

What are the Facts regarding Former Civilian Workers from the Korean Peninsula?

The Fact is

the Agreement on the Settlement of Problems concerning Property and Claims and on the Economic Cooperation between Japan and the Republic of Korea of 1965 stipulates that the problem concerning claims is settled completely and finally.

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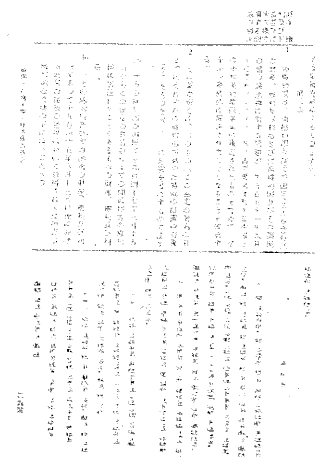
the Agreement also stipulates that no contention shall be made with respect to any claims arising from the causes before the date of the signing.

However,

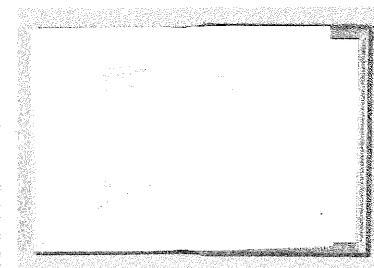
on October 30, 2018, the ROK Supreme Court ordered a Japanese company to pay 100 million Korean won for each plaintiff as a consolation payment approving the claim by former civilian workers from the Korean Peninsula who had worked for the company more than 70 years ago.

This decision clearly violates the 1965 Agreement.

It not only overthrows the legal foundation of the bilateral relationship, but also poses a serious challenge to the post-war international order.



the Agreement in 1965



Treaty of Peace with Japan
in 1951

Treaty of Peace with Japan (1951) [= the San Francisco Peace Treaty]

Art. IV (a)

... disposition of property of Japan and of its nationals in the areas... and their claims, including debts.... shall be the subject of special arrangements between Japan and such authorities.

Agreement on the Settlement of Problem concerning Property and Claims and on the Economic Cooperation between Japan and the Republic of Korea (1965)

Art. II

1. The Contracting Parties confirm that problem concerning property, rights, and interests..... and concerning claims between the Contracting Parties and their nationals, including those provided for in Article IV, paragraph (a) of the Treaty of Peace with Japan ... is settled completely and finally.
3.no contention shall be made with respect to the measures on property, rights and interestswhich are within the jurisdiction of the other Contracting Party on the date of the signing of the present Agreement, or with respect to any claims of either Contracting Party and its nationals against the other Contracting Party and its nationals arising from the causes which occurred on or before the said date.

Ministry of Foreign Affairs of Japan