

What are strategies to resolve the problem

Chen Yi-Chen
(Taipei Women's Rescue Foundation)

This year is the 50th anniversary of the end of the Second World War and Japan's defeat. As such, Japan wants to resolve all outstanding responsibilities relating to war time compensation claims by the end of this year.

As far as Taiwan is concerned, these compensation claims include war time compensation for Taiwanese citizens who were drafted to serve as Japanese soldiers, and for the postal savings and insurance funds of ordinary citizens during the colonial period. However, the fact that differences remain between the Japanese and Chinese sides with regards to the amount of compensation to be granted means that no agreement has yet been reached.

However, the issue of compensation for comfort women is not included in the Japanese government's compensation policy described above. Japan's Coalition government has already decided to use a private fund program as a way of making symbolic payments for damage received by individuals and households in terms of living costs and medical expenses, but not official compensation. Naturally we acknowledged the desire to avoid an official apology. However, women in both Japan and South Korea have been working vigorously for the interests of comfort women victims. As such, the issue has been internationalized, with a petition being made to the United Nations Human Rights Council, and further steps are being made to take out a law suit at the international Court in the Hague.

Taiwan finds itself in a more difficult situation, not being a member of the United Nations, and having no international position or outlet to speak of. Nevertheless, private groups have still been working exceptionally hard, using their participation at various international forums and conferences, as a way of breaking through the restrictions faced.

In terms of strategy in the pursuit of compensation for former comfort women, I propose using both the process and experience of application for compensation from the Japanese government for Taiwanese citizens drafted into the Japanese army, as a way of dealing with this problem.

During the Second World War over 207,000 Taiwanese men served in the Japanese army, either as soldiers or in secretarial functions. Of these, around 53,000 either died or were unaccounted for as a direct result of the war. That is approximately 25%.

Since the end of the war, compensation laws drafted by the Japanese government have been restricted to those of Japanese nationality, there by

excluding colonial soldiers who served as Japan was defeated. As such, compensation claims from such individuals were denied by the Japanese government.

In August, 1977, a seven-man group, made up of Taiwan human rights activists, Japanese scholars, members of government circles and the Japanese liberal human rights association, assisted 14 Taiwanese nationals who had served as soldiers in the Imperial Japanese Army, to take up litigation in the Tokyo District Court, asking for 5 million Yen compensation for each person. The fifteen years up to 1992 saw their three cases defeated three times in the Japanese legal system.

Nevertheless, after the defeat of the first case, related people in Taiwan and Japan established a "Compensation research Committee for Taiwanese Who Served as Japanese Soldiers". This organization began immediate promotion of lobbying activities within Japanese political circles. Advisors to this advisory committee included members of the Japanese Diet, and other political figures. The need for a dual policy of political lobbying hand in hand with legal moves. Thus, a further legal appeal was launched, whilst wider political lobbying was also undertaken. Thus, after the litigation was defeated for a second time in 1985 and a Diet "Compensation Committee" was established. After three years of hard work, the Japanese Diet passed laws in September 1989 relating to "financial Assistance for the Relatives of Taiwanese Who died in the War."

In the middle of December, a bill was also passed granting those who died or were seriously injured in battle, assistance of 2 million Yen. Moreover, the release of such compensation funds began at the following September, in cooperation with the Taiwan red cross association.

After assesment of the legislative background of these compensation measures, it was generally found that long term lobbying methods proved most effective, and that legal process had a definite effect on political institutions.

The "Private Funds" program proposed by the Japanese government is intended to ensure that private institutions replace the government in paying for the abovementioned assistance. However, these private organizations can not represent the government as such. Therefore, it may be possible to use Japan's domestic and international opinion and the influence of other groups to form lobbying groups in the Diet, encouraging the discussion of compensation for comfort women and the passing of an official compensation bill.

Furthermore, it is possible to use the desire of the Japanese to complete war time compensation payments by the end of this year, and the networking of women's groups accross Asia, to maintain a standpoint where national compensation to individuals represents Japanese that the constant pressure of time will make the Japanese government to accept it.