

P1. 在日韓人 北韓送還及び韓・日
両国 抑留者 相互釈放 関係綴り、**1955—60**
(**V.1** 大村収容所に収容中の北送希望者の釈放問題、**1958**)

分類番号 **723.1 JA**
登録番号 **765**

P2. 索引目録
分類番号 登録番号 生産課 生産年度 フィルム番号 ファイル番号 フレーム番号
723.1 JA 765 ア州課 1960 主題 番号 始まり 終り
北 **1955—60 V.1 C1— 0010 01 0001～ 0169**

機能名称： 在日韓人北韓送還及び両国抑留者相互釈放関係綴り、**1955—60**
全 **10** 巻 大村収容所に収容中の北送希望者の釈放問題、**1958**

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P3. 分類番号 **723.1 JA** 登録番号 **765** 保存期間 永久
北 **1955—60 V.1**

機能名称 在日韓人北韓送還及び韓日両国抑留者相互
釈放関係綴り、**1955—60** 全 **9** 巻 (大村
収容所に収容中の北送希望者の釈放問題、**1958**)

生産課 ア州課 生産年度 **1960**
V.1 大村収容所に収容中の北送希望者の
釈放問題、**1958**

C O P Y

TO: KYUNG MU DAI, FOREIGN MINISTER.

REGARDING THE DETAINEE ISSUE THE JAPANESE GOVERNMENT HAS DECIDED TO TACKLE THE ISSUE BY A QUOTE NEW IDEA UNQUOTE. FORMIN KISHI REPORTED TO THE CABINET MEETING TUESDAY ON THE DETAINEE ISSUE IN DETAIL. HE MADE FEW SUGGESTIONS TO THE CABINET MEETING ON NEW JAPANESE POLICY TOWARD KOREA WHICH WAS APPROVED BY THE MEETING. THE SOCALLED NEW IDEA OF FOREIGN MINISTER KISHI HAS NOT BEEN MADE PUBLIC YET HOWEVER IT IS TRUE THAT JAPANESE FOREIGN OFFICE OFFICIALS CONCERNED ARE NOW CAREFULLY MAPPING OUT THEIR NEW STRATEGY ON THE DETAINEE ISSUE ON THE BASIS OF THIS NEW IDEA. ACCORDING TO INFORMATION THE SOCALLED NEW IDEA IS CENTERED ON THE MEASURES FOR QUOTE APPEALING TO THE WORLD OPINION UNQUOTE. THE JAPANESE GOVERNMENT MAY POSSIBLY TAKE THE FOLLOWING MEASURES FOR THIS PURPOSE COLON

FIRST THE JAPANESE GOVERNMENT WILL MAKE PROPOSITION ON THE DETAINEE ISSUE IN AN OFFICIAL FORM REQUESTING OUR SIDE TO MAKE OFFICIAL REPLY. THEN THE JAPANESE GOVERNMENT WILL MAKE PUBLIC THESE CONTENTS OF OFFICIALS VIEWS EXCHANGED BETWEEN THE TWO SIDES.

SECOND THE JAPANESE GOVERNMENT WILL MAKE USE OF THE UN AND ITS OWN NETWORK OF DIPLOMATIC AND CONSULAR OFFICES THROUGHOUT THE WORLD AS PUBLICITY MEDIA FOR THIS PURPOSE.

THIRD FORMIN KISHI WANTS TO SEE ME ON TENTH MORNING. THIS IS ROUTINE MEETING OF THE NEWLY APPOINTED FOREIGN MINISTER WITH

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MEMBERS OF THE DIPLOMATIC CORPS HOWEVER KISHI MIGHT TOUCH UPON
SOME PHASE OF THE PENDING PROBLEMS AS SOME LOCAL PRESS POINTED
OUT. I AM CAREFULLY WATCHING THE DEVELOPMENT OF THE ISSUE AND
WILL REPORT TO THE GOVERNMENT PROMPTLY. ONE

MINISTER KIM.

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NOTE VERBALE

The Korean Mission in Japan presents its compliments to the Ministry of Foreign Affairs and, with reference to press reports of February 4, 1958 concerning those Koreans now under detention who reportedly desire to go to the northern part of Korea, has the honor to make the following representations;

According to the said reports, the Minister for Justice of Japan testified before a meeting of the Judicial Affairs Committee of the House of Councillors held on February 3, 1958, that, in the implementation of the mutual release and repatriation of the detainees, the Japanese Government was not considering the deportation of those Koreans desiring to go to "north Korea", to the Republic of Korea "where persecution is awaiting them if they are deported thereto".

The mission wishes to be informed of the authenticity of the press reports in this regard, and if the story is true, the Mission is obliged to lodge a strong protest with the Government of Japan for the following reasons;

It is pointed out that the above statement by the Minister for Justice not only disregards the agreement between the Republic of Korea and Japan concerning the mutual release of detainees, but is also at variance with the position taken

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/by the

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by the Japanese delegation at meetings of the Republic of Korea-Japan Working Committee for the implementation of the terms agreed upon at the conclusion of the preliminary talks.

The Mission can hardly understand how the Minister for Justice arrived at such a conclusion as in his statement regarding a possible treatment in the Republic of Korea of the Koreans under reference upon their return to the Republic of Korea. The Mission is obliged to state that the Minister's remarks not only are unduly prejudiced against the Republic of Korea, but are also construed as purporting to create most adverse effect on the smooth implementation of the terms agreed upon in connection with the mutual release of detainees.

Reiterating that the Koreans under reference should be sent to the Republic of Korea without fail in accordance with the terms agreed upon between the two Governments, the Mission requests that the Ministry immediately take appropriate measures to rectify the situation thrown into confusion by the Minister's statement in question so that a speedy implementation of the terms agreed upon may be made.

Tokyo, February 4, 1958

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~~CONFIDENTIAL~~

AGREED MINUTES

Deputy Chief of the Korean Mission in Japan:

With regard to the "Name List of Illegal Entrants" under detention in Japan as of December 31, 1957, handed over to the Korean side by the Japanese side on January 27, 1958, at the meeting of the Korea-Japan Working Committee established for implementation of the terms agreed upon at the conclusion of the Korea-Japan Preliminary Talks on December 31, 1957, I understand that all the Koreans listed therein, excepting those who may not be confirmed by the Korean side as Korean illegal entrants after the end of World War II, will be sent, without fail, to such Korean ports as to be designated by the Government of the Republic of Korea and that any of them will not be allowed to go to any other places than the ones cited above.

Director of the Asian Affairs Bureau of the
Ministry of Foreign Affairs:

It is also my understanding.

(To be signed)

(To be signed)

February , 1958

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P9.

極秘

韓日代第351号

檀紀 4291年(1958年)2月25日

駐日大使 印

外務部長官 貴下

いわゆる北韓送還を希望するという者の名簿
報告の件

首題の件、大村収容所に収容されているいわゆる「不法入国者名簿」に記載されている者の内、
いわゆる北韓送還を希望するという者で本国派遣された職

P10.員により調査確認された別添名簿を

ここに添付報告するものである。

別添 いわゆる北韓送還を希望するという者の名簿 写本一部

P11-19. 名簿のコピー

禮記四九〇年十二月三十日現在

所謂北籍送還者希望北籍者外名單

(所謂北籍中不送還國者名簿) (記載北籍外者中)

連	1	2	3	4	5	6	7	8
氏	金	文	金	蘇	朴	李	金	丁
名	光植	鄭淑	必仙	敬德	永鍊	三丁	昌博	偉新
別	男	女	男	男	男	男	男	男
生年	1951	1951	1951	1951	1951	1951	1951	1951
本籍地	忠南大安郡	濟州南郡大靜邑下恭里	慶南馬山市	大邱市鳳山洞三〇	慶南咸安郡縣統南邑西里	慶南咸安郡縣統南邑西里	慶北奉川郡古峴里二一八	全南順天郡道沙面等里
入國年月日	29.7.2	32.1.24	29.7.15	32.7.15	29.7.15	29.7.15	29.8.7	24.12.12
收容番号	285	509	586	789	1167	1165	1169	1170
備考								

七年九月廿七日長平

20	19	18	17	16	15	14	13	12	11	10	9
林喜俊	具昌民	朴昌大	鄭泰運	梁在沃	梁一心	朴在次	許在成	高宗煥	林斗星	鄭英子	全義鐸
〃	〃	〃	〃	〃	〃	〃	〃	〃	男	女	〃
11. 1. 29	7. 3. 11	4. 11. 24	9. 3. 24	8. 5. 13	11. 12. 6	18. 10. 1	10. 2. 17	8. 7. 1	11. 8. 18	8. 5. 18	8. 6. 18
南海郡三葉面全抄	統書郡統書邑期書	慶南忠陽郡忠陽邑三門洞	咸南北青郡北青邑仲津里	全南麗州郡麗州邑石岬里	全南麗州郡	全南光州郡介林洞	慶南固城郡下西面沫陽里	濟州北郡西面下道連里	慶南馬山郡東兩洞三九	咸南咸陽郡忠清三三二	釜山府中洞三九
30. 5. 22	26. 8. 1	30. 6. 8	25. 3. 2	〃	〃	30. 5. 22	29. 8. 26	28. 8. 13	28. 8. 13	28. 8. 13	28. 8. 13
1182	1181	1180	1179	1178	1177	1176	1175	1174	1173	1172	1171
忠州		忠州		忠州			忠州			忠州	忠州

12 200000 11 111

32	31	30	29	28	27	26	25	24	23	22	21
柳	朴	李	金	鄭	趙	金	金	老	裴	南	徐
在	恩	仁	春	洪	相	正	大	連	斗	幸	永
聖	南	雨	一	出	善	銘	仁	石	壽	一	道
男	女	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃
18.12.29	18.4.21	2.1.5	2.7.5	15.12.20	11.12.26	5.8.25	12.11.9	8.11.28	8.10.30	2.12.1	10.5.22
〃	全南順天市金谷洞一四三	慶北義球郡鳳陽面蓮尾洞	忠南光州郡公州邑李營所	慶南昌寧郡鎮海邑隱洞	〃	順天市鴻內洞四三九	全南莞島郡莞島邑	〃	慶南梁山郡院洞面黃潭	京城市南倉所三三六	慶北清道知南面野臺洞
〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃
〃	30.9.25	24.12.21	22	29.12.23	25.6.11	25.11.5	29.8.26	26.7.21	28.4.1	23.9.9	29.10.10
1195	1194	1193	1192	1191	1190	1189	1188	1187	1185	1184	1183
〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃

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44	43	42	41	40	39	38	37	36	35	34	33
全相殿	全文錫	鄭炳秀	郭正云	趙錦基	尹元永	全相友	全冲生	黃鍾健	金正秀	全日錫	柳在鳳
，	，	，	，	，	，	，	，	，	，	，	男
9.5.15	12.4.9	7.12.2	6.3.9	11.2.2	12.1.2	2.2.10	4.7.1	10.9.11	8.9.12	9.3.10	23.1.9
慶北慶州即慶丹邑沙山邑	， 昌寧郡鎮海邑慶和洞	， 仁壽郡龍仁面海津邑	， 馬山市城洞洞五	慶南慶丹市上坪里西洞	， 東浦市瑞島邑野基町坑	全南海南郡海南面	， 東浦市鐘路邑一百三二	慶南海海郡大浦面大良里	， 東嶽仁川市壹峴洞三七七	慶南密陽郡全海南內洞	，
30.2.18	28.3.10	24.12	26.6	30.5.10	30.10.29	29.5.7	30.4.5	29.4.10	30.9.18	24.10	，
1208	1207	1206	1205	1204	1203	1202	1201	1200	1199	1198	1196
		龍善院				龍善院					龍善院

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龍善院

56	55	54	53	52	51	50	49	48	47	46	45
金元國	金允乙	鄭憲成	金河銖	金泰森	梁祐燦	鄭三甲	朴相道	鄭鳳夔	金宇才	朴業英	申俊植
〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃
12. 5. 10	11. 4. 20	照 7. 5. 21	大 15. 12. 1	10. 5. 17	30. 12. 6	照 14. 12. 24	明 38. 5. 13	6. 5. 11	大 15. 7. 25	5. 3. 31	照 3. 7. 6
濟州南郊女德面德修里	慶南南海郡三東面金松里	全南光州市芝山洞三八	慶北醴泉郡甘泉面西洞	慶南全海郡進水邑進水里	全南慶水郡双園洞三三	慶南咸陽郡咸陽面上洞	黃海安岳郡陽文面	平南靈山郡萬河里	東畿仁川市黃水洞	濟州南郊大靜面加波里 377	京城中鐘路乙通義洞一九
31. 2. 19	31. 1. 21	26. 12. 29	25. 8. 25	28. 11.	30. 12. 6	31. 1. 18	〃	〃	30. 7. 7	27. 6. 20	24. 7.
1220	1219	1218	1217	1216	1215	1214	1213	1212	1211	1210	1209
4	〃	〃	曉著 記號							〃	曉著 記號

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68	67	66	65	64	63	62	61	60	59	58	57
金元渊	金景子	趙春清	李公先	洪萬得	金昌一	金麗興	李慶晚	姜昌秀	南大浩	李成寅	金鍾植
〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃
7 10 15	大 10 1 24	〃 3 4 28	敗 2 11 25	〃 11 7 〃	大 8 12 2	册 40 7 25	〃 5 8 10	〃 6 7 10	敗 13 11 2	大 11 1 13	敗 9 3 17
〃	慶北連城郡王浦面子五洞	慶南咸安郡北面島村里	濟州南郡大韓面奉慈浦	慶南仁恩郡仁恩邑下洞	〃	濟州北郡翰林面上明里三五	〃	慶南南海郡東南谷千電	慶北英陽郡英陽面縣洞四元	慶南四川郡三平浦邑金芳里	金南順天市長泉里
30 8 8	27 5 23	27 10	30 7 20	25 25 間	30 7 18	25 5 24	31 4 4	30 8	31 3 11	28 4	25 11 18
1232	1231	1230	1229	1228	1227	1226	1225	1224	1223	1222	1221
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80	79	78	77	76	75	74	73	72	71	70	69
全用嫖	明華植	全泰治	全玩爱	全炎昌	全鍾爱	全在蘭	全昌律	全允沃	方春蕓	吳福男	全賢澤
女	〃	男	女	男	〃	女	〃	〃	〃	〃	〃
照 9.12.6	大 5.9.1	15.11.19	照 12.8.16	照 29.1.16	不詳 8.14	12.8.14	照 11.11.12	不詳	8.9.5	大 4.5.10	照 7.1.18
濟北即莊大南莊天南中洞	平北宜川即宜川邑東里	〃 南郡西陽南西陽里	濟北即莊天南山洞五	東嶽園塔市清月洞二〇	濟北即莊天南野學堂	慶北進口即大橋南柘洞一已	濟州市三陽堂中洞門	濟州南郡大靜南加波里	京城市城東已野堂所九	全南順天市東所一三二	全山市東支洞
31 12.6	28. 9.	31 4.16	31 12.16	31. 11.2	31. 12.16	31. 11.4	30. 3.20	25. 8.	26. 9.22	"	25. 1
1244	1243	1242	1241	1240	1239	1238	1237	1236	1235	1234	1233
稷 密 統			〃	〃	〃	〃	稷 密 統				

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92	91	90	89	88	87	86	85	84	83	82	81
金	丁	申	車	崔	金	趙	趙	金	龐	崔	任
光	鍾	春	光	正	銀	重	海	尚	桂	若	海
順	玉	春	子	水	夏	濟	濟	秀	淑	博	植
，	，	男	女	，	，	，	，	男	女	，	男
7.11.7	28.1.12	42.12.26	5.1.2	7.12.30	15.3.10	15.4.10	14.2.5	10.10.20	7.5.19	7.10.7	10.12.21
系蘇江草那華道面上路	金南順天市安豐里五九	慶北金泉郡甘川面陽川洞	馬山市樓基里	慶南金海郡白永邑	咸南元山市南一孝通	，，，東林里	咸安郡北面上岩里	慶南昌東郡梅東面社洞室	釜山市大新洞	慶南泗川郡湖南面林川里	慶北義城郡鳳陽面三山洞
30.2.23	28.1.12	32.4.23	23.12.25.1	27.5.23	29.5.5	31.8.27	27.8.23	31.9.24	31.7.28	25.9.3	31.6.15
1256	1255	1254	1253	1252	1251	1250	1249	1248	1247	1246	1245
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18

95	94	93
文	李	崔
去	陽	永
洪	維	權
♂	♂	男
13.7.8	9.1.5	7.8.27
滑州北郊渡月面上貴里	慶北郊日即清河面西井里	全北全理郡月村面月園里
25.7.	30.12.12	30.2.23
1259	1258	1257
4	4	5

合計九五名
(確認五六名)

大韓民國駐日代表部

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20. 極秘

外政第867号

檀紀 4291 年(1958 年)3 月 5 日

外務部長官

内務部長官 貴下

抑留されている在日韓人の内、北韓送還希望者名簿送付の件
首題の件、抑留されている在日韓人の内、北韓に
送還されることを希望するという者で駐日大使
により密航渡日事実が確認された者の名簿を
別添のように送付するものである。
推移本件別添物は 3 月 5 日貴部治安局外事係
李ゴンソン警査便で送付した。
以上

정무대장신중

JUN 10 1958

DISPATCHED COPY

June 10, 1958

0252

TO : His Excellency the President
FROM : Vice-Foreign Minister
SUBJECT: The Fourth Korea-Japan talks:
Delegation's report No. 10 on legal status
of Korean residents in Japan and the Ministry's
views thereupon

1. Our chief delegate requested government instructions regarding a concrete proposal for the arrangements for the acceptance of deportees. With regard to the problem of 'deportation', the joint draft of 1952 is not satisfactory to us because it stipulated a time limit during which the Japanese Government is restrained from taking arbitrary measures (Please refer to Guiding Principles - Committee on Legal Status of Korean Residents in Japan - 1). Therefore, our proposal is to delete the above-mentioned time limit. Then, the main part of the proposed joint draft may read:

The authorities concerned of the Republic of Korea and Japan will consult with each other on the compulsory deportation of a Korean resident in Japan who may have been granted permission for permanent residence ...

2. The Ministry is withholding issuance of the above instructions because we are still to sound out real intentions of the Japanese Government on this issue. By his cable FT-66 dated May 30, 1958, the Foreign Minister instructed:

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You reported that judging from the Japanese remarks, the joint draft of 1952 is not in its favor. Government wishes to know in the first place which part of the joint draft of 1952 is not in Japan's favor. Immediately sound out Japanese intentions in this regard and report without delay for government consideration.

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Up to this time, the Delegation failed to report on how and whether it sounded out the Japanese intentions in accordance with the said government instructions.

3. According to the Delegation's report, the Japanese side presented three so-called basic principles, which are:

- i. Korean residents in this case means those who have been resident in Japan since prior to the end of World War II.
- ii. The Japanese side is ready to take into consideration special background and circumstances in which the Korean residents are placed.
- iii. The Japanese side will consider some long-range measures for stabilized life of the Korean residents, with the hope that the problem on deportation would be settled smoothly.

With regard to item i and ii, we find nothing new, Item iii is noteworthy. It is assumed that the Japanese side will accord permanent residence to Korean residents in Japan on condition that they are subject to Japan's unilateral right of deportation, at least a few years after the coming into force of the Agreement. Item iii may mean that Japan still wishes to retain her assertion on Article III of the 1952 joint draft (three years time limit). The so-called 'stabilized' life

cannot be assured unless the problem of deportation is settled in our favor. That is why we consider that Item iii provides nothing significant. Delegation's reports and records of the meetings submitted thereby give impression that our Delegation did not yet comprehend satisfactorily this point.

Enclosure:

Joint Draft Agreement between the Republic of Korea and Japan Concerning Nationality and Treatment of Korean Residents in Japan

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P24.

4291(1958).6.11.

大統領閣下の諭旨

4291年(1958年)6月10日次官が大統領閣下に
韓日会談に関して報告を上げる席上、閣下から
次のように諭旨があった。

記

在日韓人の追放問題に関連して、万一日本政府が正当な範囲内で彼らに補償を支払う用意さえあるならば、韓人全部を本国で受け入れることもできるだろう。この場合にそのような補償をわが政府が一旦受け取った後にこれを渡すのではなく、直接彼らに渡されることを願う。この問題はよく研究してみなさい。そして在日僑胞問題に関連して 1923年東京大震災当時、日本人に虐殺された韓人に対する補償問題をどうするのか研究してみなさい。

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(説明) 1923年日本震災当時、虐殺された韓人に対する補償問題を問題にする場合、在日韓人の法的地位問題委員会よりは韓国請求権委員会が正当なものと考えられる。(政務局 見解)

OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

ST-9.124

R. O. K.
O R D

DATE 12/30

June 12, 1958

CLASSIFICATION

SENT TO COUNSELLOR KYU HAH CHOI KORDIPSON

REPORT

ACCORDING TO PRESS REPORT JAPAN TIMES DATED JUNE ELEVENTH
EDITORIALLY REPORTED ON SOME QUESTIONS CONCERNING LEGAL
STATUS OF KOREAN RESIDENTS IN JAPAN PD WOULD YOU PLEASE
CABLE-DISPATCH FULL TEXT OF THE ABOVE EDITORIAL BY CABLE
IN ADVANCE
THIS AFTERNOON PD EYE WOULD APPRECIATE YOUR COOPERATION PD
POLITICAL DIRECTOR KIM

Origin:

Info:

List
Desired
(Offices
Only)



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COMMUNICATION SECTION

25

24

0256

Koreans in Japan.

The status of Koreans in Japan which is now under discussion by the Legal Status Committee of the Japan-Republic of Korea Conference on the normalization of relations, has long been a vexed question.

Reports indicate that there are about 600,000 Koreans in Japan, but the figure may be higher as it is believed that a number of Koreans have taken on Japanese names and become more or less assimilated.

The Committee which is discussing the status of Koreans here is one of four committees set up on May 6, subsequent to the opening of the normalization talks between the two countries on April 15. It has a task quite as important as the other committees which are confronted with such problems as the Nhee Line.

The Release of Detainees and Diplomatic Issues.

Little progress on the question of Koreans here was hitherto been possible owing to the unfriendly relations existing between Japan and the Republic of Korea, but lately there has been considerable change in the atmosphere. The visit to Korea last month of Prime Minister Kishi's personal envoy, Mr. Kazuo Yatugi, is believed to have helped

to bring this about. His reception by ROK President Syngman Rhee is not to be regarded so much as a change in Korean Government policy but rather as indicating a change of spirit and an expression of willingness to try to come to friendly terms with Japan despite the recollections of the past still harbored in top Korean official circles.

It is understood that negotiations, so far as these affect the legal status of Koreans living in Japan, will deal mostly with the position of Korean nationals who came to Japan before the end of World War II and are still residing here and the problems that have arisen in connection with them since they became aliens following the effectuation of the San Francisco Peace Treaty in April 1952.

South Korea is desirous of getting Japan to grant them special status because of the peculiar circumstances under which they came to live in this country. Japan is willing to differentiate these Koreans from aliens in general but would like to limit the scope of special exceptions to a minimum.

It would seem likely that there are a large number of Koreans here who would do better to return to their own country, but, as they have been living in Japan a long time and have local ties there, it is difficult to devise a plan that would be fair to all. There is also the question of their children born in Japan.

27

26

0258

The Existence in Japan of a Large Bloc of People who
Must be Regarded as Ipso Facto Undesirable.

The existence in Japan of a large bloc of people
who must be regarded as aliens, and having alien connections,
must be regarded as ipso facto undesirable, but the problem
is to reach an arrangement which would not inflict injustice
on anyone.

Perhaps, the best solution would be an agreed plan
by which the Koreans could be divided into three categories --
those who might be permitted to stay under some "special
status," perhaps of a temporary nature, and those who
should be encouraged to return to Korea which should be
asked to make adequate arrangements to receive them.

INCOMING
TELEGRAM

TOKYO

MINISTRY OF FOREIGN AFFAIRS

R. O. K.

NO. MT-075

DATE. 06111830

~~CONFIDENTIAL~~
CLASSIFICATION

FOREIGN MINISTER

TO. _____

WITH REGARD TO CABLE NUMBER FT-072 OF JUNE 11, 1958,
PLEASE REFER TO MY LETTER REPORT TO BE SENT VIA POUCH
TOGETHER WITH THE GIST OF TALKS COVERING THE FOURTH
MEETING OF LEGAL STATUS COMMITTEE HELD ON JUNE 9, 1958.

AMBASSADOR LIMB

1958 JUN 12 AM 9 10

당	담	장	과	장	국	관	처	장	공	정

JUN 12 1958

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MINISTRY OF FOREIGN AFFAIRS

INCOMING TELEGRAM

NO. MT-086

DATE. 07051500

~~P. O. K.~~
CLASSIFICATION

TOKYO

TO. KORPITAL & FOREIGN MINISTER

WITH REFERENCE TO HUNGER STRIKE AT THE OMURA DETENTION CAMP BY THOSE KOREANS WHO ARE ALLEGEDLY DESIROUS OF GOING TO NORTH KOREA CMA THE DIRECTOR OF THE IMMIGRATION BUREAU OF JAPANESE GOVERNMENT TOLD AS THAT SOME OF THOSE KOREANS ARE UNDER SERIOUS CONDITIONS PD IN THIS CONNECTION CMA HE REQUESTED US TO GIVE HIM OUR CONSENT TO HIS PLAN OF RELEASING SOME OF THOSE KOREANS FROM STRICTLY HUMANITARIAN VIEWPOINT ON A TEMPORARY BASIS PD IN REPLY CMA WE POINTED OUT THE FOLLOWING COL ONE BRACKET PD THAT WE HAVE CONSISTENTLY REQUESTED THE JAPANESE SIDE TO EXPEDITE THE DEPORTATION OF THOSE KOREANS TO THE REPUBLIC OF KOREA IN ACCORDANCE WITH THE AGREEMENT MADE ON DECEMBER THIRTY FIRST CMA ONE NINE FIVE SEVEN CMA AND THAT CMA THEREFORE CMA THE JAPANESE SIDE SHOULD HAVE SENT THEM TO THE REPUBLIC OF KOREA LONG BEFORE PD TWO BRACKET PD THAT PROPER MEDICAL CARE SHOULD BE GIVEN TO THOSE KOREANS WHO WOULD BE UNDER SERIOUS CONDITIONS PD THREE BRACKET PD AND THAT WE TRUST THAT THE

2/ 担 據 長 課 長 局 官 次 官 長 7 供 亞

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0261

MINISTRY OF FOREIGN AFFAIRS
R. O. K.

INCOMING
TELEGRAM

NO. _____
DATE. _____

CLASSIFICATION

TO. _____

2

JAPANESE SIDE WOULD KEEP ITS PROMISE PREVIOUSLY MADE
NEITHER TO SEND THEM TO NORTH KOREA NOR TO RELEASE THEM
IN JAPAN PD UNQUOTE

AMBASSADOR LIMB

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MINISTRY OF FOREIGN AFFAIRS

INCOMING TELEGRAM

R. O. K.

NO. MT-088

TOKYO

DATE. 07061600

~~SECRET~~
CLASSIFICATION

TO. KORPITAL FORMIN

IN CONNECTION WITH THE REPORTED HUNGER STRIKE FOR THEIR RELEASE IN JAPAN BY THOSE KOREAN DETAINEES OF POST WAR CATEGORY AT OMURA WHO ARE ALLEGEDLY DESIROUS OF GOING TO NORTH KOREA CMA JAPANESE NEWS PAPERS REPORTED THIS MORNING PARENTHESIS JULY SIX THAT THE JAPANESE GOVERNMENT DECIDED TO RELEASE IN JAPAN SOME OF THOSE KOREAN DETAINEES IN QUESTION CMA NAMELY THOSE WHO ARE REPORTEDLY NOW UNDER CRITICAL CONDITION CMA SOME AGED DETAINEES AND WOMEN CMA ETC PERIOD IN THIS CONNECTION CMA THE MISSION IS GOING TO PRESENT A NOTE OF PROTEST TO THE JAPANESE FOREIGN OFFICE MONDAY MORNING JULY SEVEN CMA SIMULTANEOUSLY INQUIRING ABOUT THE AUTHENTICITY OF THE SAID PRESS REPORT PD

KORDIPSION

担	擔	長	課	長	局	官	次	官	長	7	供	亞
										月	覽	洲
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0363

P33. 大韓民国 駐日代表部
韓日代第 1192 号
檀紀 4291 年(1958 年)7 月 7 日

外務部長官 閣下

駐日大使 ㊟

件名・・・北韓行きを希望する韓人、日本国内釈放報道に
対して日本政府外務省に発送した抗議文に関する件

頭の件、去る 7 月 6 日当地日本の新聞報道によると大村収容所に収容中のいわゆる
北韓行きを希望する韓人抑留者のハンガーストライキに関連して、その中で危篤の状態に
ある韓人若干名を臨時に、日本国内で釈放することに日本政府が決定したという報道に対
しては、既に電文 MT-088 号で報告したが、別添写本のように同新聞報道の真否如何と、
万一同報道が事実としたら、第一に日本政府は昨年 12 月 31 日に締結した諸協定と韓日連
絡会議で行った約束違反であり、第二にこのような継続的な日本側の約定違反が、現在進
行中の韓日会談の円満な進行に悪影響を及ぼすことになるという点を指摘して、嚴重に抗
議したのでこれを報告するものである。

推移 7 月 8 日午後 3 時に連絡会議(Working Committee)を開催して、この真相を
もっと追究し、抗議することにしたのでお伝えするものである。

別添 当代表部 抗議覚書 写本一通

以上

copy

FAH-20

NOTE VERBALE

5920

The Korean Mission presents its compliments to the Ministry of Foreign Affairs and, with reference to press report regarding the contemplated release in Japan of some of those Koreans under detention at the Omura Detention Camp whom the Government of Japan is yet to send to the Republic of Korea, has the honour to make the following representations:

According to local press report of July 6, 1958, the Government of Japan has decided to release in Japan some of those detainees in the very near future.

In this connection, the Mission wishes to be informed of the authenticity of the said press report, and if it is true, the Mission is obliged to express its deep concern over the report, pointing out that such a decision on the part of the Government of Japan would be clearly at variance with the agreement reached at the conclusion of the Korea-Japan Preliminary Talks on December 31, 1957, and the commitments repeatedly made thereafter by Japanese members of the Korea-Japan Working Committee that the Korean detainees under reference would neither be allowed to go to 'north Korea', nor be released in Japan.

As has repeatedly been made clear to the Ministry in the past, the northern part of Korea, which is an

34

/integral part

integral part of the territory of the Republic of Korea, is now under unlawful occupation by Communist aggressors. Therefore, the Government of the Republic of Korea is most energetically opposed to allowing any of Koreans now in Japan to go to the northern part of Korea. Furthermore, in accordance with the agreement reached between the Republic of Korea and Japan on December 31, 1957, the Government of Japan should have expedited the deportation of the Koreans under reference to the port of Pusan as was designated by the Government of the Republic of Korea.

0266

In view of the above, the Mission lodges a strong protest with the Ministry against its repeated failure to abide by terms of the agreement reached at the conclusion of the Preliminary Talks on December 31, 1957, and its commitments made thereafter, and at the same time, the Mission wishes to repeat its request that the Government of Japan should take immediate measures to fulfil terms of the agreement and its commitments by completing the sending to the port of Pusan of all the remaining 256 Koreans of the 1259 Koreans whose list was officially handed over by the Japanese side to the Korean side at the Korea-Japan Working Committee.

It is added that the Government of the Republic of Korea expresses its keen regret over the reported decision by the Government of Japan on the release in Japan of the Koreans under reference at this very juncture when the Korea-Japan Overall Talks is now under way, and wishes to call the most serious attention of the Government of Japan in this regard.

Toky., July 7, 1958

35

~~CONFIDENTIAL~~

Tokyo, July 7, 1958

No. 81

Excellency:

I beg to acknowledge with appreciation the receipt of Your Excellency's letter No. 39 of July 4.

1. Some of Korean detainees at the Omura camp who allegedly desire to go to north Korea, went on a hunger strike since about ten days ago, demanding that they be released in Japan as soon as possible.

In this connection, Director Katsuno of the Japanese Justice Ministry's Immigration Bureau on June 5 telephoned this office, requesting our consent to a contemplated Japanese plan to release in Japan temporarily, from humanitarian standpoint, Korean detainees who are on a critical list among those who are on strike. Our side immediately rejected, saying that it was against the agreement concluded at the end of last year and repeated commitments of the Japanese side not to send them to the north nor to release them in Japan. Cable No. MT-086 was sent on July 5 in this regard.

Following above, the Japanese dailies here started reporting, mainly on Sunday, July 6, that as a result of consultation between Foreign Minister Fujiyama and Justice Minister Aichi decision has been reached to release the aged, women and those on a critical list among the Korean detainees who went on strike and that the Japanese Government was going to notify our side on this matter. This has already been reported by cable No. MT-088 of July 6.

/2. At

His Excellency
President Syngman Rhee

0267

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2.

2. At 10:30 a.m. today Minister Liu visited Asian Bureau Director Itagaki at the Foreign Office at the latter's request. Mr. Itagaki said that the Japanese Government has reached a conclusion to release in Japan temporarily some Korean detainees, as reported in the newspapers, and requested our side to give consent, because it was decided from humanitarian standpoint.

Our side immediately retorted his statement, saying that the Japanese side had previously committed itself at the Working Committee, established on the basis of the decision upon the conclusion of the preliminary talks on Dec. 31, 1957, and at other opportunities that those Koreans who allegedly desire to go to the north would neither be sent to the north, nor released in Japan but that they would be persuaded gradually to return to our side. This office then handed over a written protest to the Japanese side, a copy of which is enclosed herewith for Your Excellency's reference.

Furthermore, in order to sound out the real Japanese intention in this regard, a meeting of the Working Committee will be called at 3:00 p.m. tomorrow, the result of which will be reported to the Government without delay.

3. As the Government is fully aware, the Japanese side in the past repeatedly promised not to send those Koreans in question to north Korea nor turn them loose in Japan but persuade them gradually to go to the Republic of Korea. Such a decision on the part of the Japanese Government, even if temporarily and under strict surveillance, as claimed by them, is undoubtedly a breach of the existing agreement between the two countries. Since left-wing Socialists and Communists here have actively been engaged in an attempt to wreck the current overall talks at any cost, should such an action be actually carried out, the Japanese side, consciously and unconsciously, is playing into the hands of the Communist propaganda and instigation which will only have adverse effect on the current talks. I will continue to watch the Japanese action in this regard and report any further development promptly. Meanwhile, I would greatly appreciate any Government instructions on this matter.

4. Separately, this office cabled a report concerning the Asahi editorial appearing in its Sunday (July 6) issue which dealt with our seizure of the Japanese fishing boat

/Hoshi Maru

37

36

0268

3.

Hoshi Maru No. 2. The editorial, as reported in the cable, charged our side with the Hoshi Maru No. 2 case and at the same time accused us of maltreatment of recently-repatriated Japanese fishermen while they were under our detention.

As in the cable, this office feels that it would be to our advantage to reply, as soon as possible, to the Japanese note, with our facts about the so-called Hoshi Maru No. 2 case. I would, therefore, appreciate the Government instructions including necessary data, so that this office may be able to lodge a counter-protest to the Japanese side.

5. The seventh session of the Subcommittee on Vessels was held as scheduled at 3:30 p.m. today. The meeting centered on both sides repeating each other's insistence concerning the adoption of the agenda, without reaching any conclusion. The next meeting was agreed to be convened on Friday, July 11.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

G. I. K.

Enclosure:

copy of note

38

37

0269

MINISTRY OF FOREIGN AFFAIRS

INCOMING TELEGRAM

NO. MT-089

DATE. 07071430

CLASSIFICATION

TOKYO TO. KYUNG MU DAI & FOREIGN MINISTER

MINISTER YIU MET MR ITAGAKI CMA ASIAN AFFAIRS DIRECTOR OF JAPANESE FOREIGN MINISTRY AT TEN THIRTY AM ON JULY SEVEN CMA NINETEEN FIFTYEIGHT CMA AT THE LATTER'S REQUEST PD AT THIS MEETING CMA MR ITAGAKI INFORMED MINISTER YIU THAT DUE TO SERIOUSNESS OF A HUNGER STRIKE AT OMURA CAMP CMA THE JAPANESE GOVERNMENT DECIDED TO RELEASE SOME OF THOSE KOREAN DETAINEES OF POST WAR CATEGORY AT OMURA WHO ARE DESIROUS OF GOING TO NORTH KOREA ON A TEMPORARY BASIS FROM STRICTLY HUMANITARIAN STAND POINT PD IN THIS CONNECTION CMA MINISTER YIU STRONGLY PROTESTED AGAINST JAPAN'S BREACH OF THE AGREEMENT REACHED ON DECEMBER THIRTYFIRST CMA NINETEEN FIFTYSEVEN AND ITS OWN COMMITMENTS MADE THEREAFTER PD MINISTER YIU CALLED UPON THE JAPANESE SIDE TO HOLD WORKING COMMITTEE MEETING IN ORDER TO TAKE UP THE MATTER PD JAPANESE SIDE AGREED TO HOLD A MEETING OF THE WORKING COMMITTEE AT THREE PM ON JULY

2/

總務長	秘書長	局長	次官	官長	7	仕	亞

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0272

MINISTRY OF FOREIGN AFFAIRS

R. O. K.

INCOMING
TELEGRAM

NO. _____

DATE. _____

CLASSIFICATION

TO. _____ (CONT'D)

- 2 -

EIGHT PD A COPY OF THE TEXT OF THE NOTE OF PROTEST OF THIS
MISSION TO THE JAPANESE FOREIGN OFFICE WHICH WAS HANDED BY
MINISTER YIU TO MR ITAGAKI AT THE ABOVE MEETING WILL BE SENT
TO THE GOVERNMENT VIA TUESDAY POUCH PD

AMBASSADOR KIM

1978 JUL 8 AM 9 45

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OUTGOING TELEGRAM

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MINISTRY OF FOREIGN AFFAIRS										NO.	
R. O. K.										DATE	

JULY 11, 1958 (Friday)

성무의공신증
K/P0-34

NOT ADOPTED JUL 29 1958

SENT TO AMBASSADOR YU TAIK KIM KORDIPSION

COPY TO AMBASSADOR LIMB PD

MINISTRY PERUSED CABLES MT ZERO EIGHT SIX CMA MT ZERO EIGHT NINE AND AMBASSADOR KIMS REPORT NUMBER EIGHT ONE REGARDING THE CONTEMPLATED RELEASE IN JAPAN CP SOME KOREAN DETAINEES OF POSTWAR CATEGORY PD ON THIS ISSUE CMA YOU ARE INSTRUCTED TO NEGOTIATE WITHOUT DELAY WITH THE JAPANESE SIDE ON THE BASIS OF THE FOLLOWING GOVERNMENT POSITIONS COLON

ITEM ONE GOVERNMENT POSITION CONCERNING THOSE KOREANS DESIROUS OF GOING TO NORTH KOREA REMAINS ESSENTIALLY UNCHANGED PD WE MUST CONTINUE TO PRESS THE JAPANESE SIDE FOR THEIR EARLIEST REPATRIATION TO THE REPUBLIC OF KOREA SEMICOLON

ITEM TWO FROM STRICTLY HUMANITARIAN VIEWPOINT AND NOT FROM POINT OF VIEW OF POLITICAL CONSIDERATION CMA HOWEVER CMA OUR GOVERNMENT WILL HAVE NO OBJECTION TO RELEASE IN JAPAN OF THE SICK DETAINEES IN QUESTION CMA ON CONDITIONS COLON A THAT THEIR HEALTH IS RECOGNIZED AS CRITICAL BY US DOCTORS AS WE DESIGNATE CMA B THAT THEY ARE RELEASED IN ~~SECRET~~ ^{QUART} WAY AND HOSPITALIZED ~~IN SEVERAL GROUPS~~ ^{EACH ONE IN ONE HOSPITAL} CMA C THAT THE JAPANESE GOVERNMENT TAKES ^{IN SEVERAL GROUPS}

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4
COMMUNICATION SECTION

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0274

OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS
R. O. K.

NO.
DATE

PAGE TWO

CLASSIFICATION

SENT TO

RESPONSIBILITY FOR GIVING CONSTANT VIGILANCE TO THEIR WHEREABOUTS WHILE
THEY ARE OUT OF THE DETENTION CAMP CMA AND D THAT WHEN RECOVERED THEY
SHOULD BE ^{IMMEDIATELY} INTERNED AGAIN IN THE CAMP SEMICOLON

Origin:

ITEM THREE AS TO WOMEN ~~AND CHILDREN~~ ^{AND} OUT OF THOSE DETAINEES IN
QUESTION CMA OUR GOVERNMENT WILL HAVE NO OBJECTION TO THE RELEASE OF
THEM SIMULTANEOUSLY WITH RELEASE OF THOSE REFERRED TO IN ITEM TWO AS

Info:

FAR AS THOSE WOMEN ~~AND CHILDREN~~ BELONG TO THE FAMILIES OF THE RELEASED
PATIENTS SOLELY FOR THE PURPOSE OF TAKING CARE OF THEIR SICK FAMILY MEMBERS
SEMICOLON

Dist.
Desired
(Offices
Only)

ITEM FOUR THE JAPANESE SIDE SHOULD ASSURE US THAT THE REMAINING
DETAINEES WILL BE REPATRIATED TO THE REPUBLIC OF KOREA AS SOON AS POSSIBLE
PUTTING ASIDE ~~FROM~~ THE QUESTION OF TIME OF THEIR ACTUAL REPATRIATION PD

YOU ARE ADVISED THAT THIS IS OUR ^{position} SUGGESTION FOR ~~PROVISIONAL~~ ^{removing}
~~THE PRESENT DIFFICULTY ON THE MATTER~~ SETTLEMENT OF THE QUESTION FROM HUMANITARIAN VIEWPOINT CMA AND THAT

SUCH SETTLEMENT SHOULD BE MADE IF ALL THE ABOVE FOUR CONDITIONS ARE
MET PD PLEASE ^{STRESS} ~~EMPHASIZE~~ THAT WE ARE DOING BEST FOR REASONABLE SETTLEMENT
SO THAT THIS QUESTION MAY NOT AFFECT VITALLY THE PROCEEDING OF THE OVERALL
TALKS PD FOREIGN MINISTER

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43 11 1958

OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS
R. O. K.

NO.
DATE

CODE
CLASSIFICATION

JULY 11, 1958
(Friday)

SENT TO AMBASSADOR YU TAIK KIM KORDISTION

COPY TO AMBASSADOR LIM PD

YOU ARE ~~INSTRUCTED~~ ADVISED THAT THE MISSION AND THE DELEGATION
DO NOT MOVE FURTHER AND ~~NO~~ ISSUE NO STATEMENT REGARDING THOSE
KOREANS DESIROUS OF GOING TO NORTH KOREA UNTIL YOU ARE INSTRUCTED
~~NO~~ OTHERWISE PD GOVERNMENT IS ~~EXAMINING~~ CAREFULLY STUDYING THE
MATTER FOR INSTRUCTING THE MISSION AND DELEGATION IN A FEW DAYS PD

FOREIGN MINISTER

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JUL 11 1958

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COMMUNICATION SECTION

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0276

P44. 東京から入った電報

外務部長官 貴下

7月14日福岡事務所長からの報告によると、日本政府当局は大村収容所内にいる、いわゆる北韓に帰ることを希望する者の内、**26**名を日本国内で釈放するために、これに対する手続きを取っているとし、このような情報を収容所当局者たちから入手したというので、ここに報告するものである。

駐日大使

(47)

COPY

Tokyo, July 16, 1958

No. 84

Excellency:

1. Despite this office's continued protests to the Japanese Government and strong objections from local Mindan leaders in the Kyushu area and also the hunger strike staged by the detainees loyal to the Republic, there seems to be little improvement in the situation surrounding the Japanese decision to release some detainees on parole.

As I reported previously, hunger strikers consisting of the detainees loyal to our side discontinued the strike due to various difficulties, and there are now only some 130 women still on strike. President indications are that it is a matter of time for the Japanese Government to carry out the decision by releasing about 26 persons who had been held more than "three years".

This office is still awaiting instructions from the Government as to future course of action in connection with the Japanese release decision, especially if and when the scheduled release was carried out.

2. Meanwhile, the eighth session of the Vessels Subcommittee was held last Friday (July 11), likewise without reaching any conclusion on the matter concerning the addition of the words: "as of Nov. 6, 1951," to agenda item (d). It appears to me that the Japanese side would withhold its decision in this regard until the arrival of Mr. Kyung Keun Chang.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

U.K.

His Excellency
President Syngman Rhee

46

0278

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Translation

Asahi News, July 27, 1958

KOREA TO APPLY PRESSURE ON FISHERY NEGOTIATIONS?
RELEASE DECISION MAKES HER RELUCTANT TO SEND HER FISHERY DELEGATE

On the basis of the decision to parole some Korean illegal entrants among those who desire to go to north Korea, the Japanese Government appears prepared to carry out the parole, if possible, even this week. The Korean side still remains strongly opposed to such a decision and it is feared that the Korean side might withhold the dispatch of its representative to the Fishery Committee (for discussion of the "Rhee Line"), unless there is some compromise solution worked out between the two countries. Under such circumstances the release issue, inter-related with the Korea-Japan overall talks, is likely to develop in a delicate direction.

The Government set forth several conditions for the parole, such as the existence of reliable guarantors, restrictions in residence and deposit of bond, amounting ^{to} from ¥1,000 to 300,000, and is contemplating to parole them, as they meet these conditions.

The Korean side, on a number of occasions, conveyed its objection to such measures, through Minister Yiu, who asked that some solution which might be acceptable to his home Government, be worked out.

At present, among the workable solutions to the issue is an idea that Japan promise Korea never to repatriate the parolees to north Korea and persuade them to return to the Republic of Korea. It is doubtful if the Japanese Government would make such a commitment to the Korean Government. Further exchange of views is now underway between the Foreign and Justice Ministries.

On the other hand, the Fishery Committee of ^{the} the overall talks which is regarded as most crucial, has not met even once due to
/the delay

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2.

the delay in arrival of the Korean delegate. As for the other Committees there has been no substantial discussion of respective matters, in proportion to the progress of the Fishery Committee. As a result of repeated requests by the Foreign Office, the Korean side has recently indicated its readiness to shortly send the fishery representative. Korean Chief Delegate Limb told Prime Minister Kishi at their meeting last Friday, July 25, that he would try to have him come over.

The Foreign Office, however, seems to predict that in view of the public opinion in Korea, the Korean fishery representative may not arrive here so easily, unless some sort of solution to the current parole issue was found. The Foreign Office, therefore, is very anxious to find some solution to the parole issue so as not to further delay the discussion at the Fishery Committee.

- end -

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「菊蓮保衛」

NOT ADOPTED JUL 29 1958

SENT TO: Ambassador Ben C. Limb
Ambassador Yu Taik Kim

In connection with the problem of Koreans at Omura who allegedly desire to go to north Korea, you are jointly instructed to meet immediately Japanese Foreign Minister and make representation as follows:

1. Japanese attention is hereby invited to Article 2 of Agreed Minutes of December 31, 1957, according to which the problem of deportation of illegal entrants will be a subject of discussion at the Legal Status Committee. This problem has been also a subject for discussion at the Working Committee since January, this year, because it is related to the implementation of the terms agreed upon on December 31, 1957. But it is interpreted that both Government mutually understood at that time that the basic points of the issue would be dealt with better at the Legal S. Committee of the overall talks.

2. Now the Korean side considers the time has come for both Governments to deliberate on the problem from fundamental aspect of the issue in the light of present circumstances, believing firmly that the transfer of the issue from the Working Committee to the Legal Status Committee of the overall

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JUL 1 1958
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talks would help both sides find a solution.

3. The Legal Status Committee is presently discussing the problem of Koreans of pre-war category. But if Japanese side is prepared to agree with Korean side to conduct the Legal Status Committee along the line of items 1 and 2 as above, the Korean side is ready to start discussion on deportation of Koreans of post-war category in accordance with Article 2 of the Agreed Minutes of 1957, in parallel with the discussion of the former issue at the same committee.

4. Under these circumstances, the Korean side requests that pending the settlement of the issue on deportation of Koreans of post-war category, the Japanese Government defer the execution of any unilateral decision on those Koreans, if there is any.

5. As it repeatedly told the Japanese side, the Korean side still has strong objection to the release in Japan of Koreans in question in any form. It will have no objection if the Japanese side intends to hospitalize some of those Koreans in question under its own responsibility for strictly humanitarian reasons if their health conditions are mutually recognized as critical, and if such hospitalization does not affect in any manner the ~~legal~~ ^{detainee} status of those Koreans. ~~as detainees at the Detention Camps~~

6. It should be understood that the Korean side makes this in order to remove the present impasse, if there is any

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which might lie in the way of the successful proceeding of the overall talks in progress. But this representation contains nothing conclusive for the position of the Korean Government for final settlement of the issue.

7. To meet present circumstances of relations between the two sides, the Korean side has no alternative but the above-mentioned suggestion and awaits quick reaction thereto.

The above-mentioned points should be orally conveyed to the Japanese Foreign Minister without delay.

Foreign Minister

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OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

NO. _____

~~R. O. K.~~
CODE URGENT

DATE
July 19, 1958

CLASSIFICATION
AMBASSADOR ~~YU WAIK KIM~~
SENT TO ~~AMBASSADOR YU WAIK KIM~~

IN CONNECTION WITH THE PROBLEM OF KOREANS AT OMURA WHO ALLEGEDLY DESIRE TO GO TO NORTH KOREA OR YOU ARE JOINTLY INSTRUCTED TO MEET IMMEDIATELY JAPANESE FOREIGN MINISTER AND MAKE REPRESENTATION AS FOLLOWS COLON

ITEM ONE JAPANESE ATTENTION IS HEREBY INVITED TO ARTICLE TWO OF AGREED MINUTES OF DECEMBER THIRTY FIRST OR ONE NINE FIVE SEVEN OR ACCORDING TO WHICH THE PROBLEM OF DEPORTATION OF ILLEGAL ENTRANTS WILL BE A SUBJECT OF DISCUSSION AT THE LEGAL STATUS COMMITTEE PD THIS PROBLEM HAS BEEN ALSO A SUBJECT FOR DISCUSSION AT THE WORKING COMMITTEE SINCE JANUARY OR THIS YEAR OR BECAUSE IT IS RELATED TO THE IMPLEMENTATION OF THE TERMS AGREED U. ON ON DECEMBER THIRTY FIRST OR ONE NINE FIVE SEVEN PD BUT IT IS INTERPRETED THAT BOTH GOVERNMENT MUTUALLY UNDERSTOOD AT THAT TIME THAT THE BASIC POINTS OF THE ISSUE WOULD BE DEALT WITH BETTER AT THE LEGAL STATUS COMMITTEE OF THE OVERALL TALKS PD /ITEM TWO

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R. O. K.

NO. _____
DATE _____

PAGE TWO

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SENT TO _____

ITEM TWO NOW THE KOREAN SIDE CONSIDERS THE TIME HAS COME FOR BOTH GOVERNMENTS TO DELIBERATE ON THE PROBLEM FROM FUNDAMENTAL ASPECT OF THE ISSUE IN THE LIGHT OF PRESENT CIRCUMSTANCES CMA BELIEVING FIRMLY THAT THE TRANSFER OF THE ISSUE FROM THE WORKING COMMITTEE TO THE LEGAL STATUS COMMITTEE OF THE OVERALL TALKS WOULD HELP BOTH SIDES FIND A SOLUTION PD

ITEM THREE THE LEGAL STATUS COMMITTEE IS PRESENTLY DISCUSSING THE PROBLEM OF KOREANS OF PREWAR CATEGORY PD BUT IF JAPANESE SIDE IS PREPARED TO AGREE WITH KOREAN SIDE TO CONDUCT THE LEGAL STATUS COMMITTEE ALONG THE LINE OF ITEM ONE AND TWO AS ABOVE CMA THE KOREAN SIDE IS READY TO START DISCUSSION ON DEPORTATION OF KOREANS OF POSTWAR CATEGORY IN ACCORDANCE WITH ARTICLE TWO OF THE AGREED MINUTES OF ONE NINE FIVE SEVEN CMA IN PARALLEL WITH THE DISCUSSION OF THE FORMER ISSUE AT THE SAME COMMITTEE PD

ITEM FOUR UNDER THESE CIRCUMSTANCES CMA THE KOREAN

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P55. 日本国内韓国人抑留者 早見表

檀紀 4291 年(1958 年)7 月 23 日現在

	送還、釈放及びその他の事項	数 (名)	
相互 釈放 協定 該当 者	昨年未現在 総数	1,259	
	本国に送還された者	第一次 送還	249
		第二次 送還	252
		第三次 送還	251
		第四次 送還	251
		計 1,003	
	日本国内で逃亡した者	13	
収容中に刑確定で刑務所に移管 服役中の者	11		
病気で仮釈放になった者	9		
北韓送還希望者	男 82 名、女 10 名	92	
現在収容されている者		222	
その他	今年 1 月 1 日以後に収容された者 注 本数字は第 14 次実務者会議議事録に根拠をおいたものだが、 駐日大使からの韓日代第 1227 号報告によると、7 月 5 日現在 543 名になっている。	570	
総計		792	

備考 本表に表示された数字の内、北韓送還希望者の数は 93 名だったが、1 名が前回の韓国人第四次本国送還の時に帰国したので 92 名になった。一第 14 次実務者会議議事録による。

OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS
R. O. K.

NO. _____
DATE _____

PAGE THREE

CLASSIFICATION

SENT TO _____

SIDE REQUESTS THAT PENDING THE SETTLEMENT OF THE ISSUE ON DEPORTATION OF KOREANS OF DOCTOR CATEGORY C.A. THE JAPANESE GOVERNMENT DEFER THE EXECUTION OF ANY UNILATERAL DECISION ON THOSE KOREANS C.A. IF THERE IS ANY PD

ITEM FIVE AS IT REPORTABLY TOLD THE JAPANESE SIDE C.A. THE KOREAN SIDE STILL HAS STRONG OBJECTION TO THE RELEASE IN JAPAN OF KOREANS IN QUESTION IN ANY FORM PD IT WILL HAVE NO OBJECTION IF THE JAPANESE SIDE INTENDS TO HOSPITALIZE SOME OF THOSE KOREANS IN QUESTION UNDER ITS OWN RESPONSIBILITY FOR STRICTLY HUMANITARIAN REASONS IF THEIR HEALTH CONDITIONS ARE ACTUALLY RECOGNIZED AS CRITICAL C.A. AND IF SUCH HOSPITALIZATION DOES NOT AFFECT IN ANY MANNER THE DETAINMENT STATUS OF THOSE KOREANS PD

ITEM SIX IT SHOULD BE UNDERSTOOD THAT THE KOREAN SIDE TAKES THIS IN ORDER TO REMOVE THE PRESENT IMPASSE C.A. IF THERE IS ANY WHICH MIGHT LIE IN THE WAY OF THE SUCCESSFUL PROCEEDING OF THE OVERALL TALKS IN PROGRESS PD

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SENT TO _____

BUT THIS REPRESENTATION CONTAINS NOTHING CONCLUSIVE FOR
THE POSITION OF THE KOREAN GOVERNMENT FOR FINAL
SETTLEMENT OF THE ISSUE PD

ITEM SEVEN TO MEET PRESENT CIRCUMSTANCES OF
RELATIONS BETWEEN THE TWO SIDES ORA THE KOREAN SIDE HAS
NO ALTERNATIVE. BUT THE ABOVE MENTIONED SUGGESTION AND
AWAITS QUICK REACTION THERETO PD

THE ABOVE MENTIONED POINTS SHOULD BE ORALLY CONVEYED
TO THE JAPANESE FOREIGN MINISTER WITHOUT DELAY PD

FOREIGN MINISTER

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P55

日本国内韓国人抑留者条件表

檀紀 4291 年(1958 年)7 月 23 日現在

	送還、釈放及びその他事項	数 (名)	
相互 釈放 協定 該 当 者	昨年末 現在 総数	1,259	
	本国に送還された者	第 1 次送還	249
		第 2 次送還	252
		第 3 次送還	251
		第 4 次送還	251
		計	1,003
	日本国内に逃亡した者	13	
	収容中に刑確定で刑務所に移管 服役中の者	11	
病気で仮釈放された者	9		
収容中日本人と判明 釈放された者	1		
北韓送還希望者	男	82 名	
	女	10 名	
		92	
現在収容されている者		222	
その他	今年 1 月 1 日以後に収容された者 註 本数字は第 14 次実務者会議議事録に根拠を置いたものだが、駐日大使からの韓日代第 1227 号報告によると 7 月 5 日現在 543 名になっている。	570	
総計		792	

備考. — 本表に表示された者の内、北韓送還希望者の数は 93 名だったが、1 名が前回の韓国人第 4 次本国送還時で帰国したので 92 名になった。— 第 14 次実務者会議議事録に依る。

P56. 韓日代第 1403 号

檀紀 4291 年(1958 年)7 月 23 日

駐日大使 ㊤

外務部長官 貴下

いわゆる北韓送還希望者の内、日本国内に仮放免予定者の名簿入手報告の件首題の件、いわゆる北韓送還希望者の内、今回日本政府当局により日本国内に釈放することに決定したという 25 名の姓名を秘密裏に入手したので別添のように報告するものである。

追記 本来三年以上の被収容者 26 名を決定したものが

P57. 金昌博当 22 歳は収容年限が三年未満になり除外されたという。

P58.59. 名簿

1192	1199	1180	1171	1173	1235	收 春 香 梯				
1168	1167	1233	1179	1175						
方 容 成	許 在 成	林 斗 星	鄭 恭 運	全 義 鐸	全 賢 鐸	林 昌 大	林 永 鍊	丁 偉 城	李 三 子	鄭 英 子
1215	1178	1183	1189	1234	收 春 香 梯					
1194	1177	1259	1188	1190		1191				
具 昌 民	吳 福 男	趙 相 善	全 乙 誌	全 大 仁	徐 永 道	文 吉 浩	梁 在 澤	梁 一 心	梁 祐 燦	高 泉 燦

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P60. 韓日代第 1409 号

檀紀 4291 年(1958 年)7 月 25 日

駐日大使 ㊟

外務部長官 閣下

北韓行きを希望するという「不法入国」韓人の日本国内釈放決定に
関する日本政府外務省口上書送致の件

首題の件、北韓行きを希望するという問題の抑留中の「不法入国」韓人に関して、彼らの
内若干名を日本国内で仮釈放することに決定したという報道により、7 月 7 日付けで日本
政府外務省に対して質疑的な抗議口上書を発したことがあり、これに関しては 7 月 7 日付
け韓日

P61. 代第 1192 号の公式文書として既に報告したことがあるが、この 7 月 25 日午後日本外務
省の 7 月 21 日付け回答口上書に接したのでここに同封送致します。

この日本外務省の回答口上書を検討された後、代表部が取るべき措置に関して指示してい
ただけるように願います。

別添 日本外務省 口上書 写本一通

Translation

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NOTE VERBALE

The Ministry of Foreign Affairs presents its compliments to the Korean Mission and, referring to the latter's Note Verbale PKM-20 dated July 7, 1958, has the honour to state as follows:

1. It is true that on the 6th inst. the Japanese Government decided to parole 26 Korean illegal entrants now detained at Omura Immigration Center out of the humanitarian spirit of averting an imminent danger to human life. The decision was duly notified, along with the reasons therefor, by Mr. Itagaki, Director of the Asian Affairs Bureau, to Mr. Yiu Tai Ma, Deputy Chief of the Mission, who visited the Ministry on July 6 at the former's instance. On the occasion of the Japan-Korea Working Committee of July 8, the matter was fully explained by the Japanese side for the second time.

In accordance with the said decision, the Immigration Bureau of the Ministry of Justice is now in the process of (a) deposition of the bond paid by the prospective parolees, and (b) investigation into the reliability of

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the guarantors which are required for the implementation of the same decision; upon completion of such preliminaries the individual detainees will be paroled successively subject to certain restrictive conditions in respect to their residence and the scope of movement, and with the obligation of reporting to the competent authorities periodically.

2. While the Mission's note under reference asserts that the present decision would constitute an infringement of what was agreed on between the two countries at the conclusion of their Preliminary Talks of December 31, 1957, it is the conviction of the Japanese Government, whose views are explicated hereunder, that it will entail no violation of the agreement reached between them.

Under the "Memorandum of Understanding between the Government of Japan and the Government of the Republic of Korea regarding Measures on Koreans detained in Japan and on Japanese Fishermen detained in Korea" signed on December 31 last year, it is obligatory on the Korean Government to "accept the deportation of Korean illegal entrants." This clause was incorporated in the same Memorandum with the view to affirming in a positive provision the Korean Government's obligation of taking over such illegal entrants, in

Consideration

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consideration of the fact that the deportation to the Republic of Korea of Korean illegal entrants had been at a standstill on account of the persistent refusal by the same Government to take over such illegal entrants since May 1955. Therefore, this clause should not be construed as stipulating the obligation on the part of the Japanese Government for transferring all of the illegal entrants to the Korean Government. Examination of the relevant records of the Preliminary Talks as per attached sheets will bear witness to the pertinency of the Japanese interpretation of the Memorandum.

3. Therefore, whereas the Korean side has made a demand upon the Japanese side, at the Japan-Korea Working Committee which has held thirteen sessions since January 7 this year, for deportation of the 93 Korean nationals who were detained at Omura Immigration Center at the time of signing of the agreement between the Japanese and Korean Governments on December 31, 1957 and who have expressed a desire to return to North Korea, such a demand should properly be regarded as a demand made from the political standpoint, but not as one based on the right which may be exercised in virtue of the agreement.

The Japanese side, having due regard to the political stand of the Republic of Korea, afforded those detainees sufficient

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sufficient time to reconsider calmly their determination of returning to North Korea, on the assumption that they might possibly alter their minds with a subsequent change in the situation. At the same time, the Japanese side entertained an ardent hope to solve this question, along the lines desired by the Korean side if possible, upon their changing of their original determination.

However, the subsequent development of the matter has proved the reverse of what the Japanese side had anticipated. After the lapse of about half a year, all of the detainees, with one exception, have not even shown any sign of desisting from their original intention, but, confirmed further in their resolve, and persist in returning to North Korea.

Moreover, since June 26 this year, they went to the length of staging a mass hunger-strike under the slogans of "Immediate Release" and "Repatriation to North Korea" which they would not call off in spite of much persuasion by the Japanese authorities concerned. Eventually on July 5, the matter came to such a serious pass that if it be left to take its own course it would probably lead to the loss of life.

As the immediate step to cope with this urgent situation, the Japanese Government decided to release on parole, under the supervision of the Ministry of Justice, 26

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0295 ~~detainees~~

detainees who had been under detention in Japan for more than three years and thereby dissuaded the detainees from carrying on the strike. As already mentioned over and over again, this action was taken from a purely humanitarian standpoint.

The Japanese Government wishes to add that since the development of the question has taken a direction contrary to its expectations and brought in a complete change in the situation, it is desirable for the two nations to act in concert and in all sincerity to approach and solve the problem from an entirely new angle.

4. It is further added for the Mission's information that the list of 1,259 persons who were under detention at Omura and Hamamatsu Immigration Centers as of the date of the coming into force of the agreement between the Governments of Japan and the Republic of Korea, which was handed to the Korean Delegation at the meeting of the Japan-Korea Working Committee held on January 27, 1958, is not that of deportees to Korea, but plainly that of detained Korean illegal entrants as clearly stated on the said list.

Tokyo, July 21, 1958.

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0296



東北第一一六号

口 上 書

外務省は、在本邦大韓民国代表部に被定を要するとともに、同代表部の七月七日付口上書「要」に言及して左記のとおり申し述べる光榮を有する。

昭和三十三年七月二十一日

記

て日本政府が七月六日、さし迫つた人命の危険を放りため、人道上の見地から、大村親善所に収容されてゐる不換入国者二十六名を解放する旨の決定を行つたことは事實であり、右の決定については、すでに七月七日被定外務省アシア局長は、大韓民国代表部次席鄭孝夏氏を招致して通報及び説明を行い、且同月

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八日の日韓連絡会議の席上において種々詳細なる説明を行つた通りである。

なお、右の決定に基いて決済者入国管理局においては目下(仮)解放者よりの保証金の納付(付身)保証人の保証能力の調査を行つており、本手続が完了した者から逐次住居の譲渡、行動範囲の制限、出頭義務を課した上で解放者を実施する予定である。

ニ代表部の七月七日付口上書は、日本側の本件決定は一九五七年十二月三十一日の日韓子留交渉妥結の際の合意事項に違反すると述べているが、この点に関するわが方の見解は次のとおりであつて、協定の違反ではないと確信する。

昨年十二月三十一日に署名された「日本国において収容されている韓人及び韓国において収容されている日本人漁夫に対する措置に関する日本政府と大韓民国政府との間の了解覚書」に

よれば、韓国政府は、韓人不法入国者の送還を受入れる義務を負っている。本規定は、韓国政府が一九五五年五月以降、韓人不法入国者の受入れを一切拒否したために不法入国者の韓国内送還が全く停止した事態に陥るが、この際韓国政府の受入れの義務を明文をもつて確認するため設けられたものであり、これをもつて日本政府がすべての韓人不法入国者を韓国政府に引渡す義務を負つたと解すべきではない。

右の覚書の解釈は別紙日韓子債交渉の交渉経緯によるも極めて明らかである。

又従つて、本年一月七日以降十三回におまつて行われた日韓連絡会議において、韓国側が日本側に対して行つた昨年十二月三十一日日韓間取極印の際、大村収容所に収容されていた九十三名の北鮮帰国希望者の韓国への送還の要求は、協定上の権利に基くものではなく、政治的を要求とみるべきである。おが方は

韓国の政治的を定奪も考慮し、本人に対して冷静にその北鮮海
陸の進軍を再検討する機会を与えることによつて、その後の情
勢の推移によつて本人が離棄することがあり得るとの前提に立
ち、右離棄を待つて、出来れば韓国側の要請に照りよりに本件
を解決したいと強く期待していた次第であるが、その後の事象
を聞きたるにかかわらば、僅か一名の離棄者を聞いて、他の全
員は全く離棄の意思を示さず、益々その意志を固めて北鮮
への帰国を主張して止まず、わが方の期待に反する状態となる
に至つた。そののみならず、本人達は去る六月二十六日以来、
即時釈放、北鮮帰国の実施を要求して大量のハンガーストライ
キの勢に出で、日本政府の既得にもかわらば、これを中止せ
ず遂に七月五日には事態を放置すれば死者を幾才計算も大とな
ることと緊急を状態となつた。

日本政府としては、かかる緊急の事態に対処するため決断を

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の保護者視の下に収容が三年以上に上る者二十六名を便服放す
る措置をとることとしてハンガリーストライキを中止せしめたの
であるが本措置が、全く人道上の考慮から為たものであること
は、すでにくり返し、述べたとおりである。

なお、日本政府としては右のごとくお方方の期待が裏切られ、
全く事情の変更した現在においては本件を日韓兩國の諒解と協
力により、全く新しい角度から解決するべく努力することと意
をしい旨を付言したい。

同なお、日本政府が一九五八年一月二十七日の日韓連絡会議の席
上、韓国側に手交した大村及び浜松両収容所に日韓両取返遊藝
時に収容されていた一二五九名の名簿は韓国への送還者名簿で
はなく、名簿上に明に記載されていた通り、収容者名簿に違
ないことを念のため付け加える。

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~~CONFIDENTIAL~~

(113)

Tokyo, July 28, 1958

No. 87

Excellency:

I beg to acknowledge with appreciation the receipt of Your Excellency's letter No. 42 of July 25.

1. On July 25 this office received a reply from the Japanese Foreign Office to our note verbale protesting against the reported Japanese decision to release on parole some Korean detainees at Omura Camp from among those who allegedly desired to go to north Korea.

This office has already reported on this Japanese reply to the Foreign Ministry by a special pouch last Saturday and I believe Your Excellency has been informed in this regard by this time. The Japanese note verbale, among other things, stated:

- a. That it is true that the Japanese Government has reached a decision to parole 26 Korean illegal entrants out of humanitarian spirit of averting an imminent danger to human life."
- b. That the Japanese decision is not a violation of the existing agreement between the two countries. The Japanese commitment not to send them to north Korea nor release them in Japan, made at the Working Committee, was so made with "due regard to the political stand of the Republic of Korea" and not dependent on Japan's obligation to Korea under the said agreement.
- c. A new situation developed following the hunger strike staged by some Korean detainees, and in order to save

/these human

His Excellency
President Syngman Rhee

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these human lives, the Japanese Government was obliged to parole them "from the humanitarian standpoint." As the matter developed unexpectedly, it is "desirable for the two countries to act and solve the problem from an entirely new angle."

3. Ambassador Limb paid a call on Friday (July 25) morning on Prime Minister Kishi prior to his departure for Seoul on August 1. Foreign Minister Fujiyama was also present at the meeting. At this meeting the Japanese side urged us to send our representative to the Fishery Committee promptly and said that the recent parole decision was inevitable under the existing circumstances. The Japanese side thus sought our understanding. Our side, without making any commitment in this regard, reiterated that the Japanese decision was a violation of the existing agreement.

Following the above meeting Asian Bureau Director Itagaki asked Minister Yiu to come Friday afternoon. Mr. Itagaki told him that the Japanese Government was going to release on parole the 26 persons, as soon as certain conditions for parole were met, thus seeking our understanding.

4. It appears to me that the Japanese Government is ready to carry out the contemplated parole of the 26 persons. However, as it is fearful of the issue having adverse effects on smooth progress of the current overall talks in future. Under these circumstances the Japanese Government seems to be trying to find some way by which our side might understand its release decision. Attached translation of an Asahi article may be indicative of such trend of the Japanese Government.

Under such circumstances I would highly appreciate it, if Your Excellency could kindly give me a guidance as to our future policy on this matter.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

M. T. K.

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Translation

THE GAIMUCHO

No. 116/ASN

NOTE VERBALE

The Ministry of Foreign Affairs presents its compliments to the Korean Mission and, referring to the latter's Note Verbale PEM-20 dated July 7, 1958, has the honour to state as follows:

1. It is true that on the 6th inst. the Japanese Government decided to parole 26 Korean illegal entrants now detained at Omura Immigration Center out of the humanitarian spirit of averting an imminent danger to human life. The decision was duly notified, along with the reasons therefor, by Mr. Itagaki, Director of the Asian Affairs Bureau, to Mr. Yiu Tai Ma, Deputy Chief of the Mission, who visited the Ministry on July 6 at the former's instance. On the occasion of the Japan-Korea Working Committee of July 8, the matter was fully explained by the Japanese side for the second time.

In accordance with the said decision, the Immigration Bureau of the Ministry of Justice is now in the process of (a) deposition of the bond paid by the prospective parolees, and (b) investigation into the reliability of the guarantors which are required for the implementation of the same decision; upon completion of such preliminaries the individual detainees will be paroled successively subject to certain restrictive conditions in respect to their residence and the scope of movement, and with the obligation of reporting to the competent authorities periodically.

2. While the Mission's note under reference asserts that the present decision would constitute an infringement of what was agreed on between the two countries at the conclusion of their Preliminary Talks of December 31, 1957,

/it is

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it is the conviction of the Japanese Government, whose views are explicated hereunder, that it will entail no violation of the agreement reached between them.

Under the "Memorandum of Understanding between the Government of Japan and the Government of the Republic of Korea regarding Measures on Koreans detained in Japan and on Japanese Fishermen detained in Korea" signed on December 31 last year, it is obligatory on the Korean Government to "accept the deportation of Korean illegal entrants." This clause was incorporated in the same Memorandum with the view to affirming in a positive provision the Korean Government's obligation of taking over such illegal entrants, in consideration of the fact that the deportation to the Republic of Korea of Korean illegal entrants had been at a standstill on account of the persistent refusal by the same Government to take over such illegal entrants since May 1955. Therefore, this clause should not be construed as stipulating the obligation on the part of the Japanese Government for transferring all of the illegal entrants to the Korean Government. Examination of the relevant records of the Preliminary Talks as per attached sheets will bear witness to the pertinency of the Japanese interpretation of the Memorandum.

0300

3. Therefore, whereas the Korean side has made a demand upon the Japanese side, at the Japan-Korea Working Committee which has held thirteen sessions since January 7 this year, for deportation of the 93 Korean nationals who were detained at Omura Immigration Center at the time of signing of the agreement between the Japanese and Korean Governments on December 31, 1957 and who have expressed a desire to return to North Korea, such a demand should properly be regarded as a demand made from the political standpoint, but not as one based on the right which may be exercised in virtue of the agreement.

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The Japanese side, having due regard to the political stand of the Republic of Korea, afforded those detainees sufficient time to reconsider calmly their determination of returning to North Korea, on the assumption that they might possibly alter their minds with a subsequent change in the situation. At the same time, the Japanese side entertained an ardent hope to solve this question, along the lines desired by the Korean side if possible, upon their ^{changing} ~~changing~~ of their original determination.

0306

However, the subsequent development of the matter has proved the reverse of what the Japanese side had anticipated. After the lapse of about half a year, all of the detainees, with one exception, have not even shown any sign of desisting from their original intention, but, confirmed further in their resolve, and persist in returning to North Korea.

Moreover, since June 26 this year, they went to the length of staging a mass hunger-strike under the slogans of "Immediate Release" and "Repatriation to North Korea" which they would not call off in spite of much persuasion by the Japanese authorities concerned. Eventually on July 5, the matter came to such a serious pass that if it be left to take its own course it would probably lead to the loss of life.

As the immediate step to cope with this urgent situation, the Japanese Government decided to release on parole, under the supervision of the Ministry of Justice, 26 detainees who had been under detention in Japan for more than three years and thereby dissuaded the detainees from carrying on the strike. As already mentioned over and over again, this action was taken from a purely humanitarian standpoint.

The Japanese Government wishes to add that since the development of the question has taken a direction contrary to its expectations and brought in a complete change in the situation, it is desirable for the two nations to act in concert and in all sincerity to approach and solve the problem from

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an entirely new angle.

4. It is further added for the Mission's information that the list of 1,259 persons who were under detention at Omura and Hamamatsu Immigration Centers as of the date of the coming into force of the agreement between the Governments of Japan and the Republic of Korea, which was handed to the Korean Delegation at the meeting of the Japan-Korea Working Committee held on January 27, 1958, is not that of deportees to Korea, but plainly that of detained Korean illegal entrants as clearly stated on the said list.

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Tokyo, July 21, 1958.

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(Attachment)

Records of Preliminary Talks between
the Governments of Japan and of the Republic of Korea

1. The talks held between Mr. Nakagawa, then Director of the Asian Affairs Bureau, Ministry of Foreign Affairs, and Mr. Kim, then Chief of the Korean Mission, on December 15, 1956.

(1) At this meeting Mr. Nakagawa stated: "Taking this opportunity I would like to make it clear that should an agreement be reached on the question of nationality and treatment (of the Korean residents in Japan) the Japanese Government would not be in a position to exert its influence over pro-North Koreans to follow the orders of the Republic of Korea, even if it is requested to do so - - for instance, it cannot cooperate with the Republic of Korea in forcing reluctant Koreans to return to the Republic of Korea against their will." Mr. Kim replied: "We have no such intention."

(2) Also at the same meeting, in response to Mr. Kim's question on the problem of the deportation of Korean residents in Japan "Then do you intend to send pro-North Koreans to North Korea when deportation is carried out?", Mr. Nakagawa stated: "I think under normal circumstances they should be sent back to the Republic of Korea. However, if a particular person would never want to return to the Republic of Korea but wishes to go, for instance, to Formosa, and if the Formosan authorities have no objection to it, it is possible, under the Japanese Laws and regulations, to let him go to Formosa."

2. The talks held between Mr. Nakagawa and Mr. Kim on February 21, 1957.

(1) During the subsequent negotiations continued between Mr. Nakagawa and Mr. Kim the drafts for the arrangements to be made between Japan and the Republic of Korea were /discussed. As

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discussed. As a result of this discussion the memorandum regarding the mutual release was drafted in Japanese in the middle of January 1957. This draft memorandum, as the Korean Mission is also well acquainted with, reads as follows:

MEMORANDUM

Regarding Measures on Japanese Fishermen detained in Korea
and on Korean Residents in Japan Detained under
Deportation Order

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For the purpose of implementing the talks held between Minister for Foreign Affairs Shigemitsu and Minister Kim on April 2, 1956 both Governments agree as follows:

1. The Government of the Republic of Korea

(a) will repatriate to Japan the Japanese fishermen who are being detained at the Aliens Detention Camp of Korea at an early date after the coming into force of this memorandum; and

(b) will accept the deportation by the Government of Japan of the Korean illegal entrants as soon as possible.

2. The Government of Japan

will release those Koreans who have been residing in Japan since before the end of war and who are being detained at the Aliens Detention Camps of Japan under deportation order.

3. The present memorandum shall come into force on February 1, 1957.

(2) During the discussion of this draft memorandum held between Mr. Nakagawa and Mr. Kim on February 21, 1957 Mr. Kim said: "As it is, there is a question of the form of this draft memorandum, because (according to the draft) the measures to be taken by the Korean Government are two, (a) and (b), while the measure to be taken by the Japanese Government is just one. Therefore, I would like to propose that of the measures to be taken by the Korean Government (b) be separated and be made an independent paragraph under heading 3, which is to provide, for

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the deportation of Korean illegal entrants, that the Japanese Government will deport Korean illegal entrants and the Korean Government will accept them as soon as possible." Mr. Nakagawa made a counter-proposal saying: "Your proposal is not acceptable because it implies that the Japanese Government is under obligation to deport all Korean illegal entrants. So, how about writing the measures to be taken by the Korean Government (a) and (b) together in a single paragraph", to which Mr. Kim replied: "Well, I ~~also~~ think that is all right." This is how both sides came to an agreement as to the wording to express the measures to be taken by the Korean Government in a single paragraph as was actually adopted in the Memorandum of Understanding signed on December 31, 1957.

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P81.

写本：景武台
柳泰夏 公使

外政第 2897 号

檀紀 4291 年(1958 年)7 月 29 日

外務部長官

第 4 次韓日会談

首席代表 林炳稷 大使 貴下

(写本 柳泰夏 公使)

件名、第 4 次韓日会談進行に関する件

頭の件に関して別添のように運営するので、即時
施行なさりその結果を報告されることを望むものである。

別添、 (運営内容) (INSTRUCTIONS PART I and II)
以上

(Enclosure of Weijung No. 2897)

July 29, 1958

Instructions - Part I

To : Ambassador Limb and Minister Yiu

Regarding the future conduct of the fourth Korea-Japan Conference particularly in connection with the problem of Korean detainees at Omura who allegedly desire to go to north Korea, you are instructed to implement without delay the following:

1. The Government withholds for the time being sending a formal note in order to counter the Japanese note of July 21, 1958, No. 116/ASN. But Ambassador Limb and Minister Yiu are jointly instructed to meet the Japanese Foreign Minister to make representation to deliver government position virtually in response to the said Japanese note. The points to be delivered to the Japanese side in the form of Oral Statement are dispatched simultaneously with this Instructions (Please refer to Instructions - Part II).

2. Separately from our efforts to break the present impasse regarding those detainees allegedly desirous of going to north Korea, Government will continue to make efforts to expedite the proceeding of the overall talks. Standing on the above position, our delegation is instructed:

A. To press further the Japanese side to present in writing their position on "arrangement for acceptance of deportees", and if possible, their draft agreement on the whole points at issue on status and treatment of Korean residents in Japan;

B. To press the Japanese side to present to

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/us without

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us without delay the list of Korean art objects which Japan intends to turn over to us; and

C. To avoid unnecessary recess of conference so that the talks may make progress as soon as possible.

3. You are authorized to inform the Japanese side that our side has no objection to convening the Fisheries and Peace Line Committee on August 20, 1958 if the Japanese so desires, in the expectation that the two committees presently in session make some progress by that time. You are also authorized to inform them that Mr. Chang Kyung Keun, one of the delegates, has been appointed as chief member of our side at the Fisheries and Peace Line Committee, explaining that his trip to the conference site was delayed due to his duty as a member of National Assembly as the Assembly is deliberating on the revised draft budget.

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(Enclosure of Weijung No. 2897)

July 29, 1958

Instructions - Part II

To : Ambassador Limb and Minister Yiu

The Oral Statement as referred to in Item one of the Ministry's Instructions - Part-I is to be delivered by Ambassador Limb and Minister Yiu to the Japanese Foreign Minister. The points to be delivered are as follows:

1. As the Korean side repeatedly told the Japanese side, the Japanese unilateral decision to release on parole 26 out of 92 Korean detainees, who are allegedly desirous of going to north Korea, is a violation of the terms agreed upon on December 31, 1957. It is to be also recalled that at the Korea-Japan Working Committee, the Japanese Delegate clearly stated that "all those Koreans in question will be repatriated to the Republic of Korea in principle and that none of them will be sent to north Korea or be released in Japan."

2. In discussing on the problem of deportation of illegal Korean entrants, the Japanese side is quoting its own version of summary record of the so-called Kim-Nakagawa informal talks, which were held on an off-record basis. The Korean side doubts with surprise whether, in the light of rules practised in diplomatic meeting, an informal off-the-record remarks can supersede the Agreed Minutes duly signed or remarks formally made by responsible delegate at formal session of the conference. The Japanese side is also quoting the terms of the so-called Kim-Shigemitsu understanding of April 2, 1956 for its own

/convenience. But

convenience. But it is well-known fact that the above understanding proved abortive whereas the Japanese Government refused to honor the terms for a reason or reasons which are unknown to the Korean side.

3. If, as the Japanese Government insists, the Kim-Nakagawa conferees confirmed there was no obligation on the Japanese part to repatriate Korean illegal entrants to the Republic of Korea, the Korean side is at a loss to understand what the Japanese Government had in mind when signing Article 2 of the Agreed Minutes of December 31, 1957, which stipulated, "... at the overall talks...., the problem of the deportation of illegal entrants will also be a subject of discussion."

4. In the early part of July, 1958, the Japanese side first told the Korean side that those 26 Korean detainees in question were exposed to imminent danger of life after a hunger strike, and were to be released in Japan. But recently the Japanese side told the Korean side that those 26 Korean detainees at Omura "who had been under detention for more than three years" would be released. Now, the Korean Government cannot but wonder whether the Japanese side is taking up the issue really from humanitarian standpoint or from political standpoint. The Japanese Government seems to have realized, at least, consequences which might arise from such release of detainees. It may be so in view of the fact that 9 out of those detainees who desire to

/go to

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go to the Republic of Korea were already released without knowledge of the Korean Government, while the case of the 26 persons was notified to Korean side.

5. For its own argument, the Japanese Government stated that the list of 1,259 Korean detainees, which was handed to the Korean side on January 27, 1958, was "not that of deportees" but "plainly that of detained Korean illegal entrants". Granting such argument to be grounded, the Korean Government seriously wonders why the Japanese Government had to hand to the Korean Government the list including those who have nothing to do with deportation.

6. The question is not number of detainees which might be released, but real motives of the Japanese Government in reaching such decision. The Korean Government cannot but be seriously concerned over this Japanese decision. For consequences which might ensue from the release of the 26 detainees in question, the Japanese Government should be solely responsible.

7. The Korean Government, however, has no intention of coming to a hasty conclusion to cope with the present circumstances, still believing that this question can be reasonably settled without impeding the smooth proceeding of the Korea-Japan Conference, only if the Japanese side is ready to show its sincerity to consult with the Korean side on this issue. If the Korean detainees in question are found really to be in imminent danger of life, the Korean Government is

/ready to

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- 4 -

ready to give them utmost humanitarian consideration, for instance, paying paroles and undertaking guarantors for those whose release is contemplated, if the Japanese regulations so requires, with understanding that such release would in no way affect their detainee status.

(End)

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P88. 外政第 2928 号

檀紀 4291 年(1958 年)7 月 29 日

外務部長官

内務部長官 貴下

北韓送還希望者の内、日本国内に仮釈放予定者に関する件

頭の件に関して、当部管下駐日代表部で入手した情報によれば、いわゆる北韓に送還されることを希望する在日韓国人抑留者の内、今回日本政府当局が日本国内に釈放することに決定した者 25 名の名簿は別添と同じということなので、同写本一通を送付いたすので査受なさり願います。

別添、北韓送還希望者の内、日本国内釈放予定者名簿一通
以上

COPY

Tokyo, July 31, 1958



No. 89

Excellency:

1. Foreign Minister Cho's instructions addressed to Ambassador Limb have duly been received via last pouch and this office has carefully studied the policy of the Government toward the issue concerning the Japanese decision to parole Korean detainees who allegedly desire to go to the north. In accordance with the Government instructions Ambassador Limb is scheduled to meet Japanese Foreign Minister Fujiyama at 4:50 this afternoon. I assure Your Excellency that the results of the meeting would be reported to the Government promptly.

2. The Japanese Foreign Office protested in its note verbale to this office some time ago against our seizure of the Hoshi Maru No. 2. This office, after receiving instructions from the Foreign Ministry, replied to the Japanese side in this regard, as previously reported.

In addition, this week the Japanese Government sent to this office a counter-protest to our reply, details of which are being reported to the Foreign Minister under separate cover. I am herewith enclosing a copy of the note dated July 28 for Your Excellency's reference.

As Your Excellency will note in it, it appears that the tone of the Japanese note is somewhat different from than in the past, in that it not only called our seizure "unlawful", but went so far as to say that it is regretted that "such and untoward incident occurred at this juncture when the Japan-Korea Overall Talks are being held..."

/In view

His Excellency
President Syngman Rhee

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- 2 -

In view of the adamant nature of the Japanese note verbale it is deemed necessary for our side to reply to it with more accurate and factual data regarding the circumstances of the seizure. I would, therefore, highly appreciate receiving any additional information in this relation from the Government to enable this office to make an effective counter-protest to the Japanese Foreign Office.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

Enclosure: Copy of note

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P91. 題目 拿捕日本漁船問題

この問題の発端は韓日会談韓国請求権委員会船舶小委員会で議題の確定のための討議が進行していた中、日本側が以外にも過去、平和ラインを侵越し不法漁労に従事してわが警備船に拿捕された **141** 隻の日本漁船問題を、同小委員会の議題として討議の対象とすることを主張したことにある。

わが側は即時このような日本側の主張が、今次本会談再開の契機になった昨年末韓日予備交渉終結において調印された合意事項に違背するだけでなく、この問題はその性質から見て、決して韓日会談の討議対象になれないことを指摘し、日本側がその主張を撤回するように要求したものである。

しかし日本側が最後までその主張を曲げないまま、この船舶小委員会は始まりから難関にぶつかり、われわれの対日請求権の重要な一部を占める船舶返還問題が討議に入れなくなり、われわれはこの打開策を模索していた中、日本側が高級クラス(首席代表)から他の決定がなされない限り船舶小委員会では取扱わないことと提案し、われわれはこれでこの拿捕日本漁船問題はまずさて置いて、船舶小委員会は本来の合意された議題だけを持って、その討議を進行させるものと理解した後、これを受け入れることにしたものだ。

P92. このような措置は、いわゆる拿捕日本漁船問題は口だけさて置いて船舶小委員会の討議を進行させようとした、わが側のひとつの技術的方案だったので、この問題を首席代表に移管したものではなかった。したがって今後なされる可能性がほとんどない首席代表間の正しい決定がない限り、船舶小委員会では再び提起されないことが予期される。

MINISTRY OF FOREIGN AFFAIRS

INCOMING
TELEGRAM

B. O. K.

NO. MT-004

DATE. 07311830

(Handwritten note)

~~CLASSIFICATION~~

TOKYO

TO. KYUNG I. N. HUI
FOREIGN MINISTER

PART 1. IN ACCORDANCE WITH THE GOVERNMENT INSTRUCTIONS OF
WUJUNG 2897 DATED JULY 29TH, 1958, I TOGETHER WITH MINISTER
YIU MET JAPANESE FOREIGN MINISTER FUJIYAMA AT THE LETTERS
OFFICE FROM 4:50 P.M. TO 5:40 P.M., ON JULY 31, 1958.

AT THIS MEETING WE MADE ORAL REPRESENTATION IN ACCORDANCE
WITH THE POINTS SET FORTH IN THE PART 2 OF THE GOVERNMENT
INSTRUCTIONS IN COUNTERING THE JAPANESE NOTE VERBALE OF
JULY 21ST, 1958 REGARDING ITS DECISION TO RELEASE SOME
26 KOREAN DETAINEES. JAPANESE FOREIGN MINISTER FUJIYAMA
STATED THAT HE TOOK NOTE OF OUR REPRESENTATION IN THIS
REGARD. FOR DETAILS, MINISTER YIU'S LETTER WILL FOLLOW
VIA POUCH AND FURTHER REPORT WILL BE MADE IN PERSON SINCE
I AM LEAVING FOR SEOUL TOMORROW (AUGUST 1st).

PART 2. FOLLOWING THE ABOVE REPRESENTATION, WE INFORMED
THE JAPANESE FOREIGN MINISTER THAT OUR SIDE HAS NO OBJECTION

2/..... (More)

TIME RECEIVED

INFO. TO:

CLEARANCE:

COMMUNICATIONS SECTION

CENSOR

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PROHIBITED



0324

INCOMING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS
R. O. K.

NO. _____

DATE. _____

CLASSIFICATION

TO. _____

- 2 -

TO CONVENING THE FISHERIES AND PEACE LINE COMMITTEE ON
AUGUST 20, 1958, EXPECTING SMOOTH PROGRESS FOR THE TWO
COMMITTEES PRESENTLY UNDER WAY BY THAT TIME, WHICH HE
WELCOMED.

AMBASSADOR LIMB

1958 AUG 1 AM 9 36

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CLEARANCE:

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CENSOR _____

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COMMUNICATIONS SECTION

0325

P95. 韓日代第 1293 号

檀紀 4291 年(1958 年)7 月 14 日

第 4 次韓日会談首席代表 ㊦

外務部長官 貴下

第 4 次韓日会談在日韓僑法的地位委員会、日本側討議資料送付請訓の件

頭の件、標記委員会の第 5、6 次会議で一般的に論議されて来た在日韓人の地位または処遇に関連して、韓人の強制退去問題に関して、わが側としては在日韓僑の特殊地位に鑑み、彼らは原則的に日本で彼らが望む

P96. 限り、安定した生活を営為できるようにしなければならないので、日本側により一方的に強制退去してはならないというわれわれの立場を明かしたところ、これに対して日本側はそのような韓人の特殊背景は日本の出入国関係国内法の範囲内で考慮されなければならないと主張することで、両側が相互強制退去問題に関する方針の草案を提出することを相手方側に要求したことがあり、結局日本側は今回別添のように、日本の現行法令である『出入国管理令』第 24 条の該当規定を再整理したに過ぎない案をわが側に提出、討議の資料にしようと提議して来たので、これを別添報告し、これに関して併せて請訓いたします(別添一 同案翻訳文一通)

P97.

討議資料

太平洋戦争終戦以前から続けて日本国に居住する韓国人でも、日本側が次のような理由により韓国領土に送還しようとする場合、韓国側でこの問題をどう取扱うかを、次回の韓人法的地位委員会まで研究していただければ、会議の議事進行上とても助けになるものと考えます。

1. 司法裁判所により有罪の判決を受けた事実
2. 売淫関係の仕事に従事した事実
3. 不法入国を手伝った事実

P98.

4. ライ病患者としてライ病収容所に収容されたこと。精神障害者として病院に収容されたこと。または貧困、放浪、身体障害などで公的負担になった事実
5. 在留期間を越えて不法に残留した事実
 - (1) 遵法精神が欠けた場合
 - (2) 在留状態が不良なので、在留期間の更新申請が却下された場合
6. 暴力行為により日本国憲法を破壊しようとした者。または日本国の利益、または公安を害する行為をして事実

C O P Y

PKM-24

NOTE VERBALE

The Korean Mission presents its compliments to the Ministry of Foreign Affairs and, with reference to the three (3) Korean detainees at Omura whom the Government of Japan is contemplating to release temporarily, has the honor to state as follows:

The Government of the Republic of Korea is deeply concerned over these three (3) Korean detainees at Omura who, according to the responsible official of the Ministry, are in imminent danger of life of serious illness. From the strictly humanitarian viewpoint, the Mission wishes to request that, under its responsibility, the Government of Japan temporarily release the above-mentioned three (3) Korean detainees without losing time, and render them proper medical treatment. It is understood that in this regard that their temporary release does not affect their detainee status.

It is also understood that their temporary release is based on an emergent measure taken from humanitarian viewpoint, and that it is provisional pending a final settlement of the problems in accordance with Article 2 of the Agreed Minutes which was signed on December 31, 1957.

Tokyo, August 18, 1958

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COPY

MT-013

(CABLE) C O D E (CONFIDENTIAL) URGENT

58-3-19

OFFICE OF THE PRESIDENT
FOREIGN MINISTER

ACCOMPANIED BY MINISTER YIU AND MR KYUNG KEUN CHANG CMA I MET
AMBASSADOR SAWADA AT THREE PM ON AUGUST NINETEENTH AT JAPANESE
FOREIGN MINISTRY PD AFTER INTRODUCING MR CHANG TO MR SAWADA CMA
I TOLD HIM THAT I HAD EXPECTED DURING MY ABSENCE SETTLEMENT OF
DETAINEE PROBLEM IN QUESTION AND CONSIDERABLE PROGRESS OF WORKS
OF COMMITTEES WHICH WERE FUNCTIONING CMA BUT CONTRARY TO MY
EXPECTATION ON THE JAPANESE SIDE HAS NOT ACCEPTED OUR MINIMUM
CONDITIONS FOR THE SETTLEMENT OF THE DETAINEES ISSUE IN QUESTION
PD I CONTINUED THAT I REGRETTED NO PROGRESS HAD BEEN MADE OF WORKS
OF VARIOUS COMMITTEES AND THAT THE ABOVE SITUATION WAS PARTICULARLY
REGRETTABLE IN THE LIGHT OF THE FACT THAT THE KOREAN SIDE HAD TAKEN
THE VERY SINCERE CMA REASONABLE AND EVEN CONCILIATORY POSITION
REGARDING THE OVERALL TALKS AND PARTICULARLY CONCERNING THE
DETAINER ISSUE PD I ALSO REGRETTED THAT JAPANESE PAPERS AND
MAGAZINES FREQUENTLY CARRIED STORIES CRITICIZING GROUNDLESSLY
THE REPUBLIC OF KOREA CMA WHICH WOULD CREATE QUITE ADVERSE
EFFECT ON THE CONFERENCE ATMOSPHERE PD I REQUESTED MR SAWADA TO
TAKE UP THE ABOVE MATTERS @ TO PREMIER KISHI AND TO GIVE US
FAVOURABLE REPLY TO OUR PROPOSAL REGARDING THE DETAINEE ISSUE
AS EARLY AS POSSIBLE FOR SMOOTH PROCEEDING OF THE CONFERENCE PD
I TOLD HIM IN THIS CONNECTION THAT IF THE DETAINEE ISSUE IS NOT
SETTLED CMA IT WOULD OBLIGE THE KOREAN SIDE TO CONSIDER THAT IT
WOULD BE OF NO USE TO OPEN ONLY THE FISHERIES COMMITTEE MEETING
ON AUGUST TWENTY PD MR SAWADA SAID THAT HE WOULD HOLD A MEETING OF
HIS DELEGATION AND TO TAKE UP THE MATTER TO PREMIER KISHI ADDING
THAT HE WOULD DO HIS BEST TO SETTLE THE DETAINEE ISSUE AS EARLY AS
POSSIBLE PD NOW CMA UNDER THESE CIRCUMSTANCES CMA UNLESS JAPANESE
SIDE GIVES US ANY FAVOURABLE REPLY ON DETAINEE ISSUE CMA THE

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P99-135

INCOMING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

R. O. K

NO. MT-018

~~C O E~~

DATE. 08281730

~~CLASSIFICATION~~

TOKYO

KORPITAL
TO. FORMIN

THE JAPANESE FOREIGN MINISTRY NOTIFIED
THIS OFFICE AUGUST 28 AFTERNOON THAT THE JAPANESE
GOVERNMENT DECIDED TO RELEASE ON PAROLE ANOTHER
KOREAN DETAINEE VERY NEARLY OUT OF THE 92 DETAINEES
IN QUESTION AFTER CONSULTATION WITH MEDICAL DOCTOR
DUE TO SERIOUSNESS OF HIS DEMENTIA. HIS NAME IS
KIM IL HO.

KORDIPSIOM

1958 AUG 29 AM 9 03



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MINISTRY OF FOREIGN AFFAIRS

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H. O. K.

NO. MT-023

DATE. 09051700

58.9.5

~~SECRET~~
CLASSIFICATION

TOKYO

TO. KYUNG MU DAI, FOREIGN MINISTER

EYE MET MR ITAGAKI AT 11:30 AM (SEPTEMBER 5) TO PRESS THE JAPANESE FURTHER TO COME TO OUR TERMS IN CONNECTION WITH THE DETAINEE ISSUE. EYE REPEATEDLY REFERRED TO THE POINTS OF WHICH OUR SIDE MADE REPRESENTATION. MR SAWADA ON SEPTEMBER 4TH REGARDING THE JAPANESE ORAL STATEMENT IN QUESTION AND TOLD HIM THAT AS THE ORAL STATEMENT IS HARDLY ACCEPTABLE TO US AS IT, APPROPRIATE AMENDMENT SHOULD BE MADE ALONG THE LINE OF THE KOREAN POSITION. EYE FURTHER SAID TO THE EFFECT THAT IN CASE JAPANESE SIDE FAILS TO GIVE US A SATISFACTORY REPLY BY THE END OF NEXT WEEK, EYE WOULD BE OBLIGED TO ISSUE A STATEMENT CHARGING THAT THE JAPANESE HAVE NO SINCERITY IN SETTLING PROBLEMS WITH KOREA. MR ITAGAKI REPLIED THAT THOUGH HE FELT IT VERY DIFFICULT TO COME TO KOREAN TERMS AS A WHOLE HE WOULD DO WHAT HE COULD IN THIS REGARD, ADDING THAT AS HE BELIEVED THE QUESTION WAS ALREADY BEYOND THE POWER OF THE ADMINISTRATIVE OFFICIALS, HE WOULD

TIME RECEIVED

(CON'S NEXT PAGE)

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MINISTRY OF FOREIGN AFFAIRS

R. O. K.

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CLASSIFICATION

TO. _____ PAGE 2

IMMEDIATELY REPORT ON MY REPRESENTATION TO PREMIER KISHI FOR INSTRUCTIONS. HE ALSO SAID THAT HE WOULD GIVE A REPLY AS SOON AS HE RECEIVED ANY INSTRUCTIONS FROM THE HIGHER LEVEL OF HIS GOVERNMENT. FOR DETAILS LETTER WILL FOLLOW.

MINISTER YIU



SEP - 5 1958

1958 SEP 6 AM 9 22

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Annex I

/D R A F T /

Korean Proposal at the Committee on Legal
Status of Korean Residents in Japan
(September 6, 1958)

Whereas the Republic of Korea and Japan recognize, as a result of the coming into force of the Treaty of Peace signed at the city of San Francisco, September 8, 1951, the necessity to affirm the nationality of Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto; and

Whereas the two countries recognize that it is desirable to take a special measure as regards the treatment of those Koreans after the affirmation of nationality mentioned above;

The Republic of Korea and Japan have accordingly concluded the present Agreement.

Article 1

In present Agreement, the expression "Korean residents in Japan" shall mean Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto.

Article 2

(1) The Republic of Korea and Japan confirm that Korean residents in Japan are nationals of the Republic of Korea.

/(2) The

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(2) The Republic of Korea and Japan recognize the validity of the results effected, at any time before the coming into force of the present Agreement, by the application of laws of either Contracting Party with respect to the personal status of Koreans and Japanese in relation to each other.

Article 3

(1) In the case that a Korean resident in Japan submit, within two years after the coming into force of this Agreement, an application to the Japanese Government for permanent residence together with a registration certificate issued by the Government of the Republic of Korea, the Japanese Government shall grant permission therefor. In this case, none of the provisions of the Japanese laws governing aliens in general in relation to conditions, procedures and fees for granting permanent residence shall be applicable.

(2) After the coming into force of the present Agreement, the authorities concerned of the Republic of Korea and Japan will consult with each other on the compulsory deportation of a Korean resident in Japan who may have been granted permission for permanent residence under the preceding paragraph, relating to such matters as are required for the enforcement thereof.

Article 4

A Korean resident in Japan shall be entitled to the rights on property enjoyed by him in Japan at

/the time

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the time of the coming into force of the present Agreement which aliens in general are not entitled to enjoy, as long as he resides continuously in Japan.

Article 5

A Korean resident in Japan shall be entitled to engage in the occupation (except occupation of public officers) followed by him at the time of the coming into force of the present Agreement which aliens in general are not permitted to follow under the provisions of the Japanese laws, as long as he resides in Japan continuously.

Article 6

(1) In the case that any of Korean residents in Japan returns to the Republic of Korea after the coming into force of the present Agreement, neither customs duties nor any other charges shall be imposed him in relation to any movables owned by and taken away with him. The types and quantity of movables to be taken away will be negotiated separately.

(2) The repatriator prescribed in the preceding paragraph may remit to the Republic of Korea the funds he owns through the procedures to be negotiated separately.

Article 7

The present Agreement shall be ratified by both Contracting Parties in accordance with their respective constitutional procedures, the instruments of ratifications shall be exchanged at _____.

/The present

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FISHERIES COMMITTEE MEETING WILL NOT BE HELD ON AUGUST TWENTY
PD WE ARE NOW USING THE OPENING OF THE FISHERIES COMMITTEE MEETING
AS A LEVER FOR SETTLEMENT OF THE DETAINEE ISSUE IN FAVOUR OF
OUR SIDE PD

AMBASSADOR LINE

AUGUST 19, 1958

0330

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COPY

(CABLE) G O R E (C O N F I D E N T I A L) U R G E N T
MT-014

OFFICE OF THE PRESIDENT
FOREIGN MINISTER

TOGETHER WITH MINISTER YIU AND MR CHAN CHAI MET VICE FOREIGN
MINISTER YAMADA FROM FIVE PM TO FIVE FIFTY PM ON AUGUST
TWENTY AT THE JAPANESE FOREIGN MINISTRY PD AT THIS MEETING
CMA WE MADE ANOTHER STRONG REPRESENTATION AS WE DID YESTERDAY
TO AMBASSADOR SAWADA PARTICULARLY REGARDING THE MATTER ON
SOME KOREAN DETAINEES IN QUESTION AT OMURA PD IN THIS
CONNECTION MR YAMADA STATED THAT ALTHOUGH IT WAS VERY
DIFFICULT TO COMPLY WITH THE KOREAN REQUEST PARTICULARLY
IN CONNECTION WITH THE PROBLEM ON QUOTE WRITTEN ASSURANCE
UNQUOTE CMA HE WOULD MAKE MORE EFFORTS CONTINUOUSLY IN THIS
REGARD TO WORK OUT A SOLUTION TO THIS PROBLEM PD FOR DETAILS
MINISTER YIU'S LETTER WILL FOLLOW VIA NEXT POUCH PD

AMBASSADOR LIMB

AUGUST 20, 1958

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~~CONFIDENTIAL~~

COPY

Tokyo, August 21, 1958

No. 21

Dear Mr. President:

Following my return here on Monday, August 18, with our Fisheries representative Chang Kyung Keun and Counselor Choi Kyu Nah, I received a briefing on the latest development on the talks with Japan, particularly in regard to the current detainee issue, while I had been away. The issue, in relation to some Korean detainees who are allegedly desirous of going to 'north' Korea.

I have been informed that we presented the Japanese with a very sincere and conciliatory proposition for the settlement of the current detainee issue which, however, has not yet been accepted by them. Although the Japanese orally promised not to send the paroled detainees to north Korea, they refused to yield to our request to give us written assurances to that effect. As a result, there had been no progress in the other Committee proceedings.

Under such circumstances at a staff meeting held following my return here, it has been decided that the scheduled opening of the Fisheries Committee be postponed until the detainee issue is settled, in order to apply pressure upon the Japanese, and that I meet Japanese officials concerned to press our point to them once again.

Thus, I visited Ambassador Sawada and Vice Foreign Minister Yamada at 3 p.m. Tuesday, and 5 p.m. Wednesday, respectively. Minister Yiu and Mr. Chang accompanied me on these visits. Contents of the talks at these meetings have already been reported in my cables, MT-013 and 014, of which copies are enclosed herewith.

/I told

His Excellency Dr. Syngman Rhee
President of the
Republic of Korea

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2.

I told the Japanese officials that it was regrettable that there had been no progress during my absence from Tokyo, in the current talks and that the Japanese side failed to accept our reasonable and conciliatory proposition for the settlement of the current detainee issue. We also told them that a practise of the Japanese press to denounce Korea groundlessly on the detainee issue did not serve the smooth proceedings of the talks and, therefore, should be discontinued.

We also made it clear that the Korean side was of the opinion that until a settlement of the current detainee issue is reached, the opening of the Fisheries Committee should be postponed. We stated that if the Japanese side wanted the smooth operation of the overall talks in future, the highest officials, such as Premier Kishi and Foreign Minister Fujiyama, should direct the lower-level officials to agree to our terms on the detainee issue. Ambassador Sawada replied in this regard that the matter would be taken up with Prime Minister Kishi and he would inform us of its result.

At our meeting with Vice Minister Yamada, as reported in my cable, he stated that it was extremely difficult to give us any written assurances that the released detainees would not be sent to north Korea, however, he said he would give the matter further study, to find a solution to the issue.

I also visited Ambassador MacArthur at 11:30 a.m. today to give him a full explanation on the current detainee issue. I have reported in this regard in detail under separate cover.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

Encls.

101

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~~CONFIDENTIAL~~

COPY

Tokyo, August 21, 1958

No. 22

Dear Mr. President:

I called on US Ambassador Douglas MacArthur II at his office at 11:30 a.m. today and talked for about 50 minutes. Minister Yiu and Representative Chang Kyung Keun accompanied me on this visit.

After I introduced Mr. Chang who is our representative to the Fisheries Committee, the US Ambassador asked me when the Committee was going to meet. I told him that we wanted to start fisheries discussion as soon as possible, as evidenced from the arrival of Mr. Chang. However, a complicated issue arose in connection with Japan's unilateral decision to release in Japan some Korean detainees at Omura Camp.

We explained to him that at the Korea-Japan Working Committee headed respectively by Minister Yiu and Director Itagaki the Japanese representative promised not to send to north Korea nor release in Japan those Korean detainees who allegedly desire to go to the north, which is clearly recorded. Despite such Japanese action, our side took a very conciliatory attitude for the smooth proceedings of the overall talks and agreed to the contemplated parole, from the humanitarian viewpoint, provided Japan assures us in writing merely that "they would not be sent to the north after their release in Japan". Notwithstanding such a reasonable proposition from our side, the Japanese have not yet agreed to do so, thus our side was obliged to postpone the opening of the scheduled Fisheries Committee, pending a settlement of the current detainee issue.

Mr. MacArthur told us that his Government was not in support of the idea of forcibly sending aliens to destinations which are not of their own choosing. He further stated

/that he

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His Excellency Dr. Syngman Rhee
President of the
Republic of Korea

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that he understood that Japan would not send them to north Korea after their release, although he thought that it was difficult for the Japanese to give us written assurances to such effect.

We told MacArthur that 'north' Korea, being an integral part of the Republic of Korea, is presently under unlawful occupation by the Communists, and, therefore, our Government could not tolerate any of our nationals being sent to that part of our territory where their safety is not guaranteed.

We also pointed out that Japan made a number of oral commitments in the past on various issues and actually broke them on several occasions in the absence of written assurances. Therefore, we continued, we cannot feel secure until written assurances are given on the current detainee issue. Mr. MacArthur understood thatpoint.

When Mr. Chang told MacArthur that since the Middle-east crisis, Japan seemed to have taken increasingly neutralistic stand, MacArthur opined that Japan was an independent country and as such wanted to pursue her own foreign policy. Citing the US-British and US-ROK relations, the US Ambassador said that, though they all were good allies to each other, that did not mean that they were in agreement on all issues. He further advised us that as the present Japanese administration headed by Mr. Kishi is, in his opinion, sincere toward the settlement of the pending issues with Korea, it would be to the disadvantage of Korea, unless a settlement was sought while Mr. Kishi was still in power. He thought that the more the settlement of the pending problems was delayed, the more difficult such settlement would be. We told him that our side had always been sincere on this matter and expected the same from Japan.

Finally, Amb. MacArthur told us that he would shortly meet Japanese officials concerned and do what he personally could, in connection with the present situation. Any further development in this regard would be reported promptly.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

⑤-2

COPY
~~CONFIDENTIAL~~

Tokyo, August 21, 1958

No. 95

Excellency:

In compliance with cable No. FT-092 of August 16, from the Foreign Minister concerning the parole of the three (3) Korean detainees at Omura Camp, this office prepared a note verbale, as enclosed copy, stating that our Government, from the humanitarian standpoint, requests that the said three detainees be paroled under the Japanese Government responsibility, with understanding that such an action was only an emergency measure without affecting their status as detainees and that the final settlement of the detainee issue would be made in accordance with Article 2 of the Agreed Minutes signed on December 31, 1957.

Following the return here of Ambassador Limb and arrival of Mr. Chang Kyung Keun, they met Ambassador Sawada and Vice Foreign Minister Yamada at 3 p.m. Tuesday (Aug. 19) and 5 p.m. Wednesday (Aug. 20), respectively to press the Japanese side for its acceptance of our terms, as instructed in a Foreign Minister's letter, Woijung No. 2024. Our side also told them that pending the complete settlement of the current detainee issue, no meeting of the Fisheries Committee would be held, despite the original schedule of a meeting on Aug. 20.

The Japanese side, as reported in the cable from Amb. Limb, repeated its insistence that it was very difficult for them to give us the requested written assurances that the paroled detainees would not be sent to north Korea. Details in this regard, I believe, are being reported by Amb. Limb separately.

It appears to me, however, that the Japanese side is taking a unusually stiff attitude regarding the current detainee issue, despite our very reasonable and

/conciliatory

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His Excellency
President Syngman Rhee

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conciliatory proposition for the purpose of attainment of smooth operation of the overall talks. I took note of cable No. FT-093 of Aug. 20, instructing us not to open the Fisheries Committee until the complete settlement of the current detainee issue and I am fully in accord that such a measure will be effective in applying pressure on Japan for her acceptance of our terms concerning the written assurances.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

A. C. K.

Encls.

108

105 . 0337

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~~R. O. K.~~

NO. MT-015

~~SECRET~~

DATE. 08231800

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TOKYO

KYUNG MU DAI
TO. FOREIGN MINISTER

AT AROUND 11:40 THIS MORNING (AUGUST 23) THE JAPANESE FOREIGN MINISTRY NOTIFIED THIS OFFICE THAT THE JAPANESE GOVERNMENT WAS CONTEMPLATING TO MAKE A PROVISIONAL RELEASE OF 2 PRO-COMMUNIST KOREAN DETAINEES FROM OMURA ON AUGUST 25 FOR THE SAME REASON AS IN CASE OF THE 3 DETAINEES WHO HAD BEEN RELEASED ON AUGUST 18.

URGENT GOVERNMENT INSTRUCTIONS WOULD BE HIGHLY APPRECIATED REGARDING WHETHER THIS OFFICE MAY REQUEST THE JAPANESE FOREIGN OFFICE TO MAKE A PROVISIONAL RELEASE OF THE SAID 2 KOREANS IN QUESTION THROUGH A NOTE VERBALE WITH WORDINGS ALONG THE LINE OF THE PREVIOUS CASE OF THE PROVISIONAL RELEASE 3 DETAINEES.

KORDIPSION

1958 AUG 24 11:00 AM
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NO. F7-075

DATE 0257030

August 24, 1958

R. O. K.

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기포/57로
사본을 개부대
어 중부함
기

SENT TO - AMBASSADOR KIM AND MINISTER YIU

COPY TO AMBASSADOR LIM PD

ACKNOWLEDGED RE ZERO ONE FIVE AUGUST TWENTY FOURTH ONE NINE

FIVE EIGHT REGARDING THE DETAINEE ISSUE PRESENTLY PENDING PD YOU

ARE INSTRUCTED TO UNDERSTAND OUR POSITIONS AS ARE CLARIFIED IN FOLLOWING

ITEMS ONE AND TWO CMA AND TO ~~IMPLEMENT~~ ^{TAKEN ACTION BY} ITEM THREE ~~OF THIS CMA~~ PD

ITEM ONE IN THE VIEW OF ^{OUR} ~~THE~~ GOVERNMENT CMA THE PRESENT SITUATION

IS NOT THE SAME AS WHAT IT WAS AROUND AUGUST EIGHTEENTH WHEN THE

MISSION SENT ITS NOTE PKM TWENTY FOUR PD THE NOTE PKM TWENTY FOUR

WAS ISSUED BECAUSE OUR SIDE BELIEVED THAT BY DOING SO THE IMMEDIATE

IMPASSE ^{MIGHT} ~~WOULD~~ BE OVERCOME IN THE EXPECTATION THAT THE JAPANESE SIDE

WOULD FAVORABLY RESPOND TO OUR REPRESENTATION OF AUGUST TWELFTH WHICH

SET FORTH OUR POSITION ^{DAZN} ~~CMA~~ ALTERNATIVE TWO OF WOIJUNG TWO ZERO TWO FOUR

^{DAZN} ~~CMA~~ IN THE LIGHT OF OUR CONCILIATORY ATTITUDE SHOWN THEREBY PD FROM

THIS POINT OF VIEW CMA ^{HEREAFTER} OUR SIDE WILL NOT REFER AGAIN TO SPECIFIC

CASES OF PATIENT DETAINEES WHICH THE JAPANESE GOVERNMENT IS CONTEMPLATING

TO RELEASE TEMPORARILY ^{WILL HEREAFTER} ~~PD CMA~~ BUT WILL SEEK A SOLUTION

^{OF THE PROBLEM FROM ITS BASIC ASPECT PD} ITEM TWO THE MISSION IS ADVISED THAT THE GOVERNMENT HAS NO

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R. O. K.

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ALTERNATIVE TO REPLACE OUR POSITION AS WAS SET FORTH IN THE MISSIONS
 AIDE MEMOIRE OF AUGUST TWELFTH CMA IN WHICH THE GOVERNMENT ~~WAS~~
~~Substantive~~ ^{Secret} AN UNDERSTANDING WITH THE JAPANESE SIDE CONCERNING SUCH A POINT
 AS IS RELATED TO FUNDAMENTAL PRINCIPLE WHICH CONCERN OUR VITAL INTERESTS
 AND ON WHICH WE WILL NEVER BARGAIN WITH THE JAPANESE UNDER ANY CIRCUMSTANCE PD
 ITEM THREE UNDER THE PRESENT CIRCUMSTANCES CMA THE MISSION IS
 INSTRUCTED TO SEND A NOTE VERBALE WITHOUT DELAY TO THE JAPANESE GOVERNMENT
 TO THE FOLLOWING EFFECT COLON

QUOTE AS THE JAPANESE SIDE IS WELL AWARE CMA THE KOREAN SIDE HAS
 NO OBJECTION TO THE TEMPORARY RELEASE AS SUCH OF THOSE DETAINEES AT
 OMURA DETENTION CAMP CMA PARTICULARLY THOSE WHO ARE IN IMMINENT DANGER OF
 LIFE CMA IF IT IS CLEARLY UNDERSTOOD THAT THEY CMA AFTER BEING RELEASED CMA
 WILL NOT BE ALLOWED TO GO TO THE AREA OTHER THAN SUCH PLACES AS TO BE
 DESIGNATED BY THE REPUBLIC OF KOREA PD IN THIS CONNECTION CMA THE KOREAN
 SIDE WISHES TO INVITE THE ATTENTION OF THE JAPANESE GOVERNMENT TO THE
 FORMERS REPRESENTATION CMA ON AUGUST TWELFTH CMA ONE NINE FIVE EIGHT
 CMA IN WHICH MINISTER YIU ~~OF THE KOREAN MISSION IN JAPAN TO MR. ITABASHI~~

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0340

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R. O. K.

NO.

DATE

Page 3

CLASSIFICATION

SENT TO

TO DIRECTOR ITABAKI

DELIVERED THE FOLLOWING POINTS OF ^{KOREAN} ~~GOVERNMENT~~ POSITION ^{COLON PARENTHESIS}
 THE WHOLE CONTENTS OF AIDE MEMOIRE OF AUGUST TWELFTH QUOTED PARENTHESIS
 PD THE KOREAN SIDE REITERATES AGAIN THAT THE ABOVE MENTIONED POINTS
 REMAIN THE FIRM POSITION OF THE KOREAN GOVERNMENT TO WHICH NO ALTERNATIVE
 IS CONCEIVABLE PD FOR CONSEQUENCES WHICH MIGHT ARISE FROM JAPANESE
 FAILURE TO RESPOND FAVORABLY TO THE ^{IT} CONCILIATORY PROPOSAL OF THE KOREAN
 SIDE ^{OR} ~~AND~~ JAPANESE UNILATERAL ACTION ^{IF TAKE PLACE} ~~OR~~ ^{WOULD} THE JAPANESE GOVERNMENT SHOULD
 BE SOLELY RESPONSIBLE PD UNDER THE CIRCUMSTANCES ~~OR~~ ^{OR} THE KOREAN SIDE
 URGES AGAIN THE JAPANESE SIDE TO REPLY TO THE ~~FOR~~ ^{FOR} PROPOSAL OF
 AUGUST TWELFTH ~~OR~~ ^{AND CONSIDERED} AS IT IS ~~INDISPENSABLE AT PRESENT~~ FOR THE KOREAN
 SIDE TO KNOW CLEARLY WHAT THE LATTERS REAL INTENTIONS ARE ON THE
 ISSUE PENDING PD UNQUOTE

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FOREIGN MINISTER

총리실 과장 귀관 차관 장

AUG 25 1950

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[Handwritten signature]

Toyo, August 25, 1958

No. 96

Excellency:

1. Last Saturday noon the Japanese Foreign Office telephoned this office, informing that two more persons among those who allegedly desire to go to north Korea, are slated to be paroled today (Monday, Aug. 25), for the same reason as with the case of the three persons previously paroled. Cable No. MT-015 has been sent in this regard and this office has just received cable No. FT-095 from the Foreign Ministry on this matter.

2. As I reported in my letter No. 95 of August 21, we have notified the Japanese that until the written assurances that these parolees would not be sent to the north, are given us, no meeting of the Fisheries Committee would be held. There has so far been no response from the Japanese side in this respect.

According to the press report, Prime Minister Kishi who was on a stumping tour, stated in Fukuoka that the issue must be discussed further with the Korean side. As Foreign Minister Fujiyama returned Sunday morning from New York where he attended the emergency session of the UN General Assembly, Premier Kishi will talk with him on this matter before deciding on their attitude toward this problem.

3. Ambassador Lieb met Sawada at an informal luncheon this noon where he invited the latter. According to the Ambassador, Sawada told him that he (Sawada) discussed the detainee issue and the relevant situation with Premier Kishi a few days before and believed that a settlement

/would

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His Excellency
President Syngman Rhee

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would have to await the return of Foreign Minister
Fujiyama, etc.

오 주 } 4. Judging from the current situation the Japanese
side will reach some kind of decision before Fujiyama's
departure for New York again to attend the UN General
Assembly about Sept. 3 and approach our side. This office
will continue to press the Japanese side for its acceptance
of our terms.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

G. T. K.

114

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0343

August 25, 1958

TO : His Excellency the President
FROM : Vice Foreign Minister
SUBJECT : Conversation with Ambassador Dowling

0344

Ambassador Dowling called on me at 2:00 p.m. today and made the following representation on the case of Mr. Robert Winter, a U.S. citizen who is presently held by the Prosecutors Office under the suspicion of having violated our foreign exchange control law.

Dowling:

Speaking of the case of Mr. Robert Winter, he has been under detention by the Korean authorities for 18 days as he was held for 10 days by the Metropolitan Police and 8 days by the Prosecutors Office. I hope the Korean authorities concerned will expedite the investigation on his case and proceed with examination without detaining the accused. In asking this, I have no slightest intention of raising objection to or interfering with the rights of the Korean authorities to arrest, investigate and interrogate U.S. citizens violating Koreans laws and regulations in force, but, since Korea is making efforts to invite American capitals into Korea, I

/would think

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would think that frequent disputes of this nature between the Korean authorities and American businessmen in Korea might give an impression to the U.S. Congressmen as if the Korean side were placing pressure on American businessmen, which will put the State Department (Mr. Robertson in particular) in a very difficult position.

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CF30

I have not heard of any case in which Korean businessmen were arrested by the Korean authorities under suspicion of having violated the foreign exchange regulations. The Republic of Korea is obliged by treaty to accord the national treatment to American businessmen, and I cannot understand why the Korean authorities detained American citizen for such a long period while they took no action toward Korean nationals of similar category. Besides, the American citizen under question will not be able to run away even if he was peroled. I hope that the Foreign Ministry will use its good offices on the case of Mr. Winter.

Kim:

I will take up this matter with the Justice Ministry this afternoon and will see to it that every measure that is permissible within the Korean relevant law be taken for Mr. Winter. As you say, we are eager to invite American capitals into Korea, but we do not want capitals to be introduced and managed by such American businessmen who would violate our laws and regulations. I don't think
/the U. S.

the U.S. Congress would object to our Government's apprehending American citizens who violated Korean laws and regulations. I will talk with the Justice Minister this afternoon and ask him to take appropriate steps to meet with your request.

Dowling:

Regarding the Korea-Japan talks, as I have told you before, no government will resort to the means of forceful repatriation. The so-called World Peace Congress which was held recently in Tokyo to protest and oppose to the use of nuclear power, was attended by representatives from many countries, but Japan refused to issue visas to those representatives from north Korea although Japan granted entry permits to the representatives from north Viet-Minh, Red China and East Germany. This will show that Japan does not recognize north Korean puppet regime, and I firmly believe that even if Japan released those pre-communist Koreans in Japan, she will never repatriate them to north Korea.

It will be impossible for Japan, however, to effectively apprehend every attempts of smuggling into Japan by foreign nationals just as Japan is incapable of being held responsible for not being able to prevent smuggling out from Japan of Koreans. Japan thus would not comply with the Korean demand for forceful repatriation, but I think the Japanese side will be able to promise that they would not send those Koreans to north Korea. In this connection, I

/feel that

9:30

feel that the Japanese side might be able to give a written assurance to the Korean side with some rewording on the Korean proposal on the matter.

Kim:

The repatriation in the case of the Korean detainees is not "repatriation" but "deportation". International precedence regarding deportation shows that the deporting state may send the deportees in accordance with their nationality and addresses before their departure for the smuggling. The nationality of those detainees now at issue is the Republic of Korea and their addresses before their smuggling into Japan were in Korea, and I can hardly understand how the Japanese side is going to justify the reason for its sending these Koreans to north Korea. Deportation in itself means a forceful repatriation. If Japan is to stick to its so-called non-forceful repatriation principle, they should release those Koreans in Japan since these Koreans prefer to remain in Japan. If they are to deport any of them, their destination cannot be any other place than the Republic of Korea. If Japan has any sincerity toward the settlement of the issues between the two countries, Japan should accept our proposal on this matter, and I hope you will strongly advise Ambassador MacArthur to persuade the Japanese side into accepting our proposal.

0347

/Dowling:

Dowling:

I can understand your reasoning, but I hope you will reconsider the Japanese position. I would like to talk with you more on these matters, and I am wondering whether we could meet again at the Secul Country Club at 4:00 p.m. on Thursday so that we may have a frank exchange of views while playing golf together.

Kim:

If nothing urgent comes up until that time, I will be very pleased to meet you there.

If Your Excellency approves my meeting Amb. Dowling next Thursday at the Country Club, I will do so. I would be most grateful if Your Excellency gives me instructions as to what subjects to talk with and what specific points to sound out from him.

Most respectfully,

0348

119
: 116

MINISTRY OF FOREIGN AFFAIRS

INCOMING
TELEGRAM

R. O. K.

NO. WT-016

DATE 08261000

~~SECRET~~
CLASSIFICATION

TOKYO

TO. ~~KYUNG MU DAI & FOREIGN~~ MINISTER

I RECEIVED FORMIN CABLE INSTRUCTIONS FT-095 OF AUGUST 25 REGARDING DETAINEE ISSUE PRESENTLY PENDING. AS MINISTER YIU IS EXPECTED TO MEET MR ITAGAKI, DIRECTOR OF THE ASIAN AFFAIRS BUREAU OF THE JAPANESE FOREIGN OFFICE AT 10:30 AM AUGUST 26, HE WILL MAKE A STRONG VERBAL REPRESENTATION ALONG THE LINE WITH THE CONTENTS OF ITEM 3 OF THE FORMIN CABLE. JUDGING FROM PREMIER KISHIS ATTITUDE AND WHAT AMBASSADOR SAWADA TOLD ME AT MY LUNCHEON WITH HIM AUGUST 25 (MINISTER YIU WAS PRESENT AT THIS LUNCHEON), IT IS VIEWED THAT THE JAPANESE SIDE IS APPARENTLY TRYING TO WORK OUT A SOLUTION TO THE PRESENT IMPASSE BETWEEN KOREA AND JAPAN. AMBASSADOR SAWADA REQUESTED US TO WAIT FOR THE JAPANESE REPLY REGARDING OUR PROPOSAL ON THE DETAINEES ISSUE UNTIL THE END OF THIS WEEK. IT IS ALSO REVEALED THAT ^(Aug. 30.) CONCERNING THE RESOLVING OF THE PRESENT IMPASSE THERE ARE TWO FACTIONS DASH ONE FAVOURING THE COMPROMISE WITH OUR

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(CONT'D NEXT PAGE)

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MINISTRY OF FOREIGN AFFAIRS
R. O. K.

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CLASSIFICATION

TO. PAGE 2 /

SIDE, THE OTHER AGAINST COMPROMISE. UNDER THE CIRCUMSTANCES,
IF WE MAKE REPRESENTATION IN A WRITTEN FORM AT THIS STAGE,
SUCH AS NOTE VERBALE AS WAS INSTRUCTED, I AM AFRAID THAT
SUCH A WRITTEN DOCUMENT MIGHT BE UTILIZED BY THE -NO-
COMPROMISE FACTION OF THE JAPANESE SIDE AS ITS PRETEXT OF
PURSUING SO-CALLED STRONG ATTITUDE TOWARD KOREA. IN VIEW
OF THE ABOVE, I STRONGLY RECOMMEND THAT WE WAIT UNTIL THE
END OF THIS WEEK FOR RESULT OF AMBASSADOR SAWADAS EFFORTS.

요후평

AMBASSADOR LIMB

당	외	과	국	관	장	공	정
						관	부
						장	국

AUG 26 1958

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NO. MT-017

DATE. 08261200

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TOKYO

TO. KYUNG MU DAI
FOREIGN MINISTER

AS ALREADY REPORTED BY AMBASSADOR LING IN HIS CABLE NO.-016,
I MET MR ITAGAKI AT HIS OFFICE AT 10:30 AM ON AUGUST 26, 1958.
I MADE A STRONG VERBAL REPRESENTATION ALONG THE LINE OF THE
GOVERNMENT INSTRUCTIONS CONTAINED IN FORMIN CABLE NO. FT-095.
MR ITAGAKI TOLD ME THAT THE REASON WHY THE JAPANESE SIDE HAS
BEEN UNABLE TO GIVE A REPLY TO THE KOREAN AIDE MEMOIRE OF
AUGUST 12TH, 1958 WAS THAT THE FOREIGN OFFICE WAS STILL ADJUST-
ING THE VIEWS AMONG THE MINISTRIES CONCERNED, SUCH AS JUSTICE
MINISTRY, WELFARE MINISTRY AND NATIONAL POLICE DEPARTMENT.
HE CONTINUED THAT THE DELAY IN GIVING ANSWER TO THE KOREAN
SIDE WAS SOLELY CAUSED BY HIS MINISTRY'S CONTINUANCE OF
EFFORTS TO WORK OUT A SOLUTION TO THE KNOTTY PROBLEM NOW
AT ISSUE. I STRONGLY TOLD HIM THAT THERE WAS NO ALTERNATIVE
TO THE KOREAN PROPOSAL, BEING VERY CONCILIATORY, MADE IN THE
AIDE MEMOIRE UNDER REFERENCE AND URGED HIM TO GIVE A REPLY
IMMEDIATELY. HE FINALLY SAID THAT THE JAPANESE SIDE WOULD
2/ (MORE)

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MINISTRY OF FOREIGN AFFAIRS
R. O. K.

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DATE. _____

CLASSIFICATION

TO. _____ PAGE - 2

MAKE EVERY EFFORT TO GIVE A REPLY TO THE AIDE MEMOIRE
BY THE END OF THIS WEEK ANY FURTHER DEVELOPMENT WILL
BE REPORTED TO THE GOVERNMENT PROMPTLY.

MINISTER YIU

국무총리	외무장관	차관	보좌관	비서	공보	기록	사무
			<i>BY</i>		인	공	사
					인	공	사

AUG 25 1958

1958 AUG 26 0500 PM

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RECOMMENDATION KPO/70

OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

NO. FT-096

~~P. O. K.~~

DATE 27/1150

~~C O D E
CLASSIFICATION~~

August 26, 1958

SENT TO AMBASSADOR BEN C LIMB KORDIPSON

RECABLE MT ZERO ONE SIX PD YOUR RECOMMENDATION
HAS BEEN APPROVED PD

FOREIGN MINISTER

Origin:

Info:

Dist.
Desired
(Offices
Only)

[Handwritten initials]
AUG 27 1958



[Vertical handwritten text]



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0353

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~~CONFIDENTIAL~~

⑤-10

21

Tokyo, August 28, 1958

No. 97

Excellency:

I beg to acknowledge with appreciation the receipt of letter No. 50 of August 25 from the Office of the President.

1. I received also Cable No. FT-095 of August 25 from the Foreign Minister, instructing this office to immediately send a note verbale concerning the current detainee issue to the Japanese Foreign Office.

As a result of the delegates' meeting called to study the above Government instructions, it has been agreed that it is to our advantage to withhold such note verbale until the end of this week, in view of the Japanese attempt to work out a solution to the issue. Cable No. MT-016 of August 16 has thus been sent, containing the above recommendations, to which an approval has already been received from the Government.

As stated in Cable No. MT-016, there seem to be two factions in Japanese way of thinking, one favoring a strong attitude toward us on the current detainee issue and the other advocating a solution by compromise so that the overall talks would not be disrupted at this stage. It would, therefore, not be harmful to our side to give a few days for the Japanese side to decide finally on the matter.

3. As already reported, Minister Yiu again met Asian Affairs Director Itagaki, urging Japan to reply to our aid memoire without further delay. Itagaki replied that the

/delay

His Excellency
President Synguan Rhee

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2.

delay in replying was caused due to his Ministry's efforts to adjust views of various Ministries concerned, such as Ministries of Justice and Welfare, and that he would make his best to give a reply to the Korean side within this week.

4. As reported previously, Ambassador Sawada is also exerting efforts to work out some kind of solution and, therefore, we are now watching carefully the Japanese move in regard to our request. Any further development will be reported promptly.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

H. I. K.

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0355

INCOMING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

~~R. O. K.~~

NO. MT-018

~~C O E~~

DATE. 08281730

~~CLASSIFICATION~~

TOKYO

KORPITAL
TO. FORMIN

THE JAPANESE FOREIGN MINISTRY NOTIFIED
THIS OFFICE AUGUST 28 AFTERNOON THAT THE JAPANESE
GOVERNMENT DECIDED TO RELEASE ON PAROLE ANOTHER
KOREAN DETAINEE VERY NEARLY OUT OF THE 92 DETAINEES
IN QUESTION AFTER CONSULTATION WITH MEDICAL DOCTOR
DUE TO SERIOUSNESS OF HIS DEMENTIA. HIS NAME IS
KIM IL HO.

KORDIPSIOM

1958 AUG 29 AM 9 03



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MINISTRY OF FOREIGN AFFAIRS

INCOMING
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H. O. K.

NO. MT-023

DATE. 09051700

58.9.5

~~SECRET~~
CLASSIFICATION

TOKYO

TO. KYUNG MU DAI, FOREIGN MINISTER

EYE MET MR ITAGAKI AT 11:30 AM (SEPTEMBER 5) TO PRESS THE JAPANESE FURTHER TO COME TO OUR TERMS IN CONNECTION WITH THE DETAINEE ISSUE. EYE REPEATEDLY REFERRED TO THE POINTS OF WHICH OUR SIDE MADE REPRESENTATION. MR SAWADA ON SEPTEMBER 4TH REGARDING THE JAPANESE ORAL STATEMENT IN QUESTION AND TOLD HIM THAT AS THE ORAL STATEMENT IS HARDLY ACCEPTABLE TO US AS IT, APPROPRIATE AMENDMENT SHOULD BE MADE ALONG THE LINE OF THE KOREAN POSITION. EYE FURTHER SAID TO THE EFFECT THAT IN CASE JAPANESE SIDE FAILS TO GIVE US A SATISFACTORY REPLY BY THE END OF NEXT WEEK, EYE WOULD BE OBLIGED TO ISSUE A STATEMENT CHARGING THAT THE JAPANESE HAVE NO SINCERITY IN SETTLING PROBLEMS WITH KOREA. MR ITAGAKI REPLIED THAT THOUGH HE FELT IT VERY DIFFICULT TO COME TO KOREAN TERMS AS A WHOLE HE WOULD DO WHAT HE COULD IN THIS REGARD, ADDING THAT AS HE BELIEVED THE QUESTION WAS ALREADY BEYOND THE POWER OF THE ADMINISTRATIVE OFFICIALS, HE WOULD

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MINISTRY OF FOREIGN AFFAIRS

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TO. _____ PAGE 2

IMMEDIATELY REPORT ON MY REPRESENTATION TO PREMIER KISHI FOR INSTRUCTIONS. HE ALSO SAID THAT HE WOULD GIVE A REPLY AS SOON AS HE RECEIVED ANY INSTRUCTIONS FROM THE HIGHER LEVEL OF HIS GOVERNMENT. FOR DETAILS LETTER WILL FOLLOW.

MINISTER YIU



SEP - 5 1958

1958 SEP 6 AM 9 22

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Annex I

/DRAFT/

Korean Proposal at the Committee on Legal
Status of Korean Residents in Japan
(September 6, 1958)

Whereas the Republic of Korea and Japan recognize, as a result of the coming into force of the Treaty of Peace signed at the city of San Francisco, September 8, 1951, the necessity to affirm the nationality of Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto; and

Whereas the two countries recognize that it is desirable to take a special measure as regards the treatment of those Koreans after the affirmation of nationality mentioned above;

The Republic of Korea and Japan have accordingly concluded the present Agreement.

Article 1

In present Agreement, the expression "Korean residents in Japan" shall mean Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto.

Article 2

(1) The Republic of Korea and Japan confirm that Korean residents in Japan are nationals of the Republic of Korea.

/(2) The

0359

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(2) The Republic of Korea and Japan recognize the validity of the results effected, at any time before the coming into force of the present Agreement, by the application of laws of either Contracting Party with respect to the personal status of Koreans and Japanese in relation to each other.

Article 3

(1) In the case that a Korean resident in Japan submit, within two years after the coming into force of this Agreement, an application to the Japanese Government for permanent residence together with a registration certificate issued by the Government of the Republic of Korea, the Japanese Government shall grant permission therefor. In this case, none of the provisions of the Japanese laws governing aliens in general in relation to conditions, procedures and fees for granting permanent residence shall be applicable.

(2) After the coming into force of the present Agreement, the authorities concerned of the Republic of Korea and Japan will consult with each other on the compulsory deportation of a Korean resident in Japan who may have been granted permission for permanent residence under the preceding paragraph, relating to such matters as are required for the enforcement thereof.

Article 4

A Korean resident in Japan shall be entitled to the rights on property enjoyed by him in Japan at

/the time

0360

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The present Agreement shall go into effect on the date upon which the instruments of ratifications are exchanged.

However, the provisions of Article 4 and 5 shall be applicable, retroacting on the date of the first coming into force of the Peace Treaty with Japan signed at the city of San Francisco, 8 September 1951.

IN WITNESS WHEREOF, the representatives of the two Governments, being duly authorized by their respective Governments for the purpose of this Agreement, have signed the present Agreement.

DONE at Tokyo, this _____ day of _____ nine hundred fifty eight, in duplicate in Korea, Japan and English languages, each text being equally authentic.

For the Government of the Republic of Korea

For the Government of Japan

0362

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September 24, 1958

TO : His Excellency the President
 FROM : Vice-Minister of Foreign Affairs
 SUBJECT : Recommendation on our proposal for Draft Agreement on Status and Treatment of Korean Residents in Japan at the 4th Korea-Japan Conference

0363

In its instructions dated September 18, 1958 (OJ-3,554) for future conduct of negotiation at the fourth Korea-Japan Conference, Government instructed the Delegation as follows:

"At the Legal Status Committee, our Delegation will present to the Japanese our draft proposal (to be sent soon) for immediate comment by the Japanese side to expedite the proceeding of meeting, particularly sounding out again the Japanese intention as to the problem of nationality of Korean residents in Japan."

Now I submit, for Your Excellency's approval, the draft (A n n e x I) which will be presented to the Japanese side for its comment. It is not believed that the Japanese side will easily come to our terms on the problem, but it is necessary at this time to sound out Japanese real intentions through its comment on and reaction to the above-mentioned draft.

The enclosed draft is composed of a Preamble and seven articles, among which Article 1 provide for Definition of Korean Residents, Article 2 ^{for} Nationality, Article 3 for Permanent residence and deportation, Article 4 for Property rights, Article 5 for Occupation, Article 6 for Repatriators' movables and Article 7 for Final clause.

Enclosure: as stated.

Most respectfully,

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MAIN POINTS OF PEACE AGREEMENT

1. Article 1 (Scope of Koreans under the Agreement): This Agreement is to regulate the status and treatment of those Koreans of prewar category and their descendants.

2. Article 2 (Nationality of Koreans): They are confirmed to be nationals of the Republic of Korea.

3. Article 3 (Permanent residence and deportation): Regardless of Japanese laws, the Japanese Government should grant the Koreans in question permanent residence if they apply therefor together with registration certificate issued by the Korean Government. The Japanese Government cannot deport those Koreans without consultation with the Republic of Korea.

4. Article 4 (Property rights): The Koreans should be entitled to enjoy continuously their property rights which, according to the Japanese law, cannot be enjoyed by aliens.

5. Article 5 (Occupation): The Koreans can engage in all occupation except occupation of public officers of the Japanese Government.

6. Article 6 (Properties carried by Korean repatriates and their remittance of funds): The repatriates can, without restriction, take away from Japan movables, and can remit the funds he owns to the Republic of Korea.

7. Article 7 (Final Clause): Ratification, etc.

0364

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P136. 韓日代第 2010 号

檀紀 4291 年(1958 年)10 月 2 日

駐日公使 ㊤

外務部長官 閣下

北韓行きを希望するという抑留中の韓人僑胞に関する件

(対 4291 年(1958 年)9 月 18 日付 外政第 3,554 号

対 4291 年(1958 年)9 月 27 日付 電文第 FTB-002 号)

頭の件、代号公文外政第 3,554 号及び電文第 FTB-002 号に基づき、9 月 29 日に本職が日本外務省アジア局長板垣に手渡した当部口上書写本を別添のように送付するものです。

P137. 別添当部口上書 PKM-32 号 写本 一通

COPY

PAN-38

NOTE VERBALE

0366

The Korean Mission presents its compliments to the Ministry of Foreign Affairs and, with reference to the detainee issue, has the honour to state as follows:

At a meeting with Mr. Osamu Itagaki, Director of the Asian Affairs Bureau of the Japanese Ministry of Foreign Affairs, on August 12, 1958, Minister Tai Ha Yiu of the Korean Mission in Japan presented an Aide Memoire covering the following points:

- 1) The Korean side will have no objection to the temporary release of detainees if the Japanese side assures in writing that it will exercise constant vigilance to those detainees while they are out of the detention camp so that they could not be sent to the area other than such places as to be designated by the Republic of Korea;
- 2) The above suggestion is made with understanding that no discriminatory treatment will be accorded to the detainees by their political affiliation;
- 3) The agreement to be thus entered into is provisional pending a final settlement of the problem at the overall talks in accordance with Article 2 of the Agreed Minutes of December 31, 1957.

In reply to the Korean position as stated above, on September 13, 1958, Mr. Osamu Itagaki delivered an 'Oral Statement' to Minister Tai Ha Yiu as follows:

"Confidential"

(Oral Statement)

With reference to the Aide Memoire handed by Mr. Tai Ha Yiu to Mr. Osamu Itagaki at the meeting of August 12, 1958, I wish to state that the Japanese Government has the intention, as interim arrangements, to handle the question concerning Korean parolees in due consideration of the request of the Korean side."

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/ Though taking

Although taking note of the efforts on the part of the Japanese Government toward the settlement of the problem, the Mission wishes to inform the Ministry, with regret, that the Japanese 'Oral Statement' as quoted above does not meet the request of the Korean side as set forth in its Aide Memoire handed by Minister Tai Ha Yiu of the Mission to Mr. Osamu Itagaki, Director of the Asian Affairs Bureau of the Ministry of Foreign Affairs on August 12, 1958. However, the Mission hereby proposes that the problem at issue be taken up, for fundamental and satisfactory settlement, at the overall talks in accordance with Article 2 of the Agreed Minutes of December 31, 1957, while the other agenda items are discussed in relevant committees, so that the detainee issue presently under discussion may not further deter the proceeding of the fourth Korea-Japan Overall Talks.

Tokyo, September 27, 1958

0367

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INCOMING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS
R. O. K.

NO. _____

DATE. _____

CLASSIFICATION MTB-009 -Page 2

TO. _____

MINISTER YIU REQUESTED THAT A FAVORABLE REPLY BE GIVEN
TO OUR REQUEST UNDER REFERENCE AS SOON AS POSSIBLE PD
NEXT MEETING WILL BE HELD TEN THIRTY AM OCTOBER ELEVEN
CMA ONE NINE FIVE EIGHT PD

AMBASSADOR LIMB

장	관	과	장	국	장	국	장	국	장

OCT - 6 1958

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0368

MINISTRY OF FOREIGN AFFAIRS

INCOMING
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TOKYO

R. O. K.

NO. MTA-044
DATE 10061900

~~CLASSIFICATION~~

TO. KYUNG MU DAI & FOREIGN MINISTER

SEVENTH MEETING OF THE COMMITTEE ON LEGAL STATUS OF KOREAN RESIDENTS IN JAPAN WAS HELD AT 3:00 PM ON MONDAY (OCT. 6, 1958) AT THE JAPANESE FOREIGN MINISTRY. AT THIS MEETING, THE JAPANESE SIDE REQUESTED US TO GIVE ANSWER TO THE JAPANESE SUGGESTION REGARDING CRITERIA OF DEPORTATION PUT FORWARD IN EARLY PART OF JULY. WE TOLD THE JAPANESE SIDE THAT WE RESERVED OUR COMMENTS ON THE JAPANESE SUGGESTION UNDER REFERENCE AND STRONGLY DEMANDED THAT THE JAPANESE SIDE PRESENT MORE CONSTRUCTIVE IDEAS TO THIS MEETING WITH A VIEW TO BRINGING ABOUT AN EARLY SETTLEMENT OF THE PROBLEMS OF THIS COMMITTEE. IT IS DESIRED THAT OUR DRAFT PROPOSAL REFERRED TO IN SUBITEM ONE OF ITEM 1 OF ANNEX SECOND OF GOVERNMENT INSTRUCTIONS NUMBER WOIJUNG 3554 BE SENT HERE AS SOON AS POSSIBLE, SO THAT WE COULD PRESENT TO THE JAPANESE SIDE AT THE NEXT MEETING WHICH WILL BE HELD AT 3:00 PM ON MONDAY, OCTOBER 13.

長
官
報
告
所

AMBASSADOR LIMB

1958 OCT 7 AM 8:30
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0369

P142. 外務部政務局 起案用紙

次のように韓日会談首席代表に訓令したらどうだろうか

長官 ㊟ 次官 ㊟ 政務官 ㊟ 課長 担当者

(発送する訓令の内容)

外政第 号

檀紀 **4291** 年(1958 年)10 月 13 日

外務部長官

第 4 次韓日会談首席代表 貴下

件名：第 4 次韓日会談、在日韓人法的問題地位委員会で
提出するわが側提案に関する件。

頭の件に関して過般外政第 **3,554** 号で発送した訓令で、追送することにした別添の
ような在日韓人の法的地位及び待遇に関する協定のわが側案を送付するので、同草案の
使用においては前記訓令に沿って施行されるよう望むものである。

別添：在日韓人の法的地位及び待遇に関するわが側協定案 通。

以上

~~RECOMMENDATION DRAFT~~

October 10, 1958

TO : His Excellency the President
FROM : Foreign Minister
SUBJECT: Recommendation on our proposal for Draft Agreement on Status and Treatment of Korean Residents in Japan at the 4th Korea-Japan Conference

0371

In its instructions dated September 18, 1958 (OJ-3,554) for future conduct of negotiation at the fourth Korea-Japan Conference, Government instructed the Delegation as follows:

"At the Legal Status Committee, our Delegation will present to the Japanese our draft proposal (to be sent soon) for immediate comment by the Japanese side to expedite the proceeding of meeting, particularly sounding out again the Japanese intention as to the problem of nationality of Korean residents in Japan."

Now I submit, for Your Excellency's approval, the draft (A n n e x 1) which will be presented to the Japanese side for its comment. It is not believed that the Japanese side will easily come to our terms on the problem, but it is necessary at this time to sound out Japanese real intentions through its comment on and reaction to the above-mentioned draft.

The enclosed draft is composed of a Preamble and seven articles, among which Article 1 provide for Definition of Korean Residents, Article 2 for Nationality, Article 3 for Permanent residence and deportation, Article 4 for Property rights, Article 5 for Occupation, Article 6 for Repatriators' movables and Article 7 for Final clause.

Most respectfully,

Enclosure: as stated.

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Annex 1

/Draft/

Korean Proposal at the Committee on Legal Status of
Korean Residents in Japan (September , 1958)

Whereas the Republic of Korea and Japan recognize, as a result of the coming into force of the Treaty of Peace signed at the city of San Francisco, September 8, 1951, the necessity to affirm the nationality of Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto; and

Whereas the two countries recognize that it is desirable to take a special measure as regards the treatment of those Koreans after the affirmation of nationality mentioned above;

The Republic of Korea and Japan have accordingly concluded the present Agreement.

Article 1

In present Agreement, the expression "Korean residents in Japan" shall mean Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto, including descendents of those Koreans.

Article 2

(1) The Republic of Korea and Japan confirm that Korean residents in Japan are nationals of the Republic of Korea.

(2) The Republic of Korea and Japan recognize the validity of the results effected, at any time before the coming into force of the present Agreement, by the application of laws of either Contracting Party with respect to

respect to the personal status of Koreans and Japanese in relation to each other.

Article 3

(1) In case that a Korean resident in Japan submit, within two years after the coming into force of this Agreement, an application to the Japanese Government for permanent residence together with a registration certificate issued by the Government of the Republic of Korea, the Japanese Government shall grant permission therefor. In this case, none of the provisions of the Japanese laws governing aliens in general in relation to conditions, procedures and fees for granting permanent residence shall be applicable.

(2) After the coming into force of the present Agreement, the authorities concerned of the Republic of Korea and Japan will consult with each other on the compulsory deportation of a Korean resident in Japan who may have been granted permission for permanent residence under the preceding paragraph, relating to such matters as are required for the enforcement thereof.

Article 4

A Korean resident in Japan shall be entitled to the rights on property enjoyed by him in Japan at the time of the coming into force of the present Agreement which aliens in general are not entitled to enjoy, as long as he resides continuously in Japan.

Article 5

A Korean resident in Japan shall be entitled

/ to engage

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to engage in the occupation (except occupation of public officers) followed by him at the time of the coming into force of the present Agreement which aliens in general are not permitted to follow under the provisions of the Japanese laws, as long as he resides in Japan continuously.

Article 6

(1) In case that any of Korean residents in Japan returns to the Republic of Korea after the coming into force of the present Agreement, neither customs duties nor any other charges shall be imposed him in relation to any movables owned by and taken away with him. The types and quantity of movables to be taken away will be negotiated separately.

(2) The repatriator prescribed in the preceding paragraph may remit to the Republic of Korea the funds he owns through the procedures to be negotiated separately.

Article 7

The present Agreement shall be ratified by both Contracting Parties in accordance with their respective constitutional procedures, the instruments of ratifications shall be exchanged at _____.

The present Agreement shall go into effect on the date upon which the instruments of ratifications are exchanged.

However, the provisions of Article 4 and 5 shall be applicable, retroacting on the date of the first coming into force of the Peace Treaty with Japan signed at the city of San Francisco, 8 September 1951.

/IN WITNESS

IN WITNESS WHEREOF, the representatives of
the two Governments, being duly authorized by their
respective Governments for the purpose of this
Agreement, have signed the present Agreement.

DONE at Tokyo, this _____ day of _____
nine hundred fifty eight, in duplicate in Korean,
Japanese and English languages, each text being
equally authentic.

For the Government of the Republic
of Korea

For the Government of Japan

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의 무 부

년 월 일

- I. The Government has no objection, in principle, to acceptance of deportees (postwar category);
- II. The Government has no objection to hold the Working Committee meeting for making arrangements for implementation of the above mentioned deportation;
- III. Before doing that, the Government wishes to know what the Japanese side meant by "no special problem";
- IV. The Government does not consider that there is any special problem concerning deportation of Koreans of postwar category.

정무국장

001231958

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P150. 韓日代第 2106 号

檀紀 4291 年(1958 年)10 月 20 日

駐日公使 ⑩

外務部長官 閣下

韓日連絡会議開催を提議した日本外務省口上書送致の件

頭の件に関して、別添写本のように日本外務省から口上書が到来したので報告し、これに関しては 10 月 16 日付貴無電指示 FTB-007 号第 3 項によって処理する計画であり、また同無電指示第 3 項で問い合わせされた点に関しては、本日本側口上書で日本側の意図を知悉されると思料する

P151. ことを添信します。

別添 同口上書 写本 一通

Translation

COPY

No. 171/AM

NOTE VERBALE

The Ministry of Foreign Affairs presents its compliments to the Korean Mission and, regarding the deportation of Korean illegal entrants, has the honour to state as follows:

1. The Ministry understands that the Korean Government has no objection to the acceptance of Korean illegal entrants to be deported by the Japanese Government.
2. Accordingly, the Ministry requests that a meeting of the Japan-Korea Working Committee be promptly held to make arrangements for the deportation of the under-mentioned illegal entrants:

(1) Out of the illegal entrants named in the list prepared under date of December 31, 1957 and delivered to the Korean Mission, those who are now under detention at the Oura Aliens Detention Camp and about whose deportation there is no special problem.

요검후

(2) Illegal entrants who were detained at the Oura Aliens Detention Camp on and after January 1, 1958 and about whose deportation there is no special problem.

(3) Illegal entrants after the end of World War II who are now on parole, and about whose deportation there is no special problem.

Rec.
Chun
Oct. 6, 1958
152

147 Tokyo, October 2, 1958.

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第百一七一號

口上

外務省は、在米邦大韓民國代表部に決定を要するるともに、韓人
不換入國書の送還に同じ、左記の通り申し述べる光榮を有する。

昭和三十三年十月二日

記

外務省は、大韓民國政府が、日本國政府によつて送還される韓人
不換入國書を受け入れることに、御異存無きものと了解する。

よつて外務省は左記不換入國書の送還に關する日韓連絡委員会が
進歩に關係せらるることを要請する。

(1) 昭和三十二年十二月末日をもつて作成提出した不換入國書名簿
中、既に、大村收容所に收容中の書で、その送還につき問題無

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を著。

(1)昭和三十三年一月一日以降大村収容所に収容された者で、その
経過につき同題無き者。

(2)第二次世界大戦終了後の不法入国者にして仮放免された者で、
その経過につき同題無き者。

RADIOGRAM

MINISTRY OF COMMUNICATIONS
REPUBLIC OF KOREA



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REMARKS:

NK98 SL K177 SA27
TOKYO 77/76 4 1110

KOREACROSS PHYONGYANG

(CONFIDENTIAL) REFERRING YOUR TELEGRAM NOVEMBER FIRST STOP
JAPANCROSS AFTER DEEP CONSIDERATION INTERNAL AND EXTERNAL
SITUATION AND ALSO DIFFERENT WAYS OF REPATRIATION WISH TO
PROPOSE REPATRIATE SHIPWRECKED VIA NAKHODKA BY AVAILABLE
SOVIET SHIP STOP IF YOU AGREE TO THIS METHOD JAPANCROSS IS
PREPARED OPEN NEGOTIATION WITH SOVIET EMBASSY TOKYO AND HOPE
YOU DO THE SAME AT PHYONGYANG STOP PLEASE KEEP IT STRICTLY
CONFIDENTIAL STOP IN VIEW DEPARTURE INOUE FOR HANOI QUICK
REPLY REQUESTED
JAPANCROSS 6532

0383

155

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P156. 通秘第 556 号

檀紀 4291 年(1958 年)11 月 4 日

逡信部長 ㊟

外務部長官 貴下

不穩外国電報内容通報に関する件

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OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

ST-91110
NO. MTB-015
DATE 1/05/80

R. O. K.
C O B
CLASSIFICATION

SENT TO MINISTER YIU

OUR FACILITIES INTERCEPTED THE FOLLOWING CABLE DISPATCHED ON
NOVEMBER FOURTH BY JAPAN RED CROSS TO PYONG PUPPET RED CROSS COLON

QUOTE REFERRING YOUR TELEGRAM NOVEMBER FIRST STOP JAPANCROSS
AFTER DEEP CONSIDERATION INTERNAL AND EXTERNAL SITUATION AND ALSO
DIFFERENT WAYS OF REPATRIATION WITH TO PROPOSE REPATRIATE SHIPWRECKED
VIA NAKHODKA BY AVAILABLE SOVIET SHIP STOP IF YOU AGREE TO THIS METHOD
JAPANCROSS IS PREPARED OPEN NEGOTIATION WITH SOIVET EMBASSY TOKYO AND
HOPE YOU DO THE SAME AT PYONGYANG STOP PLEASE KEEP IT STRICTLY CONFIDENTIAL
STOP IN VIEW DEPARTURE INOUB FOR HANOI QUICK REPLY RBQUESTED G FIVE
THREE TWO UNQUOTE

PLEASE SEARCH OUT CONFIDENTIALLY WHAT IS GOING BETWEEN JAPAN
RED CROSS AND PUPPET RED CROSS AND FOR WHAT THEY ARE NEGOTIATING PD
WITH SERIOUS CONCERN CMA THE MINISTRY AWAITS MISSIONS REPORT IN THIS
CONNECTION PD

VICE FOREIGN MINISTER

Origin:
Info:
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NOV-5 1958

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한일회담관계

MINISTRY OF FOREIGN AFFAIRS

INCOMING TELEGRAM

~~R O C~~

NO. MTB-050

~~CLASSIFICATION~~

DATE. 11141100

TO. Vice Foreign Minister

With reference to FTB-015 of November 5 and FTB-018 of November 12, this office took steps confidentially to get exact information regarding so called negotiations between the Japanese Red Cross and the Puppet Red Cross.

However, so far the story that the Japanese Red Cross is conducting positive negotiations with the Puppet Red Cross or Russian Embassy here has not been confirmed.

This office will be keeping close watches on the case and any development thereof will be reported to you promptly.

Minister Yiu

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한일회담관계

MINISTRY OF FOREIGN AFFAIRS

INCOMING TELEGRAM

R. O. K.

NO. MFB-052

~~CONFIDENTIAL~~
CLASSIFICATION

DATE 11141900

TO. Foreign Minister & Office of the President

It was decided that a meeting of Korea-Japan Working Committee would be held at 1500 on November 18th. Any government instructions in connection with the Japanese Note Verbale No. 171-ASH of October 2nd, copy of which was sent to the Government, will be highly appreciated.

Minister Yiu



NOV 15 1958

NOV 15 1958

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外務部

檀紀 4291 年(1958 年)11 月 17 日

(長官閣下の指示と見解)

1. 850 名の抑留者は全部受け取るべきで、一部を残して置くことはできない。
2. これに関する政府の政策は代表部が既によく知っていなければならないし、この訓令が行かなくても、850 名北韓送還希望者を除いて受け取るという言質を与えるとは考えない。
3. 明日(11.18)会議の経過を見る時まで、本案を保留することが可である。

受命者 政務局長

한일외교관계

OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

NO. _____

R. O. K.
CODE



DATE
NOV 17 1958

CLASSIFICATION

SENT TO MINISTER YIU COPY TO AMB LIMB

RECABLE NTB SEHO FIVE TWO PD

ITEM ONE COLON TECHNICALLY CMA THE KOREA JAPAN WORKING COMMITTEE IS INDEPENDENT OF THE KOREA JAPAN CONFERENCE PD HOWEVER PLEASE BEAR IN MIND THAT THE TWO ARE CLOSELY RELATED TO EACH OTHER CMA AND THEREFORE CMA ANY RUPTION AT THE WORKING COMMITTEE WOULD AFFECT VITALLY THE PROCEEDING OF THE CONFERENCE SEMICOLON

Origin:

Info:

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ITEM TWO COLON AS THE MISSION WAS INSTRUCTED IN FTB ZERO ZERO SEVEN CMA GOVERNMENT IS READY IN PRINCIPLE TO RECEIVE THOSE KOREANS OF POSTWAR CATEGORY PD BUT OUR FEAR IS THAT IN TAKING UP THIS ISSUE AT THE PRESENT MOMENT CMA WE CANNOT BUT RESUME HOT DEBATE ON COMMUNIST DETAINEES OR PAROLEES PD THAT IS WHY WE PROPOSED CMA IN PKM NOTE NUMBER THREE TWO DATED SEPTEMBER TWENTY SEVEN CMA TO TAKE UP THE ISSUE OF THIS KIND SOMETIME AT THE OVERALL TALKS SO THAT THE DETAINEE ISSUE MAY NOT FURTHER DETER THE PROCEEDINGS OF THE FOURTH KOREA JAPAN OVERALL TALKS SEMICOLON

ITEM THREE COLON FOR THE PRESENT MOMENT CMA GOVERNMENT DOES NOT THINK IT ADVISABLE TO PULL OUT AN RUPTIVE ISSUE AT THE WORKING COMMITTEE

/OR COMMITTEES

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OUTGOING
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS
R. O. K.

NO. _____
DATE _____

CLASSIFICATION

SENT TO

OR COMMITTEES OF THE CONFERENCE SEMICOLON

ITEM FOUR COLON BUT BEFORE TAKING UP THIS ISSUE SOONER OR
LATER CMA GOVERNMENT CONSIDERS IT HIGHLY NECESSARY THAT THE LEGAL
STATUS COMMITTEE SHOULD EXPEDITE SETTLEMENT OF THE PROBLEM OF ARTICLE
TWO CMA PARAGRAPH ONE CONCERNING QUOTE NATIONALITY UNQUOTE SEMICOLON

ITEM FIVE COLON THE ABOVE POINTS ARE NOT FOR OUR EXPLANATIONS
TO THE JAPANESE SIDE BUT FOR THE MISSIONS INFORMATION PD UNDER THESE
CONSIDERATIONS CMA THE MISSION IS INSTRUCTED TO REMAIN IN A LISTENERS
POSITION AT THE WORKING COMMITTEE ON NOVEMBER EIGHTEENTH CMA AND TO
MAKE NO SIGNIFICANT COMMITMENT ON OUR POSITION SEMICOLON

ITEM SIX COLON IN THIS CONNECTION CMA THE MISSION IS ALSO
INFORMED THAT OUR SIDE WILL WITHHOLD FOR THE TIME BEING REPLY TO THE
JAPANESE NOTE VERBALE NUMBER ONE SEVEN ONE ASN DATED OCTOBER SECOND PD

FOREIGN MINISTER

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COMMUNICATION SECTION

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DRAFT

MINISTRY OF FOREIGN AFFAIRS

OUR POSITION

NOV 25 1958

Document No. _____ Date: November 24, 1958

Re: Legal Status of Korean Residents in Japan
(Refer: MTB-C46,054 and 055, and MID-No.2418)

0392

1. The Delegation is advised that the Government is ready to receive all Korean residents in Japan for their settlement at home, if the Japanese Government pays due compensation for the present predicament for which the Japanese Government should be responsible. If the Japanese side be ready to make approach to the problem from this angle, the Korean side would revise its draft proposal in entirety.

2. Our draft agreement was presented to the Japanese side as an alternative to our position set forth in the preceding paragraph.

3. However, it is not for hairsplitting questions and answers that our side presented the draft agreement on October 20, 1958. We presented it for general debate, through which the Committee could and should map out fundamental principles to govern the status of Korean residents in Japan.

4. If and after both sides agree on fundamental principles as stated above, the Committee can deliberate on the draft agreement article by article determining the meanings of various terms. This is not the time, when the Committee wastes time in elaborating definition of one term after another.

5. Therefore, our side should reserve answers, for the time being, to all the questions prematurely raised up by the Japanese side on November 17, 1958;

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and now we must know, first of all, about Japanese views on the following matters:

- A) whether the Japanese Government recognizes that those Koreans concerning whom the committee is seeking an agreement are nationals of the Republic of Korea;
- B) whether the Japanese Government is ready grant them permanent residence in Japan if they so desire, and assure that they enjoy their lives as human beings;
- C) whether in Japan its laws and regulations are criteria for circumscribing the scope of an international agreement on the subject now under debate;
- D) whether the Japanese Government is intending to grant Koreans in Japan a sort of "special status" differ^ent from other aliens, and if so, what such status will be.
- E) whether the Japanese side shares the view with the Korean side that to grant all of Koreans in Japan permanent residence is not a sole way to the settlement of the problem of Koreans in Japan, as the Korean side is ready to encourage their repatriation to home only if the Japanese Government is ready to pay due compensation for their compulsory emigration to Japan and their predicament of living since that time.

/We believe

0393

We believe that Japanese clarification on the above-mentioned points would expedite an accord on fundamental principles to govern the proposed agreement on the subject.

6. However, the Delegation is exclusively informed of what the Government has in mind concerning those question which the Japanese side recently raised up. They are as follows:

1) It is our view that the date of the termination of hostilities of the Pacific War is August 9, 1945.

2) The word, "Descendants" referred to in Article 1 of the draft agreement means those lineal descendants of Koreans continuously residing in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto, who are nationals of the Republic of Korea by the Nationality Law of the Republic of Korea; and it should cover all the descendants to follow without limit of time so long as this Agreement remains in effect; the draft agreement provides for nothing about "places of their living," but will there be any actual question when they gave up their residence in Japan?

3) The Japanese question item 8 seems to have been raised up with a malicious intent; in any civilized country, descendants of those aliens residing in that country with the status of permanent resident are usually granted permanent residence; our side wishes, in this regard, to know what the Japanese practice is on this point.

/ 4) Those

4) Those Koreans who would not take the prescribed procedures for the permanent residence should be governed also by the proposed agreement, though Article 3 may not apply to those Koreans logically.

5) Even before the end of the 2 year period stipulated in Article 3 of the draft agreement, deportation of Koreans may be carried out if and when consultation is made with the Korean side.

6) By the word, "Consultation" in paragraph 2 of Article 3 of the draft agreement, our side take it that deportation of Koreans can be carried out only with the consent of the other party case by case; "Such matters as are required for the enforcement thereof" mean "requirements for implementing deportation".

7) Paragraph 2 of Article 3 will not apply to those who would not obtain due permanent residence under paragraph 1 of the same article.

8) Instead of answering the Japanese question concerning the meanings of Articles 4 and 5 in relation to paragraph 3 of Article 7 and our reservation item 3, we may suggest to the Japanese side that the phrase "the Present Agreement" in Article 4 and 5 be replaced by the phrase "the Peace Treaty with Japan signed at the City of San Francisco, September 8, 1951, while withdrawing paragraph 3 of Article 7 and our reservation item 3.

9) As regards Article 6, the Korean residents in Japan in this Article includes their descendants

/including those

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including those who might be born in distant future.

10) The Japanese position concerning paragraph 1 of Article 6 (MTB-046) is unacceptable.

11) We take the position that "procedures" stipulated in paragraph 2 of Article 6 does not include the question on the amount of money to be remitted, and accordingly, we cannot accept the Japanese position that the amount of money remitted should be limited.

12) We have no objection in principle to setting up a Working Party Meeting to deal with matters concerning Article 6, but we consider that time has not yet come for the committee to set up such meeting because we believe that adjustment of difference of views on basic points of the draft agreement is to be more urgently done.

0396

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1 DRAFT

MINISTRY OF FOREIGN AFFAIRS

OUR POSITION

Document No. _____ Date: _____

Re: The Problem of Koreans of Postwar Category
under Detention at Omura Detention Camp

(Refer: MPB-052, HID No. 2166)

0397

1. As the Mission was instructed in FTB-007, our Government is ready to receive, in principle, those Koreans of postwar category. But our fear is that in taking up this issue at the present moment, we cannot but resume hot debate on Communist detainees or parolees. That is why we proposed, in PKM Note number 32 dated September 27, to take up the issue of this kind sometime at the overall talks so that the detainee issue may not be further deter the proceedings of the 4th Korea-Japan overall talks.

2. For the present moment, we do not consider it advisable to pull out an eruptive issue at the Working Committee in connection with the detainee issue.

3. Before taking up this issue sooner or later, we consider it highly necessary that the Legal Status Committee should expedite its proceeding particularly concerning the problem of "Nationality" in accordance with government instructions.

4. The Mission is informed that our side will withhold for the time being reply to the Japanese Note Verbale No. 171/ASN dated October 2, 1958.

5. *Please submit the Delegation's observations & recommendations on the regards on this subject.*

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