

House Resolution 121, the background (Mindy Kotler, Asia Policy Point)

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In the late 1990s, the U.S. Congress worked on legislation reflecting a new international awareness of women's rights, human rights, and war crimes. The Bosnian War (1992-1995) persuaded many that sexual violence in warfare was criminal. The 50th anniversary of the end of World War II compelled a reexamination of both Nazi and Imperial Japan's war crimes. As a result, members of Congress became involved in new movements toward historical justice both in Europe and in Asia.

Prisoners of War (POW), civilian internees, and Asian Americans harmed by Imperial Japan attempted to gain the same recognition as the victims of Nazi Germany and Vichy France. Starting in 1996, a series of resolutions and bills were introduced in the U.S. House of Representatives for restorative justice. They called on the U.S. government to advocate for its war victims. The legislation ranged from funding the declassification of war crimes records to calling on Axis governments to expand their restitution regimes.

In regard to the Comfort Women, from 1996 to 2006 there were six resolutions put forth asking the Japanese government to recognize and apologize for the trauma and suffering of the Comfort Women. All were introduced into the U.S. House of Representatives as "House Concurrent Resolutions." These resolutions are neither bills or laws. They are "used merely for expressing facts, principles, opinions, and purposes of the two Houses."¹ They need to be approved by the House *and* Senate to be considered an official congressional statement.² None of the resolutions was reported out of the House Committee on International Relations (HIRC) for a vote by the full House. None was ever introduced in the Senate.

The Six Concurrent Resolutions

1. During the 104th Congress (1995-1996), California Republican Representative Robert K. Dornan introduced H. Con. Res. 176: "Expressing the sense of the Congress concerning the maltreatment of United States military and civilian prisoners by the Japanese during World War II." The resolution focused mainly on POWs, and only one clause out of 18 noted "comfort women." The relevant clause identifies "comfort women" as "sex slaves of the Japanese military during World War II." It states that they "deserve compensation of at least \$40,000 for each individual" for "extreme pain and suffering."³
2. Dornan's resolution was reintroduced in the 105th Congress (1997-1998) as H.Con.Res.126 by Illinois Democratic Congressman William O. Lipinski: "Calls upon the Government of Japan to: (1) formally issue an apology for the war crimes committed by the Japanese military during World War II; and (2) pay reparations to the victims."⁴

¹ <https://www.congress.gov/resources/display/content/How+Our+Laws+Are+Made+-+Learn+About+the+Legislative+Process#HowOurLawsAreMade-LearnAbouttheLegislativeProcess-FORMSOFCONGRESSIONALACTION>

² <https://www.house.gov/the-house-explained/the-legislative-process/bills-resolutions>

³ <https://www.congress.gov/bill/104th-congress/house-concurrent-resolution/176/text>

⁴ <https://www.congress.gov/bill/105th-congress/house-concurrent-resolution/126>

3. In the 106th Congress (1999-2000), Illinois Democratic Congressman Lane Evans reintroduced the same text as H. Con. Res. 357.⁵ This resolution, as others, were not reported out of the House⁶ Committee on International Relations chaired by New York Republican Ben Gilman.
4. In the 107th Congress, Congressman Lane Evans introduced the first congressional resolution focused exclusively on “comfort women” as H.Con.Res.195 – “Expressing the sense of Congress that the Government of Japan should formally issue a clear and unambiguous apology for the sexual enslavement of young women during colonial occupation of Asia and World War II, known to the world as ‘comfort women.’”⁷
5. In the 108th Congress, Congressman Lane Evans reintroduced the same resolution as H. Con. Res. 226 – “Expressing the sense of Congress that the Government of Japan should formally issue a clear and unambiguous apology for the sexual enslavement of young women during colonial occupation of Asia and World War II, known to the world as ‘comfort women’, and for other purposes.”⁸
6. In the 109th Congress, Congressman Lane Evans tried for the fourth time to convince Congress to consider a resolution seeking justice for Imperial Japan’s military Comfort Women. On February 16, 2005, he again introduced the text of past three failed resolutions as H.Con.Res.68.⁹

Building Momentum

One year later, 2006, still in the 109th Congress, Congressman Lane Evans introduced a new, cleaner version of his Comfort Women resolution as H. Res. 759 – “Expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge and accept responsibility for its sexual enslavement of young women, known to the world as “comfort women”, during its colonial occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II, and for other purposes.”¹⁰ This resolution, unlike the others, was a “simple resolution” and therefore did not need to be considered by the Senate. It was the first resolution on “Comfort Women” to be reported out of the House Committee on International Relations. It was never scheduled, however, for a vote by the full House.

In the first session of the 110th Congress, Congressman Mike Honda, a California Democrat and the new head of the Congressional Asian Pacific American Caucus, rewrote the resolution. He introduced it as a simple resolution on January 30, 2007: H.Res. 121.¹¹

The House Resolution 121 called upon the Government of Japan to do the following:

1) should formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Forces’ coercion of young women into sexual slavery, known to the world as “comfort women”, during its colonial and wartime

⁵ <https://www.congress.gov/bill/106th-congress/house-concurrent-resolution/357>

⁶ From 1975 to 1978 and from 1995 to 2007, The House Committee on Foreign Affairs was renamed the Committee on International Relations. In January 2007 (and January 1979), it changed back to its original name. Its jurisdiction is and was the same under both names.

⁷ <https://www.congress.gov/bill/107th-congress/house-concurrent-resolution/195>

⁸ <https://www.congress.gov/bill/108th-congress/house-concurrent-resolution/226>

⁹ <https://www.congress.gov/bill/109th-congress/house-concurrent-resolution/68>

¹⁰ <https://www.congress.gov/bill/109th-congress/house-resolution/759>

¹¹ <https://www.congress.gov/bill/110th-congress/house-resolution/121>

occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II;

(2) would help to resolve recurring questions about the sincerity and status of prior statements if the Prime Minister of Japan were to make such an apology as a public statement in his official capacity;

(3) should clearly and publicly refute any claims that the sexual enslavement and trafficking of the “comfort women” for the Japanese Imperial Armed Forces never occurred; and

(4) should educate current and future generations about this horrible crime while following the recommendations of the international community with respect to the “comfort women”.

The Resolution sought to be a roadmap toward a solution for redress for the Comfort Women. No Japanese war apologies included the Comfort Women. Only three of these apologies at the time had been Cabinet approved. The Kono Statement was *not* Cabinet approved. Without Cabinet approval, a government statement is more opinion than policy. Thus, no *unequivocal* Japan government apology exists for the Comfort Women. House Resolution 121 had hoped to resolve this.

Opposition

Japanese Prime Minister Shinzo Abe, selected in September 2006, was committed to revising critical accounts of Japan’s war history. He opposed H.Res.121 and stated that the women were nothing other than prostitutes. Contrary to what was stated in the 1993 Kono Statement, he denied the direct and forceful involvement of the Japanese military in the “Comfort Women” system, and claimed that the Kono Statement needed to be revised. Furthermore, he and his cabinet members¹² stated, “There is no evidence to prove there was coercion against the women to make them prostitutes.”¹³ On March 1, 2007, he told a parliamentary panel, “I have to say that even if the resolution [H. Res. 121] passes, that doesn’t mean we will apologize.” He added that the U.S. resolution contained factual errors.¹⁴

During the same month, former Japanese Prime Minister Yasuhiro Nakasone (1982-87) validated Abe’s denial of Japan’s military responsibility by contorting a statement in his memoir, *Commander of 3,000 Men at Age 23* (1978) that as an Imperial Navy lieutenant he set up a “comfort station” for his men in wartime Borneo by acquiring three local girls. Nakasone told reporters at the Foreign Correspondents Club of Japan that “he had actually set up a ‘recreation center,’ where his men played board games.”¹⁵

Passage of H.Res.121

Despite opposition from the Japanese Government and the Bush Administration, H.Res.121 was approved by the U.S. House of Representatives on July 30, 2007. There were a number of

¹² <https://apjif.org/-VAWW-NET-Japan/2393/article.html>

¹³ www.washingtonpost.com/wp-dyn/content/article/2007/03/01/AR2007030100578.html

¹⁴ www.reuters.com/article/us-japan-sex-slave/japan-wont-apologize-again-for-ww2-sex-slaves-pm-idUST30347920070305

¹⁵

https://web.archive.org/web/20070714215227/https://timesonline.typepad.com/times_tokyo_weblog/2007/03/nakasone_board_.html

revisions to soften the language. Two “whereas” clauses were added to focus on the importance of the U.S.-Japan alliance. One “resolved” clause was muddled to make it unclear as to what the prime minister of Japan needed to do. Overall the intent and focus of the resolution did not change—Japan needed to offer an *unequivocal* government apology.

Successful passage of H.Res.121 was the result of collaboration among many diverse Asian American groups coordinated by Coalition 121, the Washington Coalition for Comfort Women Issues (WCCW), Korean American Civic Empowerment, Amnesty International, and many women's groups, scholars and civic leaders. The resolution is an example of successful civic engagement of a new American political group—Asian Americans.

House Resolution 121 became an international catalyst for similar resolutions in the States General of the Netherlands, Canada’s House of Commons, and the European Parliament in 2007. In the United States, it paved the way for the installation of the first U.S. memorial dedicated to “comfort women” in Palisades Park, New Jersey in 2010.¹⁶ Two years later, New Jersey State Senator Loretta Weinberg introduced New Jersey Senate Concurrent Resolution 124 “commemorating the suffering endured by ‘comfort women’ during their forced internment in Japanese military camps.”¹⁷ It passed the New Jersey State Assembly on June 30, 2013 as Assembly Concurrent Resolution 159.¹⁸

Aftermath

Just before Shinzo Abe's second Administration (2012-2020), he said the Kono statement disgraced Japan and that he would issue a “new statement” on the issue. Instead, he convened a commission in 2014 to examine and review the background to the Kono Statement.¹⁹ Its intention was to diminish and marginalize the Kono apology. The testimony of the victims was questioned and the definition of the word “force” narrowed. The government panel found that there had been behind-the-scenes political bargaining with Korean diplomats to determine the language used in the Kono Statement. The final report implied that the Statement was not based solely on historical evidence, but also on foreign policy considerations.²⁰

Following the release of the review’s outcome, the Abe Administration repeated that it would not change the Kono statement. Japanese Embassies now around the world protest and lobby against all resolutions and memorials to the Comfort Women. Although qualified, the Kono Statement remains for a more forward-looking Japanese government to complete repairing ties with Imperial Japan’s victims.

¹⁶ <https://nyti.ms/KyPoCd>

¹⁷ <https://legiscan.com/NJ/text/SCR124/id/860151>

¹⁸ <https://legiscan.com/NJ/bill/ACR159/2012>

¹⁹ <https://www.bbc.com/news/world-asia-26379645>

²⁰ *Details of Exchanges Between Japan and the Republic of Korea (ROK) Regarding the Comfort Women Issue ~ From the Drafting of the Kono Statement to the Asian Women’s Fund ~ June 20, 2014*

Study Team on the Details Leading to the Drafting of the Kono Statement etc.

<https://www.mofa.go.jp/files/000042171.pdf>