

**PENYELESAIAN SENGKETA INTERNASIONAL ANTARA JEPANG
DAN KOREA SELATAN (STUDI KASUS PELANGGARAN HAM SISTEM
COMFORT WOMEN)**

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ABSTRAK

Tujuan dari penelitian ini ialah untuk dapat mengetahui, menganalisis, serta mengkaji terkait (1) upaya penyelesaian sengketa Internasional antara Jepang dan Korea Selatan terkait pelanggaran HAM Sistem *Comfort Women*, serta (2) mengetahui apa saja hambatan dan tantangan yang dihadapi dalam menyelesaikan sengketa tersebut. Guna menjawab rumusan permasalahan dalam penelitian ini digunakan metode penelitian hukum normatif, yakni penelitian yang dilakukan dengan melakukan pengkajian terkait suatu sistem perundang-undangan yang berlaku atau yang digunakan dalam suatu permasalahan hukum tertentu. Dalam penelitian ini mengkaji tentang penyelesaian sengketa internasional antara Jepang dan Korea Selatan terkait pelanggaran HAM sistem *Comfort Women*. Melalui metode penelitian tersebut, kemudian diperoleh hasil yakni (1) upaya yang dilakukan dalam menyelesaikan isu *Comfort Women* ialah dengan upaya damai, yakni negosiasi dimana terdapat beberapa perjanjian yaitu *Treaty Basic On Relationship dan Japan-Republic Of Korean Agreement on Comfort Women* di tanggal 28 Desember 2015, serta bentuk yudisial yakni Pihak Korea Selatan yakni para korban menggugat Jepang ke pengadilan rakyat yang berlangsung di Tokyo. (2) hambatan dan tantangan yang dihadapi dalam upaya penyelesaian sengketa ini ialah trauma yang telah lama terpendam dan juga adanya agenda politik kedua negara yang mengenyampingkan isu *Comfort Women*, Pemerintah Jepang menganggap bahwa telah memenuhi kewajiban secara “moral” dan tidak dilibatkannya para penyintas dalam perumusan perjanjian *Comfort Women Agreement*.

Kata-Kata Kunci : *comfort women*, pelanggaran HAM, penyelesaian sengketa internasional.

**INTERNATIONAL DISPUTE SETTLEMENT BETWEEN JAPAN AND
SOUTH KOREA (CASE STUDY OF SYSTEM OF HUMAN RIGHTS
VIOLATIONS COMFORT WOMEN)**

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ABSTRACT

The purpose of this research is to be able to find out, analyze, and study related to (1) efforts to resolve international disputes between Japan and South Korea regarding violations of the Comfort Women's Human Rights System, and (2) find out what are the obstacles and challenges faced in resolving these disputes. In order to answer the formulation of the problem in this research, normative legal research methods are used, namely research conducted by conducting studies related to a system of legislation that applies or is used in a particular legal issue. In this study, it examines international dispute resolution between Japan and South Korea regarding human rights violations of the Comfort Women system. Through this research method, the results were obtained, namely (1) the efforts made in resolving the Comfort Women issue were peaceful efforts, namely negotiations where there were several agreements, namely the Treaty Basic On Relationship and the Japan-Republic Of Korean Agreement on Comfort Women on December 28 2015, as well as the judicial form namely the South Korean Party, namely the victims sued Japan to the people's court which took place in Tokyo. (2) the obstacles and challenges faced in efforts to resolve this dispute are trauma that has been buried for a long time and also the political agendas of the two countries which set aside the issue of Comfort Women, the Japanese Government considers that it has fulfilled its "moral" obligation and does not involve survivors in Formulation of the Comfort Women Agreement.

Keywords: comfort women, human rights violations, international dispute resolution.