
Editorial: From World War II sexual slavery to 21st century sexual trafficking: the need for enhanced international protection against sexual slavery

Christina M. Akrivopoulou

Greek Refugee Appeals Authority,
Kanellopoulou Avenue 2, PC 101 77, Athens, Greece
Email: akrivopoulouchristina@gmail.com

Biographical notes: Christina M. Akrivopoulou holds the post of Committee President in the Greek Refugee Appeals Authority. She has received her PhD in Constitutional Law and has been a Postdoctoral Researcher in the Greek Scholarship Foundation and the Aristotle University Research Committee. Her main research interests concern human and constitutional rights, the protection of the right to privacy, data protection, the private-public distinction, asylum and citizenship. She has lectured in the Faculty of Political Sciences of Democritus University of Thrace, in Hellenic Open University, in Aristotle University of Thessaloniki and in the EMA Unesco Chair inter-university master class. She also works as an Attorney-at-Law at the Thessaloniki Law Bar Association. She is collaborating with several Greek law reviews and she is an active member of many non-governmental human rights organisations in Greece and abroad.

The subject of sexual violence against women reflects one of the most serious systematic in character human rights violations that have marked both the 20th and the 21st century. Most recently (28.12.2015), a very important announcement regarding a landmark agreement between Japan and South Korea on the issue of ‘comfort’ women, reminded us of one of the darkest pages of the World War II history. Comfort women were coerced into sexual slavery by the imperial Japanese army during World War II. In this recent agreement, the Japanese Prime Minister agreed to offer compensation to the remaining victims by contributing to a fund established by the Korean Government for this purpose.

‘Comfort women’ (*ianfu*, 慰安婦) were women and girls who were coerced to sexual slavery by the imperial Japanese army during World War II. Though the exact numbers are debated, a number of 360,000–410,000 are recorded regarding women and girls abducted by their families and homes from countries such as Korea, China, the Philippines, even the Netherlands and Australia. These women faced their unlawful detainment, rapes, physical and psychological abuse, while many of them died from transmitted sexual diseases or survived unable to bear children. After the World War II, Japanese officers (11 in number) were punished by the Batavia War Criminal War on the basis that they were instructed to employ only women that were consenting in offering their sexual services. Nevertheless, no real reparation was provided for the above mentioned atrocities. According to the surviving ‘comfort women’, the recent agreement also did not satisfy the need for true reparation and for the legal acknowledgement of Japan’s responsibility to ‘comfort women’. ‘Comfort women’ were not the only ones coerced to sexual slavery during the World War II. Similar crimes took place in the German military brothels stationed in the occupied territories and in concentration camps.

It is estimated that 500 such kind of brothels were functioning whereas approximately 35.000 women were forced in sexual slavery.

The sexual slavery of World War II is where the modern sexual slavery, known as sexual trafficking is originated. According to Article 3 of Protocol to Prevent, Suppress and Punish Trafficking in person as guaranteed by the UNODC the guardian of the United Nations Convention against Transnational Organized Crime (UNTOC) considers as trafficking of persons the:

“... recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

Thus, in order for the crime of human trafficking to be fulfilled three prerequisites should be met, the actions mentioned above, for the purposes mentioned above, with the means described. More specifically, sex trafficking can be divided in various subcategories, such as sex tourism, domestic minor sex trafficking, commercial sexual exploitation of children and prostitution whereas also forced marriages are a form of sexual slavery. It is estimated by the UN in its Global Report on Trafficking in Persons of 2012 that 2,400,000 are considered to be the victims of trafficking at any given moment. The reasons for the rise of sexual trafficking are many, among which the given socio-economic and political factors in the countries of origins of the victims, cultural discrimination against women and children, lack of information, poverty and survival.

The main reasons nevertheless, that trafficking still remains as one of the number one crimes of sexual slavery and violence is the lack of national and supranational action against sexual slavery crimes which will combine the adoption of severe punishments for crimes of sexual slavery with the adoption of preventive measures such as arousing and informing the public opinion on sexual trafficking. In this framework, the demand of the surviving ‘comfort women’ not only for financial reparation but for the legal acknowledgement of the sexual slavery crimes of the Japanese imperial army during the World War II, could bear a symbolic significance and importance also for the prevention of the sexual slavery crimes of today. It can function not only as the proper and minimum reparation for the surviving ‘comfort women’ but also as a reminder of the fact that sexual slavery is an atrocity against any nation and the international community should take immediate action.