

Truth and Reconciliation Initiative in Japan:
A Policy Proposal for Tackling the South Korean “Comfort Women” Issue

This is a policy proposal for the establishment of a Truth and Reconciliation Initiative in Japan. It uses the case of South Korean “comfort women” to demonstrate how such a policy could help Japan to solve historical disputes with neighboring countries.

[I] Background

During World War II, imperial Japan engaged in the coercive recruitment of South Korean women for military prostitution. These women, often referred to as “comfort women,” endured extremely challenging circumstances, and the survivors bore the lasting burdens of physical and psychological suffering, alongside enduring societal stigma.¹ This “comfort women” issue has become a central topic of dispute between Japan and South Korea.

As two prominent industrialized democracies in the region, Japan and South Korea’s cooperation is essential given the shifting balance of power, the need to collaborate with China for regional stability, and contingency planning regarding North Korea.² The two countries are interdependent in various ways, and to foster true Japan-ROK cooperation rooted in trust, the history issue must be tackled effectively.

Past and existing mechanisms used to tackle the “comfort women” issue have been insufficient. Firstly, even with its transnational capacity, the international judicial mechanism has limitations in providing a clear answer to the issue. For instance, in January of 2021, the South

¹ Yangmo Ku, “Comfort Women Controversy and Its Implications for Japan-Rok Reconciliation.” in *Routledge Handbook of Memory and Reconciliation in East Asia*, 1st ed., eds. Mikyoung Kim (Taylor & Francis Group: 2015), 261–276.

² Hitoshi Tanaka, “Japan-ROK Relations: Defusing Tensions to Build a Regional Partnership,” *Japan Center for International Exchange*, accessed from <https://www.jcie.org/analysis/east-asia-insights/eai201210/>

Korean Court ruled that Japan did not have state immunity in the “comfort women” case, but critics argue that the International Court of Justice’s (ICJ) 2012 decision in *Germany v. Italy* presumes that states are immune from each other’s jurisdiction, thus delegitimizing the ROK court’s legality.³

Similarly, statements of apologies by Japanese leaders are ineffective since the nuance and stance toward the apology can change depending on the leader. For instance, on August 15th, 1995, the Japanese Prime Minister, Murayama Tomiichi made what became known as the “golden standard” for a satisfactory apology for Japan’s wartime aggression.⁴ However, Murayama’s statement would be overshadowed 20 years later by Prime Minister Abe Shinzo’s statement which interwove excuses for Japan’s past actions into the statement.⁵

Lastly, initiatives designed by the Japanese government to specifically tackle the “comfort women” issue have been unfruitful. For instance, in 1995, the Japanese government helped establish the nongovernmental Asian Women’s Fund to give “atonement money” donated by the Japanese people to former comfort women.⁶ However, since the fund was nongovernmental, the former comfort women did not accept this as a formal admission of Japan’s war responsibility.⁷ Similarly, the unpopular 2015 comfort women agreement between the Abe and Park Geun-hye administrations—in which the Japanese government provided 1 billion yen to the Korean Reconciliation and Healing Foundation (KRHF) under the facilitation of the Obama administration—was canceled by the Moon government in 2018.⁸

³ Jinyul Ju, “ROK’s Dubious Comfort Women Ruling: Why the court got it wrong on international law,” *The Diplomat*, February 14, 2021, <https://thediplomat.com/2021/02/south-koreas-dubious-comfort-women-ruling/>

⁴ Arthur Stockwin, “The Politics of War Apology: From Murayama to Abe,” *International Relations and Diplomacy* 4, no. 2 (2016): 73.

⁵ Stockwin, 81

⁶ Ku, 267

⁷ Ku, 267-268

⁸ Ju, “ROK’s.”

Such insufficient attempts at solving the “comfort women” issue do arguably more harm than good. While such endeavors by the Japanese government add to its sense of “apology fatigue,” the South Korean government and activists must endure disappointment for each insufficient apology.

[II] Policy Proposal: Truth and Reconciliation Initiative in Japan

This paper proposes the establishment of a Truth and Reconciliation Initiative in Japan (TRIJ). It is based on the various Truth and Reconciliation commissions that have been founded in South Africa,⁹ Canada,¹⁰ and South Korea¹¹ for uncovering wrongdoings by governments. While these models focus on domestic issues, the TRIJ will deal with the “comfort women” issue in South Korea. The policy will be composed of three main steps: establishment of TRIJ, reinvestigation and research, and reconciliation and healing.

A. Establishment of the TRIJ

To provide a legislative framework and institutional setup for the initiative, the first step would be to enact a Truth and Reconciliation Commission Act for the establishment of the independent Truth and Reconciliation Commission (TRC). The mandate of the TRI would be to investigate the “comfort women” issue; promote truth-seeking, healing, and reconciliation; and facilitate open dialogue and mutual understanding for the indeterminate future.

To guarantee the legitimacy of the initiative, a joint working group should be established with South Korea. The terms of engagement should be clearly articulated, including access to historical records and cooperation of experts.

⁹ Desmond Tutu, “Truth and Reconciliation Commission, South Africa,” *Encyclopedia Britannica*, last modified June 8, 2023, <https://www.britannica.com/topic/Truth-and-Reconciliation-Commission-South-Africa>

¹⁰ Ry Moran, “Truth and Reconciliation Commission” *The Canadian Encyclopedia*, last modified October 5, 2020 <https://www.thecanadianencyclopedia.ca/en/article/truth-and-reconciliation-commission>

¹¹ Kim Dong-Choon, “Korea’s Truth and Reconciliation Commission: An Overview and Assessment,” *Buffalo human rights law review* 19 (2013): 97-124.

B. *The Truth-seeking Process*

One underlying problem in the 1995 and 2015 attempts towards reconciliation had been the exclusion of former comfort women from the policy-making process and their consequent dissatisfaction with the agreement. Thus, in addition to a collaborative investigation of historical records by historians and experts from both countries, public hearings should be held to allow victims to share their experiences with the commission. Both academic integrity and the participants' rights should be reassured.

C. *Reconciliation and Healing*

In contrast to the 2015 agreement which emphasized how the issue was “resolved finally and irreversibly,”¹² the TRIJ acknowledges that “reconciliation” does not mean “resolution,” and that apologies and financial compensation must be paired with continuous reflection towards past wrongdoings.

For instance, educational institutions should continue to teach the “comfort women” issue based on the findings of the commission. Measures should be taken to integrate accurate historical accounts into school textbooks. Additionally, joint educational programs with ROK and Japan should be organized to promote cultural exchange and reconciliation education. According to one study on reconciliation education, “reconciliation” is described by students to mean “to properly apologize” in ROK and “to let bygones be bygones” in Japan.¹³ Such cultural differences and perspectives should be addressed and tackled through proper reconciliation education techniques.

¹² Ministry of Foreign Affairs of Japan, “Japan's Efforts on the Issue of Comfort Women,” accessed June 5, 2023. https://www.mofa.go.jp/policy/postwar/page22e_000883.html

¹³ Seunghoon Emilia Heo “Challenges of teaching international reconciliation in Japan and Korea,” in *Reconciling with the Past*, eds. Annika Frieberg and C.K. Martin Chung (London: Routledge, 2017), <https://doi.org/10.4324/9781315624631>

Lastly, as a symbol of Japan's commitment to never forget the atrocities committed against comfort women, a comfort women memorial should be jointly constructed by Japan and South Korea. The memorial will not only be a reflection on past tragedies, but a futuristic vision for renewed Japan-ROK relations.

[III] Concluding Remarks

The TRIJ policy proposal overcomes various issues encountered by existing attempts toward reconciliation. It goes beyond the limits of the judicial mechanism and utilizes subjective reasoning in its cultural exchange, joint education, and memorialization projects. It also establishes a reliable system that overcomes the inconsistent attitudes of political leaders. Lastly, it emphasizes the commitment of Japan to never forget the atrocities of its past actions by going beyond financial compensation and apology statements of the 1995 Asian Women's Fund and the 2015 agreement.

This policy proposal focused on the issue of "comfort women" between Japan and South Korea. However, the scope of the TRIJ could be expanded to include countries in the region that share similar historical issues with Japan. Indeed, the only way Japan can "move on" from the regional history issue is by proving its commitment to never forget these issues in the future.