimes Tribunal on U.S. Troop Massacres of Civilians during the Korean War" was held in New York. The first-ever people's tribunal on the U.S.'s Korean War massacres found the U.S. guilty.

July

1 -- Kim Jong Il visited the Chinese Embassy in Pyongyang.

3 - 7 -- A military delegation of the Republic of Cuba visited the DPRK to have high-level military talks with Vice Marshall Kim Yong Chun, Chief of the General Staff of the KPA.

11 - 20 -- A highest DPRK delegation led by President Kim Yong Nam of the Presidium of the SPA visited Vietnam (July 11 - 14), Laos (July 14 - 17) and Cambodia (July 17 - 20).

18 - 19 -- A joint meeting of farmers of north and south Korea was held at the foot of Mt. Kumgang.

August

July 26 - August 18 -- General Secretary Kim Jong Il paid an official goodwill visit to Russia. Both sides issued the 8-point Moscow Declaration.

15 - 16 -- The 2001 Grand Festival for National Reunification was held in Pyongyang participated in by more than 4,000 delegates from north and south Korea and abroad.

September

3 - 5 -- Chinese President Jiang Zemin paid an official visit to the DPRK and had summit talks with Chairman Kim Jong Il of the DPRK National Defense Commission.

15 - 18 -- The 5th inter-Korean ministerial talks were held in Seoul.

October

4 - 5 -- North and south Korea held inter-Korean authorities' talks on promotion of tourism of Mt. Kumgang.

November

9 - 14 -- The 6th north-south ministerial talks were held at the foot of Mt. Kumgang.

12 -- The DPRK signed the 1999 International Convention for the Suppression of the Financing of Terrorism and the 1979 International Convention Against the Taking of Hostages.

Foreign Relations in 2001 (Continued from page 2)

tent." Worse still, Bush fueled hostility with incendiary remarks of his own; 2) the administration seeks "improved implementation" of the October 1994 Agreed Framework, in effect rewriting the nuclear accord to expedite North Korean compliance without offering anything in return; 3) it prematurely put conventional arms on the agenda, which Pyongyang cannot accept; 4) it decided that progress toward a missile deal would depend on progress on this and other issues.

Furthermore, taking advantage of the September 11 incident, Washington called on Pyongyang to accept "inspection and verification" of its "chemical and germ weapons" as another "precondition" for improved bilateral ties between the two nations. Given international practice, in general, and the fact that the U.S. has reserved a clause in the relevant international convention on abolishing research and production of biological weapons, such a one-sided demand cannot convince anybody. An irony is that the anthrax, which struck the whole of America with terror, was reportedly smuggled from a U.S. Army laboratory of germ weapons.

This preposterous argument of the Bush administration's obviously derived from its justification to expand its "holy war against terrorism" beyond Afghanistan, by keeping North Korea on its blacklist of "terrorism-sponsoring nations" and "rogue states." Unsurprisingly, when the war in Afghanistan nearly ended in the Taliban's defeat, Washington started indicating that the next target would be Iraq or North Korea.

It is not a surprise that the Bush administration unilaterally announced withdrawal from the Anti-Ballistic Missile Treaty by reiterating its justification to defend America from "rogue states' missiles." Suffice it to say that: "In the beginning was an MD plan" for the new administration in Washington.

How Pyongyang Has Reacted?

Throughout this year, Pyongyang's U.S. policy remained unchanged before and after the September 11 event which seems to have changed everything elsewhere in the world. Its consistency can be found in the fact that Pyongyang has complied unilaterally with the Agreed Framework of 1994 and put into practice what had been agreed upon with the U.S. under the Clinton government.

First, Pyongyang has frozen its nuclear facilities under the AF. Second, it has suspended missile test-firing since the end of 1998. Moreover, it announced it would one-sidedly extend the moratorium until 2003 as part of its efforts to allay the U.S. "concern" about the "threat of North Korean missiles" reaching the mainland of America. Third, the Pyongyang government has also constrained exports of missile technology to any other country, as well as production and deployment of medium-range missiles. Fourth, more importantly, after September 11, it signed the two major UN anti-terror conventions--the International Convention for the Suppression of the Financing of Terrorism and the International Convention Against the Taking of Hostages. Previously it had already signed and ratified five out of the twelve international anti-terror conventions in all. Further,

Pyongyang showed its willingness to sign the remaining five anti-terror pacts any time soon, while the U.S. is a party to ten of them. Fifth, it has helped KEDO promote the project to build two light-water reactors in the North, although Washington tends to blame Pyongyang for its delay. Next year, North Korea will conclude a protocol on indemnity for nuclear accidents with KEDO. And in December this year, North Korea sent a group of 20 government officials to South Korea for two weeks to observe the South's nuclear power plants. Sixth, it is ready to accept IAEA's inspections of its nuclear facilities at a time when a significant portion of the LWR project is completed, but before delivery of key nuclear components as provided for in the AF.

Pyongyang-Tokyo Ties Set Back

Over the past year, no progress has been made in the bilateral relations between Pyongyang and Tokyo with no talks, governmental or Red Cross, being held for improved ties. Rather, things got worse, particularly in the wake of the September 11 attacks on the U.S. Pyongyang's denunciation of Tokyo escalated as the latter abruptly enacted a "special law against terrorism" to enable the Self-Defense Forces to join the U.S.-led war for the first time. And Tokyo showed increased hostility to the DPRK by stressing the "threat of North Korea's terrorist acts" against the backdrop of a U.S. pressure, and by enforcing repression on a pro-North Korean organization in Japan, called Chongryun, in connection with its ethnic banks' financial failures.

In addition, the right-wing groups together with nationalistic politicians strengthened an anti-Pyongyang campaign demanding the return of what they call the Japanese "kidnapped" by North Korean agents. These moves on the part of Japan caused Pyongyang's retaliatory decision to suspend its efforts to locate Japanese citizens listed as "missing." With this, prospects for the resumption of Pyongyang-Tokyo talks aimed at normalizing their relations turned even dimmer.

Prospects

Unilateralism and "go it alone" policy in pursuit of world dominance on the part of the Bush administration are most likely to continue on a global scale in the year 2002. Unilateralism based on "stick-without-carrot" policy, however, will not necessarily work in the Korean Peninsula. Pyongyang, together with an overwhelming majority of the international community, is "neither with terrorists nor with America." North Korea is not Afghanistan nor Iraq. It has declared it does not want war but does not fear it, either. It just wants an end to mutual hostility. It is telling Washington to put an end to the vicious cycle of terrorism and retaliation. The international society supports a negotiated solution to the Korean question. In particular, North Korea will take all measures to frustrate the malignant U.S. intent to keep it on its list of "nations sponsoring terrorism." If bilateral talks "with no conditions" are resumed, the Bush team will be reminded of on what its previous government reached a conclusion: there is no better alternative for them than a "Perry Process," an "improved" one at the best.

Final Judgement of Women's International War Crimes Tribunal

Final Judgement -- Hague, December 4, 2001

The Accused

16. The accused in this case held some of the highest level positions in the Japanese government and military during the war.

17. From 1937 until 1945, HIROHITO Emperor Showa was the Head of State of Japan and Supreme Commander of the Armed Forces.

18. ANDO Rikichi was the Commander of the 21st Army and then Commander of the South China Area Army from October 1940. He also served as Commander of the Taiwan Army and Governor General of Taiwan.

19. HATA Shunroku acted in the following capacities at different times: Commander of the Taiwan Army, Commander of the Central China Expeditionary Forces, leader of all Expeditionary Forces in China, and Minister of War.

20. ITAGAKI Seishiro served as the War Minister. He was thus directly responsible to the Emperor. ITAGAKI was appointed to the Chief of Staff to the China Expeditionary Force. Also, he acted as Commander of the Korean Army.

21. KOBAYASHI Seizo served as Governor-General of Taiwan and later as Cabinet Minister. He reported to the Emperor.

22. MATSUI Iwane was a senior officer in the Japanese Army and achieved the rank of General. MATSUI held the position of Commander of Shanghai Expeditionary Forces and China Expeditionary Forces. MATSUI was Commander of the Army that invaded Nanking.

23. TERAUCHI Hisaichi was, at various times, the Commander of the North China Area Army and of the Southern Expeditionary Forces in the Philippines, Indonesia, Malaysia, Timor, and Burma. He was also Minister of War and later was appointed the Inspector-General of Military Education.

24. TOJO Hideki was Chief of Staff of the Kwantung (Gungdong) Army, and later, the Vice Minister of War. TOJO also served as Chief of General Staff of the Army, Prime Minister, War Minister, and Head of the Home Ministry.

25. UMEZU Yoshijiro was at various times, the Vice Minister of War, Commander of the 1st Army, Commander of the Kwantung (Guangdong) Army, and Chief of Staff.

26. YAMASHITA Tomoyuki served as Commander General of the 14th Army. In this capacity, he directed and was responsible for Japanese troops operating in the Philippines, including the area of Manila.

INDIVIDUAL CRIMINAL RESPONSIBILITY

98. These findings as to the power and authority of the accused, their knowledge of the criminal nature of the "comfort system" and their continued participation in establishing, maintaining, or facilitating the system led us to conclude beyond a reasonable doubt that all accused were guilty of both individual and superior responsibility for the rapes and sexual slavery committed as part of the comfort system. Therefore the Tribunal finds Emperor HIROHITO, ANDO Rikichi, HATA Shunroku, ITAGAKI Seishiro, KOBAYASHI Seizo, MATSUI Iwane, TERAUCHI Hisaichi, TOJO Hideki, and UMEZU Yoshijiro GUILTY under Counts 1 and 2 of the Common Indictment as incurring both individual and superior responsibility, pursuant to Articles 3 (1) and 3 (2) of the Charter (of the Tribunal), for their knowing participation in a criminal system which cultivated and sustained a system of rape and sexual slavery.

STATE RESPONSIBILITY

111. In addition to the Common Indictment filed against the individual accused, an Application has been submitted which claims that the state of Japan is responsible under international law for the internationally wrongful acts--the rapes and sexual slavery--committed by the Japanese army and seeks restitution and reparation for the women victimized by these crimes. Article 4 of our Charter authorizes this Application and provides that state responsibility arises from both the commission of crimes and acts and omissions which violate other obligations of the state flowing from the original wrongful acts.

Japan's Initial Violations of Treaty and Customary Law

114. As explained in the Judgement on the Common Indictment, we find that the state of Japan committed, through its officials and their agents, actively and through their failure to prevent, punish and protect, the internationally wrongful acts, as charged in the Common Indictment from 1937-1945, of rape and sexual slavery as crimes against humanity. Japan's conduct also directly breached a number of its treaty obligations, many of which also constituted customary international law.

115. Further the Judges find that, even before their recognition in the UN Charter, norms of protection of women and of sexual equality, together with parallel norms of racial equality, were emerging at the beginning of the 20th century.

116. The evidence demonstrates multiple violations of both the requirements for the protection of women as well as the prohibitions on race and sex discrimination. Most fundamentally the evidence shows that women were targeted for the provision of forced sexual services because they were women, thus denying them gender equality as well as their rights to respect for their physical, mental and sexual integrity and human dignity. The creation of the "comfort women" system, reflects the intersection of extreme discrimination based on both gender and race/ethnicity. The ethnocentrism and racism of the Japanese military and government resulted in the prevailing philosophy that it was more acceptable to make colonized and conquered women into "comfort women" than Japanese women.

Attributability of Internationally Wrongful Acts to the State of Japan

117. For the state of Japan to be responsible under international law for the internationally wrongful acts of rape and sexual slavery for which this Tribunal has convicted the accused, as well as for the subsequent breach of continuing obligations, their wrongful acts must be attributable to the state.

119. Armed forces are clearly state organs and part of the administration of the state. A state may be liable for a failure to control elements within the military structure when in all the circumstances it is reasonable to assume such a duty to exercise control. States may be responsible for *ultra vires* acts of their officials committed within their apparent authority or general scope of their authority.

120. What matters is the amount of control that ought to have been exercised rather than the amount of actual control. The findings of the individual command or superior responsibility under international law of Japan's heads and high-ranking leaders are more than sufficient evidence of internationally wrongful acts attributable to the state of Japan.

Continuing Concealment of Documents

124. The scarcity of documentation on "comfort women" is exacerbated by the continuing resistance of the Japanese government to revealing even those documents that survived the pre-surrender destruction.

Continuing Failure to Make a Full and Genuine Apology

125. Japan has failed to make a valid apology to the victims on behalf of the state and incurs responsibility for this continuing failure.

Continuing Failure to Prosecute and Punish Those Criminally Responsible

129. As already made clear, crimes against humanity are subject under customary international law to universal jurisdiction and are exempt from the effect of any statute limiting the time within which prosecution is permitted.

Continuing Opposition to Formal Claims for Reparations Initiated by Survivors

133. Opposition by the state of Japan to legal efforts by groups of survivors to obtain acknowledgement of wrongdoing and compensation is further evidence of its failure to discharge its legal responsibility to make reparations.

REPARATIONS AND RECOMMENDATIONS

Recommendations

147. To fulfil its responsibility, the Tribunal holds that the government of Japan must provide each of the following remedial measures:

i. Acknowledge fully its responsibility and liability for the establishment of the "comfort system," and that this system was in violation of international law.

ii. Issue a full and frank apology, taking legal responsibility and giving guarantees of non-repetition.

iii. Compensate the victims and survivors and those entitled to recover as a result of the violations declared herein through the government and in amounts adequate to redress the harm and deter its future occurrence.

iv. Establish a mechanism for the thorough investigation into the system of military sexual slavery, for public access and historical preservation of the materials.

v. Consider, in consultation with the survivors, the establishment of a Truth and Reconciliation Commission that will create an historical record of the gender based crimes committed during the war, transition, and occupation.

vi. Recognize and honor the victims and survivors through the creation of memorials and a museum and library dedicated to their memory and the promise of "never again."

vii. Sponsor both formal and informal educational initiatives, including meaningful inclusion in textbooks at all levels and support for scholars and writers, to ensure the education of the population and, particularly, the youth and future generations concerning the violations committed and the harm suffered.

viii. Support training in the relation between the military slave system and gender inequality and the prerequisites for realizing gender equality and respect for the equality of all the peoples of the region.

ix. Repatriate survivors who wish to be repatriated.

x. Disclose all documents or other material in its possession with regard to the "comfort stations."

xi. Identify and punish principal perpetrators involved in the establishment and recruitment of the "comfort stations."

xii. Locate and return the remains of the deceased upon the request of family members or close associates.

148. The Tribunal further recommends that former Allied nations:

i. Immediately declassify all military and governmental records concerning the establishment and operation of the "comfort" system and the reasons why its was not prosecuted before IMTFF (International Criminal Tribunal for the Far East).

ii. Immediately declassify all military and governmental records concerning the failure to prosecute the Emperor HIROHITO before IMTFF.

iii. Acknowledge its own failures to investigate and prosecute the crimes committed against the former "comfort women" initially in the post war trials and since in the intervening 55 years.

149. The Tribunal further recommends that the United Nations and all the states and people thereof:

i. Take all steps necessary to ensure that the government of Japan provides full reparations to the victims and survivors and those entitled to recover on account of the violations committed against them.

ii. Seek an advisory opinion of the International Court of Justice as to the illegality and continuing liability of the government of Japan in regards to the former "comfort stations."

CONCLUSION

150. Repeatedly in history, states have ignored the crimes committed against women in armed conflict. The failure of the Allies to prosecute the unprecedented military sexual slavery and further incidents of rape such as Mananque denied the victimized women equal access to the law and perpetuated the view that their suffering did not merit equal disapprobation or that they were willing participants. This exclusion from justice contributed to silencing the survivors and impeding their healing.

151. It is our hope that the moral forces of this Women's Tribunal and this Judgement will engage states as well as people of the world to bring Japan to recognize its responsibility to repair these atrocities, to right these wrongs, and to enable future generations to go forward on the basis of respect for women's equality and dignity.

152. The courage of the survivors, their yearning for justice, and their solidarity has inspired a worldwide movement to ensure that such crimes never again be overlooked nor allowed to occur. That crimes against women have begun to be prosecuted in the recently established international criminal tribunals is one of the fruits of their efforts and has laid the foundation for ending impunity for violence against women.

153. In conclusion, through this Judgement, the Judges wish to honor all the women victimized by Japan's military sexual slavery system. We recognize as well the great fortitude and dignity of the survivors who have reconstructed their lives and testified before us. The crimes committed against these survivors remain one of the great unremedied injustices of the Second World War. There are no museums, no graves for the unknown "comfort woman," no education of future generations, and no judgement days, for the victims of Japan's military sexual slavery. Many of the women who have come forward to fight for justice have died unsung heroes. While the names inscribed in history's page are often those of the men that commit the crimes, rather than the women that suffer them, this Judgement bears the names of the survivors that took the stage to tell their stories, and thereby, for four days at least, put wrong on the scaffold and truth on the throne.