

# The Achievements and Limitations of the Truth and Reconciliation Commission, ROK(2005-2010, 2020-)

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# Past Incidents

- The Korean War Massacres (1950-1953)
  - ( Jeju 4.3 Incidents, Yosun Incidents)
  - By South Korean Military and Police
  - By the U.S military
- Human Rights Violations
  - Killing by Legal Procedure (Judicial killing)
  - Fabricated Espionage Cases
  - Suspicious Deaths
  - Some Historically Important Incidents

# Korean War Massacres



# Killings of Political Prisoners



# Human Rights Violations cases



**Killing  
by Legal means**

-Jo Bong-Am  
Incident of  
1959

-Suspicious Deaths( 1980-  
1987)

-Other State Violence  
(Torture , Expropriation into camp,  
Surveillance, Forced conversion,  
Guilt-by- Association)



-Fabrication of Espionage (So called  
"People's Revolutionary Party" incident  
of 1975)



# Sequences of Past Incidents, tackling the Problem

- Before the TRCK (1953 - 2005)

- Objective Condition ( Forced Silence)  
(War and Long Cold War, Military Government )  
- Hiding, Denial, Repression of Memories by Government
- Truth Finding, Exhumation, Memorial Service, Demanding for Justice (by Victims)
- Some Media Coverage on the incidents
- The Activities of the Civic Groups( 1987 -2004) for Justice
- International Concern( \*No Gun Ri Incident)

# The Road toward the Justice (1987 - )

- Gwanngju Hearing (1988)
- Gwangju Special Court ( 1995 )
- Geochang Special Law (1996)
- Jeju 4.3 Special Law (1998)
- No Gun Ri Investigation (1999- 2000)
- The Suspicious Deaths Commission (2000-2004)
- TRCK(2005-2010, 2020- )

# The Activities of the Victims and Civic Groups for Justice





올해의 사진 - 진희에 참가한 유족들의 열의에 찬 모습들

# The First TRCK's Work (2005.12-2010/12)

- Investigation, Truth Finding
- Decision at the Commission  
(Policy-making, Seminar)  
Exhumation of the Buried Sites
- Official Report, Broadcasting, Recommendations
- Follow-up Measures ( Apology, Reconciliation... )

# TRCK's Activities and Investigation

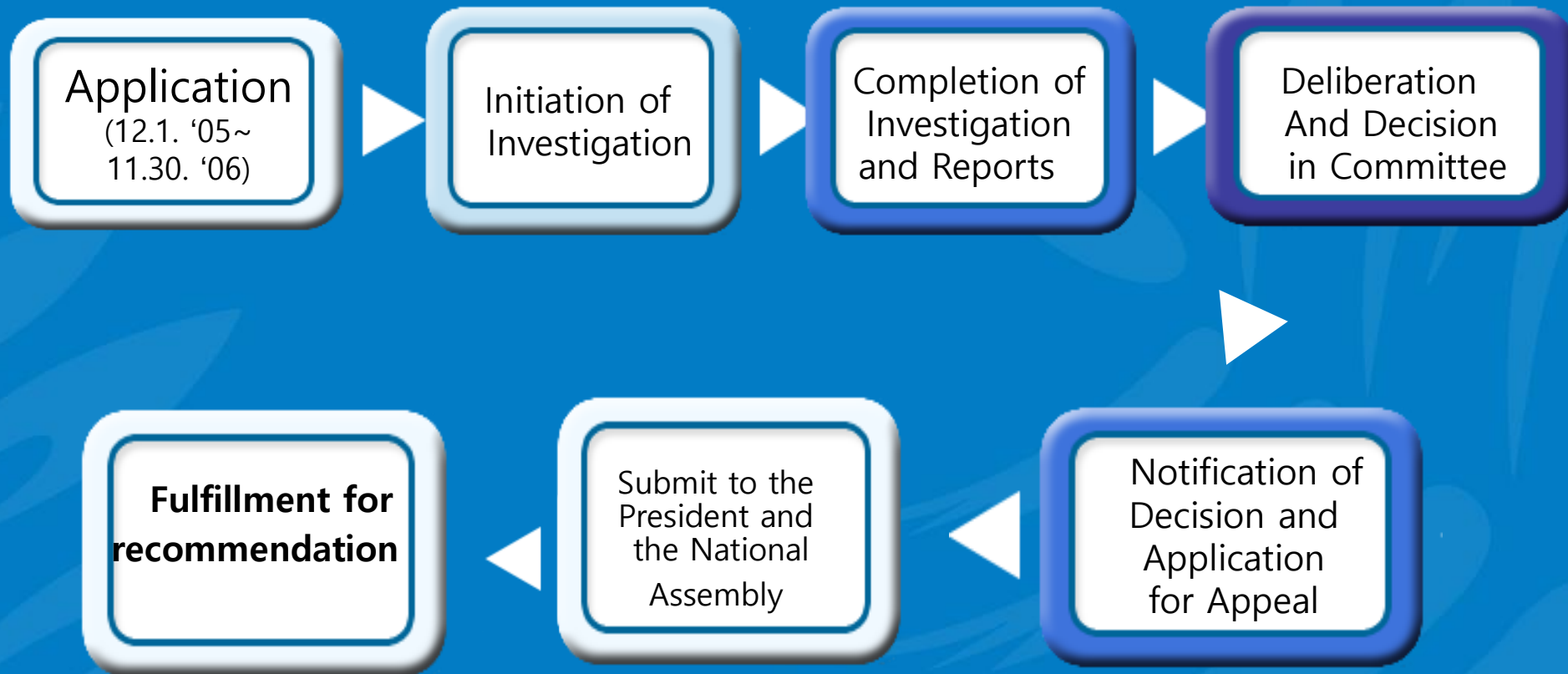
- Investigation and Determination of Truth-Finding
- Measures for Recommendation and Reconciliation



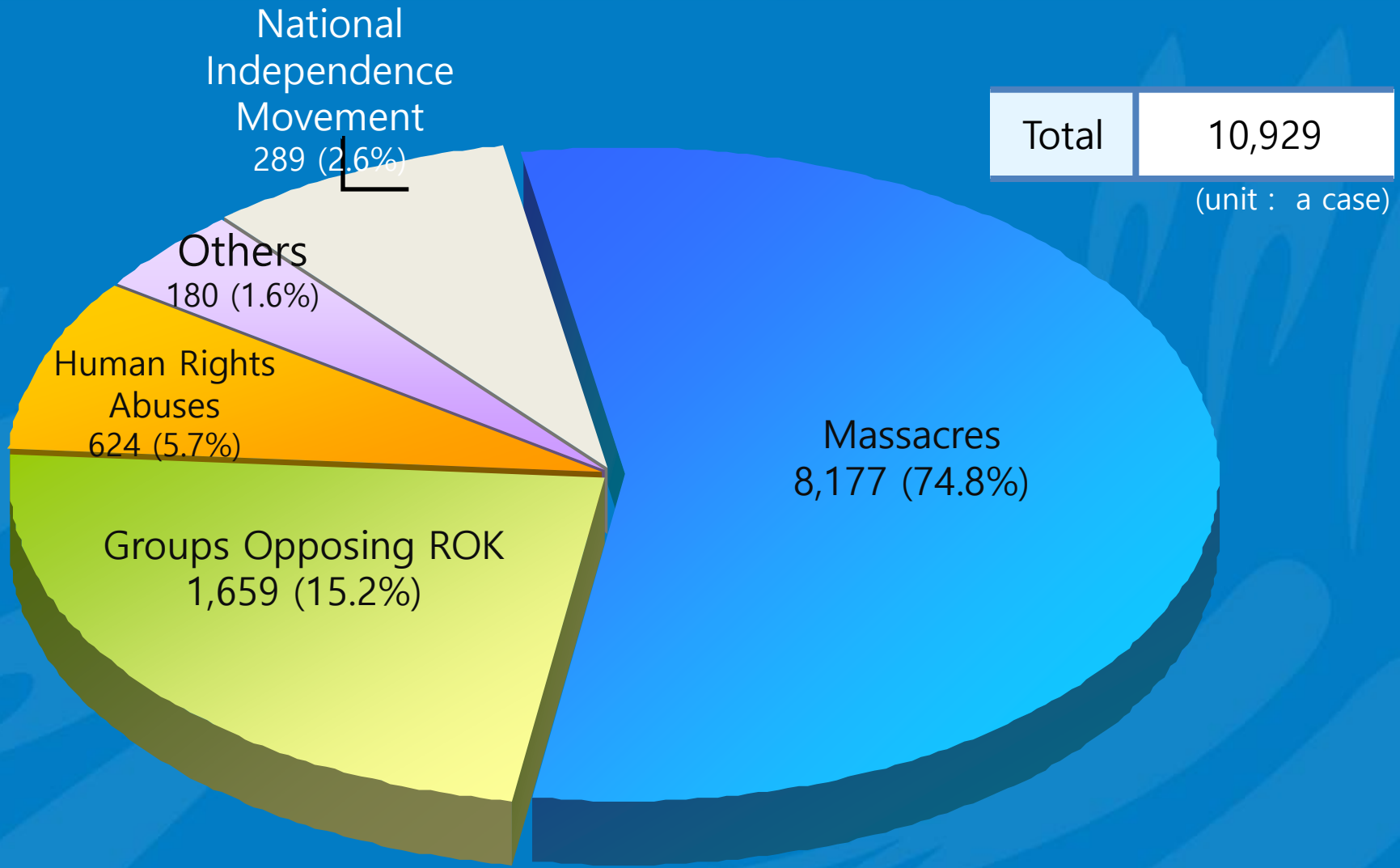
- Civilian Mass Victims occurring from August 15, 1945 to the Korean War Period

- Framework Act on Clearing up Past Incidents for TRC (Article II, Clause 3)

# Procedure for Investigation and Determination of Truth-Finding



# The Status of Petitions for Truth-Finding( 1st TRCK)



※ 12. 1.'05 ~ 3. 9.'09

# Investigations of suspected burial sites

Select 59 sites  
out of 154 sites  
then  
Select 39 sites  
for exhumations



# Exhumation



# Collected materials

## Governmental Agencies

- Documents of the Police
- Police History
- List of Collaborators
- List of *Kookminbodoyeongmaegwon*  
(Total 10,000 sheets)

## Public Agencies in the U.S.

- Far East Air Force
- Fifth Air Force
- The U.S. Army
- The U.S. Navy, Marine, Map etc.  
(Total 100,000 sheets)



# Promotion of communication with bereaved families and civic groups

Holds joint memorial ceremonies for the victims



# President Roh's Official Apology



*"I also offer words of apology to all victims, including their families, who were abused by state power. We should take this as a lesson so as to prevent this kind of incident from happening again."*

(January 24, 2008,  
Roh Moo-hyun)

## Major Achievements

Full-scale Investigations of massacres during the Korean War Period

Building Basis for Reconciliation through Exhumation works

Promotion of Media Coverage on massacres & Raise Social Awareness on Suffering of Victims and their Families

Submission of Recommendations & take Appropriate Follow-up Measures

# Lifting the Martial Law(12,3) and Civil Protest for Yoon's Impeachment, 2024, 12.3 -



# Limitation of Delayed Past-Dealing

- **Delay by two Standards**
  - From the time of Occurrence of the Incidents
  - From the Transitional Period out of Authoritarianism (1987→ 2005)
- **Passage of time as an Objective Condition**
  - Amnesia, Weakening of Victims' Anger and Right Consciousness, Disappearance of Documents, Deaths of Perpetrators and Victims
- From Cold War(authoritarianism to neoliberal economic and social circumstances

# Dilemma in the Work of TRCK

- **Legal Limitations ( Mandate..... )**
- **Change of Government**
- **South Korea's Political Condition**
  - Long lasting Distorted Historical Memory
  - The Persistence of Perpetrating Organizations(KCIA, CIC... ), and Strong Perpetrators
  - Unchanging Legal Condition(National Security Law)
- **The Dilemma of Reparatory Measures**
  - Revised the Historical Truth, but limited coverage on Media and rewriting history textbook
  - Victim-centered approach to compensation, (Recovered the Dignity of the Victims, but compensation without justice)

# The Issue over the Transitional Justice in South Korea

- Goal : Justice or Truth/Reconciliation?
  - Option, Alternative or inevitability
- What Justice? ( Legal, Political, Historical)
- What Truth? ( Victims', Social and Historical)
- Should Truth Commission relinquish the ideal of Justice?
- How Reconciliation could be reached by the work of Truth Commission?

# Further Tasks for Democratic Consolidation

- Problem of International Situation( Especially about the U.S related Incidents)
- Bureaucratic measures in dealing with the Human Rights issues
- Compensation without Justice ( No Punishment, Reparatory Measures)
- Limited Public Awareness
- Participation in the Work of TRCK
  - Monitoring and Critique
  - Role of Media, Film and Education

# For the East-Asian Memory of the State Violences and East-Asian Peace

- Overcoming Colonial Legacies
- Ending the Korean War.

“During this year....South and North Korea agreed to actively pursue trilateral meetings involving the two Koreas and the United States, or quadrilateral meetings involving the two Koreas, the United States and China with a view to declaring an **end to the War**, turning the armistice into a peace treaty, and establishing a permanent and solid peace regime”

( Panmunjom Declaration (2018.4.27)

Establishing of Permanent Peace System in East-Asia (China-Taiwan, Two Koreas-Japan, Vietnam-U.S. and Korea)

Rewriting the East- Asian History of the 20th century

Peace Education for the Young generation

과거사 정리는 희망찬 미래의 약속



진실화해위원회

감사합니다

“History is a perpetual dialogue between the past and the present.”