

Policy Forum 07-027: Protecting the Human Rights of Comfort Women

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By Mindy L. Kotler

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I. Introduction

Mindy L. Kotler, Director of Asia Policy Point, a Washington, DC nonprofit research center that studies the U.S. policy relationships with Japan and Northeast Asia, writes that "The Comfort

Women issue is not yesterday's problem. It is today's and, if it is not dealt with now, it will be tomorrow's problem as well. A multitude of vital U.S. interests are served by a definitive resolution of this moral issue still troubling the governments and peoples of Asia. It is also good for our very close ally Japan, as its government seeks long-overdue recognition of Japan's 60-year history of constructive, responsible and resolutely peaceful membership in the modern world community."

The views expressed in this article are those of the author and do not necessarily reflect the official policy or position of the Nautilus Institute. Readers should note that Nautilus seeks a diversity of views and opinions on contentious topics in order to identify common ground.

II. Article by Mindy L. Kotler

- "Protecting the Human Rights of Comfort Women"

By Mindy L. Kotler

I am tasked with bringing today's issue, House Resolution 121 calling on Japan to formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its establishment and coordination of military rape camps or more euphemistically the wartime "comfort stations, into the present and responding to the Government of Japan's response to the Resolution.

Why is a war crime, a crime against humanity that happened over 60 years ago, relevant to the United States and to its leadership in the world? Why is it important for Japan now to give an unequivocal apology for one of its greatest, albeit long ago misdeeds?

The answer is two-fold. Japan is a great nation and important ally to the United States. It is that simple.

Japan's reasons for refusing an unequivocal apology to the Comfort Women unfortunately undermine these positions. The explanations have unsettling parallels to the dismissal of the Holocaust, where the victims are recast as aggressors. More troubling, and unlike today's Germany, most Japanese leaders and especially the current Shinzo Abe government, hold retrogressive and distorted notions of Japan's wartime history.

You will be surprised to learn that over the past few months, Japan's most respected and widely circulation daily published editorials calling the Comfort Women system a "historical fabrication" and senior advisers to the Prime Minister have publicly expressed a desire to dilute or rescind the Kono Statement, the closest declaration Japan has on record apologizing for the Comfort Women tragedy. And within this past week, prominent members of the ruling Liberal Democratic Party (LDP) decided to initiate Diet efforts to revise the Kono Statement and to send their colleagues to Washington to meet with U.S. congressional leaders on this matter.

The United States has an interest in its ally's political statements, especially those that have the potential to inflame emotions among our important regional allies such as South Korea, Singapore, Australia, The Philippines, and countries of great strategic importance to the United States such as China.

Japan's Equivocations

It is unfortunate that the Embassy of Japan has chosen to defend its government's record on the Comfort Women with overstatements and misrepresentations:

1. The Government of Japan has not extended an official government apology. An apology by a

Japanese Prime Minister is an individual's opinion. For an apology to be official it would have to be a statement by a cabinet minister in a session of the Diet, a line in an official communiqué while on overseas visit, or to be definitive, a statement ratified by the Cabinet. None of these conditions have been met. The few apologies given by prime ministers on this issue (Comfort Women) can be viewed as the equivalent of the President signing a treaty, but the Senate never ratifying it.

2. The letters of apology to the Comfort Women by Japanese Prime Ministers (Hashimoto, Obuchi, Mori and Koizumi) do not constitute a government apology. The prime minister is not doing this with the approval of his Cabinet, thus these letters are only his personal views. As Article 65 of the Japanese Constitution reads, "Executive power shall be vested in the Cabinet."

The Koizumi "apology letter" to the Comfort Women is not unique. His predecessors and he have sent exactly the same letter and none personally address the individual recipient. Most important, the first sentence of the so-called apology letter, which reads "in cooperation with the Government of Japan" skirts responsibility. An official apology should read "on behalf of," which it clearly does not. Thus, Japanese prime ministers view these letters simply as a burden and an obligation.

The letters also only accompany the disbursement of funds to those women who are willing to accept Japan's atonement money from the Asia Woman's Fund. They have also not been included in the "atonement" settlement with the Dutch nor sent to any Indonesian survivors. Moreover, like all other Japanese war crime apologies, the letters appear insincere. In 1996, then Prime Minister Ryutaro Hashimoto said he would not sign the letters. The public disclosure of his reluctance led many to question the honesty of the process. In the end, he did sign the letters and issued the first for the Fund in August 1996.

III. Nautilus invites your responses The Northeast Asia Peace and Security Network invites your responses to this essay. Please send responses to: napsnet-reply@nautilus.org . Responses will be considered for redistribution to the network only if they include the author's name, affiliation, and explicit consent. Produced by The Nautilus Institute for Security and Sustainable Development Northeast Asia Peace and Security Project (napsnet-reply@nautilus.org)

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