

# Japanese and Korean Perspectives on the Issue of Forced Labor in the Asia-Pacific War

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**Abstract:** *The issue of forced labor during the Asia-Pacific War (1931-1945) remains a stone of contention in Japanese-Korean relations. While the governments of the two countries seem to put the issue aside in order to improve economic and military ties, civil society in both countries remains suspicious. The Asia Pacific Journal: Japan Focus here introduces the positions of representatives of two civil society organizations from South Korea and Japan, respectively, explaining why the government approach to address historical injustices remains unsatisfactory.*

**Keywords:** *Japanese-Korean relations, forced labor, wartime mobilization, Asia-Pacific War, civil society*

## Introduction

By Sven Saaler

The Second World War caused an unprecedented degree of civilian suffering. The terror bombings of cities, racial extermination policies, large-scale massacres, and recruitment of forced laborers resulting from

the total mobilization of wartime economies led to the deaths of tens of millions.<sup>1</sup> Many of those who survived were deeply traumatized. The surviving victims' struggle to gain recognition, restitution, or apology has become a long and stony road strewn with obstacles, particularly in comparison to fallen soldiers, to whose commemoration the modern nation-state has often dedicated vast resources.

The victims of forced labor in the Japanese Empire are a prime example of this phenomenon. Including the “[comfort women](#),” the total number of Korean victims of forced mobilization amounts to eight million, of which approximately one million were mobilized to Japan.<sup>2</sup> Never fully able to recover from their psychological wounds and the trauma inflicted as a result of the war, they found themselves between a rock and a hard place. Governments and diplomats negotiating apologies and compensation often ignored them. The former combatant nations were eager to move on, and in so doing, marginalized them.

Those mobilized as forced laborers in Korea were ignored when Japan and South Korea established diplomatic relations in 1965 and signed the Agreement on the Settlement of Problems Concerning Property and Claims and on Economic Co-operation between Japan and the Republic of Korea<sup>3</sup> stating that the “problem concerning property, rights and

interests of the two Contracting Parties and their nationals (including juridical persons) 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 signed at the city of San Francisco on September 8, 1951, is *settled completely and finally*.<sup>4</sup> The agreement makes no mention of the history of colonial rule and wartime mobilization. Thus, rather than paying reparations to Koreans, Japan provided the military government under General Park Chung-hee (1917-79) with economic aid and loans. While these measures ostensibly helped kickstart the South Korean economic miracle, they did not immediately bring relief for the victims of forced mobilization.<sup>5</sup>

The Japanese government continues to assert that all claims for compensation were settled by the 1965 Agreement. However, at the time the agreement was signed, the Japanese side assumed that the number of forced laborers was a few hundred at most, making the current argument that all claims have been “settled” highly questionable.<sup>6</sup> The assumption that the number of forced laborers was only in the hundreds was overturned by subsequent historical research, so that by the 1980s the mass conscription of labor in Korea was widely accepted as an historical fact. As the article by Yano Hideki below shows, by the 1980s, Japanese politicians accepted this academic consensus on the subject and rarely voiced doubts about it.

With the democratization of South Korea in the 1980s, the victims of wartime forced labor stepped up their activism aimed at securing some form of compensation and apology and succeeded in reaching an audience in the public sphere. Among other venues, they sought justice in the courts, first in Japan and later in South Korea. Japanese courts typically rejected requests for compensation, citing international custom whereby states do not pay compensation to individual victims of historical

injustices. However, the decisions made by the courts often included confirmation of the details of forced labor, overall contributing to the formation of a consensus regarding the historical reality of the practice.

Since the 2000s, however, historical revisionists who deny wartime atrocities such as forced labor, have gained a foothold in the halls of state power. Abe Shinzō’s return to power in 2012 emboldened historical revisionists, and in 2014, several memorials and markers commemorating the victims of forced labor were demolished, taking the controversy to a new level of animosity.<sup>7</sup> It was against this dark background that the victims of forced labor saw a ray of hope in 2018, when the South Korean Supreme Court ruled in their favor, ordering those Japanese companies under which they had worked to pay “consolation money.”

The Japanese government, however, attacked the judgment, leading to a diplomatic row with Seoul. Japan imposed controls on chemicals crucial to South Korea’s semiconductor industry and removed Seoul from its so-called “whitelist” of trusted trade partners with preferential trade status.<sup>8</sup> Once again the victims found themselves in the crossfire of political debate, as Yano Hideki and Kim Yeonghwan have outlined so vividly below.

In a move aimed at resolving these bilateral tensions, on March 7, 2023 the Foreign Minister Park Jin announced that the government would set up a fund to administer the compensation owed to the victims. The government, as well as companies in South Korea that were said to have benefited from the 1965 economic aid package from Japan, are to provide the necessary funds, although Park has also called on Japanese companies to make “voluntary” payments to the fund. The announcement was promptly criticized by the opposition and civil society groups, including those with which the two authors of the papers

presented here are affiliated.<sup>9</sup> Those opposing the proposed “deal” note that it does not entail Japan—or the companies in question—apologizing for wartime forced labor, thereby emboldening historical revisionists who continue to deceive millions of people in Japan.

Furthermore, given that President Moon Jae-in revised South Korea’s approach to the 2015 agreement on the military “comfort women” announced during the tenure of his predecessor,<sup>10</sup> Park Geun-hye, there are no guarantees that the “solution” presented now will become a lasting settlement. After all, as it stands now, it only constitutes a proposal from the South Korean side, and Japan has not officially accepted or endorsed any part of it. Foreign Minister Hayashi Yoshimasa merely declared that Japan “values the measures announced today by the ROK government, as a move towards restoring Japan-ROK relations, which had been severely strained due to the ROK Supreme Court ruling in 2018, to a sound footing.”<sup>11</sup>

But this response—and global media coverage—also suggests that the “deal” proposed by Seoul puts primary focus on solving the bilateral problems, as well as responding to United States geopolitical interests in East Asia, rather than addressing the concerns of wartime victims and their descendants. President Biden issued a statement saying that Seoul’s announcement marks “a groundbreaking new chapter of cooperation and partnership” between South Korea and Japan,<sup>12</sup> and the political establishment in Washington, D.C. has offered little beyond congratulatory “analysis.”

Even the more critical commentary published in the wake of Foreign Minister Park’s statement has failed to mention that civil society groups in both Japan and South Korea concur regarding the general failure to repair lingering historical injustices, including forced labor. Thus, the two articles presented here,

written by activists from South Korea and Japan, respectively, offer insights into a world that is generally ignored both in political discourse and by Anglophone mass media. Yano and Kim have cooperated over many years to support the victims of wartime forced labor in their quest to find a sympathetic ear in their respective societies, as well as in courts of law. Their texts are based on presentations given at a conference organized by historians and activists from Korea, China, and Japan in November 2022 in Tokyo.

When historical revisionism saw an upsurge in Japan in the late 1990s, historians, educators, and activists from these three countries responded by agreeing to create a forum to work out a shared historical narrative. The “Forum for Historical Consciousness and Peace in East Asia” was first held in Nanjing in 2000 and continues to be held annually in a different country, rotating among China, South Korea, and Japan.

One of the major achievements of these regular conferences is the production of history textbooks authored by historians from the three East Asian countries involved. In the 2002 Forum, participants agreed to present a shared historical narrative in the form of a textbook, which they completed in 2005. Originally published in Chinese, Korean and Japanese, an English translation was published under the title *A History to Open the Future* in 2015.<sup>13</sup>

Inspired by similar projects in other parts of the world, the group continued its work and in 2015 launched the two-volume *New History of Modern East Asia*, the English version of which was published by the Georg Eckert Institute for International Textbook Research (now the Leibniz-Institut für Bildungsmedien, Georg-Eckert-Institut), and is freely accessible on the Institute’s website.<sup>14</sup> The two books constitute a milestone in the endeavor of Chinese, Japanese and Korean historians to formulate a shared understanding of the history of East Asia and to

achieve deep reconciliation. The successful work of the participants and their long-running participation in the trilateral meetings shows that an exclusive “Japanese,” “Chinese,” or “Korean” view of the past is difficult to uphold, in the same way as, in the nineteenth and early twentieth century, scientists eventually came to see that a “national biology” or “national physics” (or, in Germany, “Aryan physics”) was simply not credible.<sup>15</sup> Similarly, the history of a given war—by definition a historical event in which at least two nations are involved—should not be written by one side if lasting reconciliation is to be achieved; it must be a synthesis of multiple perspectives based on the analysis of multiple archival sources.

The crude political decisions made against the background of ambitious plans for the future of the “Indo-Pacific” continue to prevent a settlement that would take into account the legitimate demands of the victims of wartime forced labor. Most of the surviving victims by now are elderly. Millions have already passed away without ever receiving even an apology, much less compensation or a taste of justice. Japan and South Korea thus might have already missed the chance to come up with a settlement that would satisfy all involved parties.

### **A Historical Controversy in Politics and Diplomacy: The Issue of Forced Mobilization**

By Yano Hideki, Secretariat of the Joint Action to Solve the Issues of Forced Mobilization and Coming to Terms with the Past (November 2022)

#### **Introduction**

In 1995, I participated in a movement to support lawsuits by former conscripted workers against the company Nippon Steel, and ever since then, I have continued to be involved in such activities. I have worked shoulder to shoulder with other groups that support workers who were conscripted and forcibly brought to Japan during the Second World War, as well as South Korean victims groups. I have also worked to force the Japanese government to address requests made by the International Labour Organization (ILO) regarding issues of wartime forced mobilization, and set in motion a movement aimed at creating legislation for compensating victims of forced labor.

In the context of the above movements, I have participated in campaigns to reveal the true extent of mobilization of Korean laborers by Japan during the War, and through such work, was involved with the controversies surrounding the registration of Japanese UNESCO (United Nations Educational, Scientific and Cultural Organization) World Heritage sites, such as the “Sites of Japan’s Meiji Industrial Revolution: Iron and Steel, Shipbuilding and Coal Mining” (hereafter referred to as “Sites of Japan’s Meiji Industrial Revolution”) and the Sado Mines (which is a complex of mines that UNESCO officially refers to as “The Sado Complex of Heritage Mines, Primarily Gold Mines”).<sup>16</sup>

In reporting on the theme of the third session of this Tokyo Forum, which was “historical controversies that have become a political and foreign relations issue,” I focus my participation in this discussion on how the Japanese government has responded to the conscripted laborers’ trial and on the UNESCO World Heritage registration, both of which I have been involved in, as well as how I have dealt with them.

#### ***The Historical Path of the Forced Labour Issue***

There are several issues where matters that arose under colonial rule or during the war have grown into historical controversies, and then have become problems in politics and diplomacy. It might be argued that the Nanking Incident (1937-38) is emblematic in this context, but the issue of the “comfort women” of Japan’s former military (*ianfu*) and the issues of forced relocation (*kyōsei renkō*) and forced labor (*kyōsei rōdō*) are among those that are currently in dispute between Japan and Korea and remain subjects of controversy in international affairs.

One of these, the forced relocation issue, caused a dispute that shook the foundations of Japan-South Korea relations due to the “Sites of Japan’s Meiji Industrial Revolution” being designated a UNESCO World Heritage site in 2015 and South Korea’s Supreme Court ruling in favor of compensation for forced labor in 2018. That dispute is ongoing.

This is different from the 1990s, when the forced relocation issue had not caused any major controversies that would suck in the government and the people of Japan and South Korea.

But during the 1990s, victims of forced relocation took legal action in Japan. In this series of lawsuits, the facts of forced relocation, forced labor, and the actual damage itself remained virtually uncontested. The defendant companies and the Japanese government nonetheless sought to dismiss the claims, emphasizing formal legal principles such as the “statute of limitations and disqualification,” declaring “pre- and post-war companies separate,” and insisting on “national non-responsibility” (*kokka mutōseki*, i.e. non-responsibility for crimes committed by public servants). The Japanese courts rejected the claims of the victim-plaintiffs. Nevertheless, as part of their rulings, the courts always acknowledged that the suffering of the victims of forced relocation and forced labor was

historical fact.

Of the nine forced labor lawsuits, those against Nippon Steel in Kamaishi, Nippon Copper, and Nachi-Fujikoshi resulted in negotiations between the involved parties and ended in an out-of-court settlement. The companies admitted their responsibility for forced relocation and responded to the victims’ demands, even if insufficiently.

In 1997, the government made the following admission (Budget Committee, Upper House, 12 March 1997).<sup>17</sup>

Government committee member Tsujimura Tetsuo:<sup>18</sup>

In general, forced relocation was carried out under the National Mobilization Plan for the purposes of forced labor. Even in terms of the recruitment process, this was certainly never the kind of work in which people engaged in it of their own accord, and it is a common view among scholars that the work was not performed by workers of their own free will, but was a result of the mobilization that was carried out under the National Mobilization Plan.

Government committee member Tsujimura Tetsuo:

As I said before, it is common in the academic community to judge the recruitment stage as part of the forced relocation. For example, I have a copy of the Great Dictionary of National History (*Kokushi Daijiten*), and historical reference works such as this are written with the meaning that, although the methods of recruitment (*boshū*), government mediation (*kan assen*), conscription (*chōyō*), and so on, varied, there is

universal agreement on the point that workers were mobilized in a coercive way in accordance with the National Mobilization Plan. We are following established academic trends such as this when conducting our examinations.

Even as forced relocation lawsuits continued, the government recognized that “mobilization was not voluntary,” and that “without a doubt, forcible mobilization did exist (despite taking different forms such as recruitment, government mediation, and conscription).” Further, the statements by Prime Minister Murayama in 1995 on the 50th anniversary of the end of World War II and in the 1998 “Japan-Republic of Korea Joint Declaration: A New Japan-Republic of Korea Partnership towards the Twenty-first Century” confirmed this position. In statements, Japan reflected on and apologized for its past invasion and colonial rule that had caused tremendous damage and suffering to the peoples of Asia and Korea. The statements found broad acceptance by the wider public in Japan.<sup>19</sup>

Moreover, in March 1999, the ILO’s Committee of Experts on the Application of Conventions and Recommendations made its opinion on wartime Japan’s forced labor mobilization of Koreans and Chinese clear: “This Committee considers that the massive conscription of labor to work for private industry in Japan under such deplorable conditions was a violation of the [Labor] Convention.”<sup>20</sup>

As is evident when one looks at this development, there was a legal debate over how to compensate victims for human rights violations and financial losses resulting from forced relocation, but the actual historical fact of forced relocation itself was never contested on a “governmental level.”

From the 2000s onwards, however, the Young Diet Members' Group for Japan's Future and

History Education (*Nihon no Zento to Rekishi Kyōiku o Kangaeru Wakate Giin no Kai*, formed in 1997 with [former] Prime Minister Abe Shinzō as secretary-general), the Society to Produce New History Textbooks (*Atarashii Rekishi Kyōkasho o Tsukuru Kai*, formed in 1997), Nippon Kaigi (“the Japan Conference”), and others joined forces to revise the Kōno Statement, mainly on the “comfort women” issue, and to advance the notion of the “fiction of forced relocation.”<sup>21</sup> Additionally, in the 2010s, a “grassroots conservative movement” started to grow, demanding the nationwide removal of memorials and other monuments dedicated to Korean victims, and the erasure of the words “forced relocation” inscribed on several monuments, such as at Matsushiro Imperial General Headquarters in Nagano, Tenri Yanagimoto Airfield in Nara, and Gunma no Mori in Takasaki City, Gunma.<sup>22</sup>

What caused this kind of debate over the issue of forced relocation to develop into intergovernmental and civil disputes were the Japanese government’s response to the “Sites of Japan’s Meiji Industrial Revolution” registration (in 2015) and its attitude toward the South Korean Supreme Court’s (2018) legal decisions over lawsuits brought by victims of forced mobilization.

### ***The Japanese Government’s Attempts to Conceal the Facts of Forced Relocation and Forced Labor on the Occasion of the World Heritage Registration***

*Issues surrounding the “Sites of Japan’s Meiji Industrial Revolution” World Heritage registration and the “Industrial Heritage Information Centre”: “Sites of Japan’s Meiji Industrial Revolution” World Heritage registration process*

In July 2015, the UNESCO World Heritage Committee decided during their 39th session to

designate “Sites of Japan’s Meiji Industrial Revolution” as a UNESCO World Heritage site, as had been proposed by the Japanese government. This decision caused a controversy between Japan and South Korea, because during the war Koreans were forcibly relocated and forced to work at several of the 23 properties that make up the registered sites. South Korea objected because, in their view, the fact that Japan had applied for World Heritage listing with the restriction that only “the period from the 1850s to 1910” be mentioned demonstrated that they were attempting to cover up the historical fact that Koreans had been forced to work during the War (from 1939 to 1945). In response, the Japanese government sought to deflect Korea’s criticism by saying that the “OUV (Outstanding Universal Value)” of the properties was concentrated in the period between the “1850s and 1910.”<sup>23</sup> However, this kind of logic is not valid. Thus, the UNESCO World Heritage Committee recommended that the Japanese government prepare an “interpretive strategy for the presentation of the property, which gives particular emphasis to the way each of the sites contributes to Outstanding Universal Value and reflects one or more of the phases of industrialization, and also allows an understanding of the full history of each site.” In other words, what the Committee intended to recommend was an “interpretive strategy that allows an understanding of the full history (without marking off the period between the 1850s and 1910).”<sup>24</sup>

The Japanese government accepted this. UNESCO ambassador Satō Kuni made the following statement at the 39th session of the World Heritage Committee:<sup>25</sup>

The government of Japan respects the ICOMOS [International Council on Monuments and Sites] recommendation... Especially... [Japan] will sincerely respond

to the recommendation “that the strategy allows an understanding of the full history of each site.” More specifically, Japan is prepared to take measures that allow an understanding that there were a large number of Koreans and others who were brought against their will and forced to work under harsh conditions in the 1940s at some of the sites, and that during World War II the government of Japan also implemented its policy of requisition.

Japan is prepared to incorporate appropriate measures into the interpretative strategy to remember the victims, such as the establishment of information centers.

South Korea and the World Heritage Committee were satisfied with these statements and public commitments from the government of Japan. As a result, the “Sites of Japan’s Meiji Industrial Revolution” were designated as World Heritage sites.

### ***The Japanese government breaks its promises***

In the end, however, the Japanese government did not keep the promises made to UNESCO. Katō Kōko (current Managing Director of the Industrial Heritage Information Centre [IHIC]), who attended the 39th session of the World Heritage Committee in her function as Special Advisor to the Cabinet, understood Ambassador Satō’s statement as the “Japanese government losing without a fight” (26 August 2021, *Shūkan Shinchō*), and began to preparation for an exhibition to win what she called a “History War” (*rekishisen*) against South Korea.<sup>26</sup> The government later alleged that “the statement by the Japanese delegation does not acknowledge that there was illegal ‘forced labor’” and maintained that “victims [...] refers

to those who suffered or died from accidents or disasters while working or *rendering services*,” effectively denying Ambassador Satō’s statement.<sup>27</sup>

As a result, the Industrial Heritage Information Centre, which was opened in Tokyo in March 2020, allegedly “to remember the victims,” did the exact opposite.<sup>28</sup> The exhibition gives the impression that Koreans were not forced to work on Gukanjima, that there was no discrimination against Koreans, and that everyone lived together in harmony. Consequently, the testimonies and records of Koreans who were forcibly mobilized to work on Gunkanjima (Hashima Island, Nagasaki) are not displayed and only the “testimonies” of “former islanders” that deny those Korean testimonies and records are exhibited.<sup>29</sup>

*The UNESCO World Heritage Committee expresses its “strong regret” about the Japanese government’s failure to fulfil its promises*

The South Korean government strongly protested against this. Throughout the country, the South Korean media immediately rolled out critiques of the Japanese government. Japanese newspapers such as *The Asahi*, *Mainichi*, *Tōkyō*, and others published editorials urged the government to take seriously the World Heritage Committee’s decision and follow their recommendations.

The Committee itself did not overlook that Japan had broken its promises. In June 2021, it sent a joint ICOMOS/UNESCO investigation team to Japan to examine the Industrial Heritage Information Centre. The report on their investigation pointed out that “the interpretive measures to allow an understanding of those brought against their will and forced to work are currently insufficient,” that “there is no display that could be characterized as adequately serving

the purpose of remembering the victims,” that “[the site] falls short of international best practice, compared with other industrial World Heritage sites with similar histories,” and came to a final conclusion that “the IHIC has not yet fully implemented the undertakings made by the State Party [i.e., Japan] at the time of inscription, or the decisions of the World Heritage Committee both at the time of inscription and subsequently.”<sup>30</sup>

At the 44th session of the World Heritage Committee in July 2021, in reference to the ICOMOS/UNESCO report, the Committee resolved that it “strongly regrets [...] that the State Party [i.e., Japan] has not yet fully implemented the relevant decisions.”<sup>31</sup> The Committee made five “requests” (*kankoku*), including [an] “interpretive strategy showing how each site contributes to Outstanding Universal Value (OUV) and allows an understanding of the full history of each site,” “measures to allow an understanding of a large number of Koreans and others brought against their will and forced to work under harsh conditions, and the Japanese government’s requisition policy,” “incorporation into the interpretive strategy of appropriate measures to remember the victims such as the establishment of an information center,” and “continuing dialogue between the concerned parties.” The World Heritage Committee once again demanded that Ambassador Satō meticulously fulfill the promises that she had made in July 2015.

The government of Japan has waged a “history war” against South Korea over the World Heritage issue while UNESCO has demanded that the government of Japan explain (or exhibit) the full history of the Heritage sites. Yet, notwithstanding the Committee’s severe criticism of the government of Japan and the fact that the Committee had made requests of them, the chaos resulting from their “history war” has not come to an end. Next, we consider the issue of “the Sado Gold Mines.”



*The continuing chaos of the “History War”—stumbling also in their application for Sado Gold Mines World Heritage Site designation: Making the same mistakes with the Sado Gold Mine World Heritage registration*

South Korea had opposed the listing of the Sado Mines (“The Sado Complex of Heritage Mines, Primarily Gold Mines”) as a World Heritage site, pointing out that it, too, had been a site of Korean forced labour during the War. While the Kishida administration adjusted the plans recommending the Sado Gold Mines as a possible UNESCO World Heritage site,<sup>32</sup> the conservative factions within the LDP (Liberal Democratic Party) opposed this. The late Abe Shinzō declared, “It’s wrong [for the government] to not make a recommendation in an attempt to avoid an argument” (on 26 January).<sup>33</sup> In an interview with the evening newspaper *Fuji* (ZAKZAK), he issued a manifesto to Prime Minister Kishida: “Now more than ever is the time to set up a new ‘history war’ team to protect Japan’s honor and pride.”<sup>34</sup>

The Kishida administration eventually gave in to pressure from the conservative factions. On February 1, 2022 a recommendation was sent for the Sado Gold Mines to UNESCO, but it was reported that “at this point in time, it is fair to say that there is no way the Sado Gold Mines will be registered as a World Heritage Site in 2023.”<sup>35</sup>

Prior to this, in 2021, UNESCO introduced a system that allows concerned countries to state their objections during the nomination process. This mechanism was introduced as a result of the Japanese government’s objection to China’s application for “Documents of the Nanjing Massacre” to be registered as a “Memory of the World.” In July 2021, the World Heritage Committee expressed its “strong regret” to the

Japanese government over the Industrial Heritage Information Centre’s exhibits and issued the above-cited recommendations. Yet, the Japanese government still recommended the Mines despite it sharing all the same unresolved problems that the World Heritage Committee addressed in their recommendations, causing even more trouble for the Committee.

Without making an effort to respond to UNESCO’s recommendations in accordance with their rules, the Kishida administration rushed headlong into a “history war” with South Korea. The government refuted the Korean claim of “[Japan] neglecting the painful history of forced labor of South Koreans,” insisting that South Korea’s “claim is unacceptable to Japan.”<sup>36</sup> Within the Japanese government a “history war team”—the “World Heritage List Task Force”—was set up to “take a firm stand against unprecedented slander.”<sup>37</sup> Despite this, on July 28, 2022, the Japanese government announced that UNESCO had not accepted the listing nomination of the Gold Mines as World Heritage on the grounds of “incomplete documentation.” This made it impossible to register the Mines as a World Heritage site in 2023.<sup>38</sup>

*Mainichi* reporter Sawada Katsumi tweeted the following:

The registration of the Sado Gold Mines as cultural World Heritage for next year is in a difficult spot. NHK states that the recommendation form was incomplete, but the reasons I’m hearing are a little different. It is being said that subsequent screenings could not be conducted because Japan had not responded to the World Heritage Committee’s comments on the “Sites of Japan’s Meiji Industrial Revolution.”<sup>39</sup>

The accuracy of Sawada's tweet is uncertain. It is a reasonable assessment, however, considering the Japanese government's insincere responses to the Committee's recommendations during this period. In short, the Gold Mines suffered from its "entanglement" with the "Sites of Japan's Meiji Industrial Revolution" and the Industrial Heritage Information Centre. In terms of nominating the Mines as a World Heritage site, UNESCO may have "cautioned" that it will be difficult to have it registered as a World Heritage site as long as the Japanese government handles their application process in the same way as with the "Sites of Japan's Meiji Industrial Revolution."<sup>40</sup>

*"Historical battles" Unrelated to World Heritage Registration*

What the World Heritage Committee requires for a registration recommendation is proof that the site being nominated has "OUV (Outstanding Universal Value)." They also demand at the same time "interpretations and displays" in line with "The ICOMOS Charter for the Interpretation and Presentation of Cultural Heritage Sites" (Ename Charter, adopted 2008).<sup>41</sup> The charter demands that "the Interpretation and Presentation of cultural heritage sites should relate to their wider social, cultural, historical, and natural contexts and settings." And it demands that "the contributions of all periods to the significance of a site should be respected," that applicants]must "take into account all groups that have contributed to the historical and cultural significance of the site," and finally, that "the cross-cultural significance of heritage sites [...] should be considered in the formulation of interpretive programs."<sup>42</sup>

It was on the occasion of the registration of the "Sites of Japan's Meiji Industrial Revolution" that the World Heritage Committee, based on the ICOMOS-Ename Charter, issued its

recommendations on the formulation of "Interpretive strategy showing how each site contributes to Outstanding Universal Value and allows an understanding of the full history of each site."<sup>43</sup> It was not due to South Korean "interference." The Japanese government and Katō Kōko, whether they knew it or not, were obsessed with denying the historical fact that "Koreans were forced to work." This amounts to a rejection Ambassador Satō's statement (which was a promise) in July 2015. Nobody could expect the World Heritage Committee to accept this.

***Japan Not Openly Dealing with the South Korean Supreme Court's Ruling on Forced Labour***

*The 2018 ruling by the Supreme Court of South Korea*

On October 30 and November 29, 2018, the Supreme Court of South Korea issued rulings that recognized the claims brought forth in the lawsuit by the victims of forced mobilization and ordered the defendant companies, Nippon Steel and Mitsubishi Heavy Industries, Ltd., to pay compensation to the victim-plaintiffs. The Supreme Court, recognizing the fact of forced relocation and forced labor, deemed that it "corresponds to crimes against humanity directly coupled with the illegal colonial rule and the execution of a war of aggression against the Korean peninsula."<sup>44</sup> The Court then stated that the plaintiffs, who had been victims of forced mobilization both physically and mentally, had not relinquished "the rights to compensation requests for forced mobilization" and ruled that it was not covered within the applicable scope of the 1965 Agreement Between Japan and the Republic of Korea Concerning the Settlement of Problems in Regard to Property and Claims and Economic Cooperation.<sup>45</sup> It appeared as if the plaintiffs, who had fought for their case for more than

twenty years both in Japan and in South Korea, had finally been rewarded for their hard work.

*The Japanese government's accusation of South Korea "violating international law"*

The Japanese government criticized the Supreme Court's ruling as an "inconceivable decision in light of international law,"<sup>46</sup> and Abe Shinzō emphasized that "the 1965 Claims Settlement Agreement has already settled the issue." According to Foreign Minister Kōno Tarō the ruling "completely overthrows the legal foundation of the friendly and cooperative relationship between Japan and South Korea" and he strongly urged "the Republic of Korea [to] take appropriate measures, including immediate actions to remedy such breach of international law."<sup>47</sup>

Furthermore, on November 1, 2018, then Prime Minister Abe explained at a meeting of the Budget Committee in the House of Representatives that the issue had been "settled" under the 1965 Claims Settlement Agreement. He said that "the National Service Draft Order under the National Mobilization Law at that time included 'recruitment,' 'government mediation,' and 'conscription'" and maintained that the plaintiffs in the Nippon Steel hearing were not "conscripts" to begin with, but rather "migrant workers" who had come to Japan in response to voluntary "recruitment."<sup>48</sup> This generated the impression that they were not forcibly mobilized under the category of "conscription" (i.e., the National Mobilization Law Article No. 4), and therefore did not need to be compensated in the first place.

In April 2021, in response to Lower House and Japan Innovation Party (Nippon Ishin no Kai) member Baba Nobuyuki's "written inquiry regarding the expressions 'forced relocation' and 'forced labour,'" the Suga cabinet handed out a "written reply" stating that "it is not

appropriate to categorize all 'forcibly relocated' workers into one group" and "it is not appropriate to say 'forced labor' because it does not fall under the Forced Labor Convention."<sup>49</sup> Furthermore, based on these cabinet decisions, descriptions in junior and senior high school textbooks were revised.

The controversy escalated even further. With the defendant companies failing to adhere to the judicial decision, the plaintiffs were left no choice but to initiate proceedings for compulsory execution of the judgment, i.e. the confiscation of company assets in order to pay the compensation ordered by the court. In retaliation, the Japanese government restricted exports of manufactured semiconductor materials to South Korea and removed South Korea from its White List, which allows listed countries to go through less stringent trade checks and regulations. The South Korean public then struck back by launching a campaign to boycott Japanese products.<sup>50</sup> Thus the historical issue of wartime conscription turned into the biggest unresolved question in Japan's diplomatic affairs with South Korea.

*Japan's companies and government defy accepted norms*

When a Japanese company disobeys a final court ruling, that constitutes a breach of compliance, regardless of if it is done in response to a court decision in South Korea. A decision of the Supreme Court of Korea is a judgment issued as part of a civil lawsuit between the victims of forced mobilization and the offending company. The intervention by the government of Japan contradicts the general principle of "non-intervention in civil affairs." Japan says that this issue was "settled by the Claims Settlement Agreement," but as of 1965, Japan had not undergone any reflection on its colonial rule over Korea nor apologized to the victims of forced mobilization. The claim that the issue has been "previously resolved" then

does not apply in this case. The victims are not seeking restitution for unpaid wages, allowances, or savings, but compensation for the physical and psychological damage caused by their forced mobilization. The Japanese government itself has repeatedly acknowledged that these individual claims have not been nullified.

Thus, Abe's assessment that these were not victims of forced mobilization, using the expression "laborers from the former Korean peninsula," is wrong. First, it had already been recognized through fact-findings in earlier lawsuits in Japan that the plaintiffs in this Supreme Court ruling had been subjected to forced relocation and forced mobilization. The defendant companies, too, had been found liable for unlawful conduct. Abe's account negates these judicial decisions. Second, while the four plaintiffs in the Nippon Steel hearing did indeed go to Japan in response to "recruitment," they were all made conscript laborers under the rules of the December 1943 "Munitions Company Conscription Regulations," which stated in Article 4 that "production personnel of designated munition companies and those engaged in the ammunition industry operated by such munition companies ... shall be considered conscripts."<sup>51</sup> Abe's argument was, therefore, a fallacy and not based on historical facts. Third, confirmation can be found in the International Labour Organization's March 1999 (ILO) Committee of Experts' Application of Conventions and Recommendations, which deemed Japan's labor mobilization of Koreans and Chinese carried out during the wartime a forced labor violation.<sup>52</sup> Abe's account was a baseless rejection of the opinion of the ILO.

In sum, Abe's "parliamentary statement," which refers to the plaintiffs as "former workers from the Korean Peninsula" and portrays them as if they were not victims of forced labor, was a falsification and denial of history itself.

### *The question today is how to face our colonialist past*

The Supreme Court ruling threw Japan-South Korea relations into the worst possible state. Nevertheless, with the change of government in South Korea and the end of the Abe and Suga administrations, as well as the transition to the Kishida cabinet in Japan, the need for improved relations was expressed anew and both governments affirmed that the "labor conscription" dispute, said to be the largest pending issue, would be resolved. And yet, the Japanese government still insists that the responsibility for resolving the issue lies with South Korea. The question today is how to deal with the victims of colonial rule and their legal actions. Older victims are demanding, first and foremost, an apology from the perpetrators of forced mobilization (corporations, the Japanese government). However, if the facts of forced mobilization themselves continue to be denied, there will be no apology for these aging victims.

Now more than ever, the Japanese government and the offending companies must promptly face the facts of the history of colonial rule. It is time to choose the path of coming to terms with our own past rather than sticking to any falsehood asserting that the issues have already been resolved.

### **Conclusion**

It is an undeniable historical fact that the Empire of Japan ruled Korea as a colony and that it forcibly mobilized many Koreans to fight during the war as part of the "total war" effort. As long as this fact is denied, true friendship and trust cannot be fostered between Japan and the two Koreas. Nor can it result in any "intellectual and moral solidarity."

The preamble to the UNESCO Constitution states that "since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed," and that "a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind."<sup>53</sup> In conclusion, in order to build peace in East Asia, Japan's colonial past must be squarely confronted and historically accounted for.

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### **The "Anguish," "Human Rights," and "Dignity" of the Victims of Forced Mobilization**

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#### ***Lee Chun-sik, a Youth of Colonial Korea Who Won a Court Case 73 Years Later***

As a teenager, Lee Chun-sik was involuntarily "relocated" (*kyōsei renkō*) from colonial Korea to Japan, where he was forced to work at Kamaishi Steel Mill—owned by Japan Iron & Steel Co. (now Nippon Steel Corp.)—and was later drafted by the Japanese military.<sup>54</sup> Because he was a member of Japan's Imperial

Army, he ended up in a prisoner of war (POW) camp in Kobe after Japan's surrender. While Korean youths were all busy searching for their hometowns upon liberation, Lee had something he wanted to do. As a survivor who had endured the dangerous workplace at the steel mill, hunger, and daily accidents; as one who had lived under the deadly threat of U.S. bombing during the late stages of the war; and as a man who had been on the verge of death and yet somehow survived, he himself chose to seek fair compensation for the suffering he had endured doing the work he was forced to do.

What was Lee thinking on his more-than-1,000-kilometer journey from Kobe, Hyōgo Prefecture, to Kamaishi, Iwate Prefecture—a journey without much public transportation amidst the ruins of war?<sup>55</sup> For him, a youth of colonized Korea, the long road meant, without question, a search to reclaim his human rights and dignity after they had been trampled on.

On October 30, 2018, 73 years after Korea's liberation from colonial rule in 1945, the Supreme Court of South Korea passed a historical judgment, ruling unanimously in favor of the plaintiff in a lawsuit where the victim had been conscripted for forced labor for the Empire of Japan and the perpetrator was a company, Nippon Steel.

This victim, the elderly Lee Chun-sik, responded to a journalist in an unexpected way, saying, "I was not happy. Tears rolled down my face. I was heartbroken and sad." This was because he was thinking of the people who had struggled alongside him, such as the elderly men Yeon Un-taek and Shin Cheon-su, who had been with him from the beginning in the lawsuit in 1997 in Japan, as well as the elderly man Kim Kyun-su, who had joined the lawsuit in South Korea in 2005. They had passed away before the lawsuit came to a conclusion. If only Lee could have been able to share the victory with them—however, he had to shed tears alone.<sup>56</sup>

### ***The Supreme Court Ruling: A Victory Achieved through Struggle***

The South Korean Supreme Court's 2018 ruling, in which victims who had been conscripted into forced labor by the Empire of Japan achieved victory in the struggle for their rights, explicitly states that Japan's colonial rule of Korea was unlawful, and that forced mobilization (*kyōsei dōin*) and forced labor (*kyōsei rōdō*), which had a direct bearing on the execution of Japan's war of aggression, was in violation of human rights and illegal. The significance of such a ruling is by no means small. The impact of this legal judgment is a global one that makes it clear that any state with an imperialist past must pay off the debts it incurred in the expansion of its colonial rule. The judgment also shows that international human rights law has evolved to a degree that nation-centric international law has to give more weight to individual human rights.

This ruling is historically significant because it implies that the so-called "1965 settlement" was finally overcome. It signifies that the legacies of colonial rule enforced by imperialist countries are yet to be settled. It also serves as a milestone showing that nation-centric international law has evolved, allowing to give more weight to individual human rights. This is a significant achievement for the development of international human rights law.

When Japan and South Korea normalized relations in 1965, the two governments neglected the victims' human rights and, as a result of a political compromise, also concluded the "Agreement Between Japan and the Republic of Korea Concerning the Settlement of Problems in Regard to Property and Claims and Economic Cooperation"<sup>57</sup> without having come to terms with their past. As a result of this, victims had to fight prolonged struggles in the courts of Japan and South Korea for more than twenty years. Furthermore, the ruling is a

historic victory that was brought about by a tenacious solidarity movement rolled out by citizens of South Korea, their fellow Koreans residing in Japan, and Japanese citizens together. They aimed to pin down who was responsible for Japan's colonialism and war(s) of aggression after South Korean democratization began in 1987. It was only then that Kim Hak-Sun's first public testimony in 1991 about [what she endured] as a victim of the Empire's "comfort woman" system made possible the postwar lawsuits and struggles, which started in Japan in the latter half of the 1990s.

On November 28, 2018, following the ruling concerning Nippon Steel, the Supreme Court of South Korea also ruled in favor of the victims of forced-labor, Yan Geum-Tok (1927?- ) and Kim Seon-Ju (1929?- ), in their lawsuit against Mitsubishi Heavy Industries of Nagoya for having forced them to work as members of a 'volunteer' labor corps when they were teenagers. Later, the Supreme Court later also ruled in favor of volunteer labor corps victim Kim Jong-Jung (1932?- ) against the Nachi-Fujikoshi Corporation, after Kim appealed an earlier decision.

### ***The Japanese Government Ignores Korea's Judicial Sovereignty, and the Offending Companies Violate the Human Rights of the Victims***

After the Supreme Court of Korea announced its 2018 decisions, the victims of forced mobilization for the first time started to hope, after their long years of struggle, that they were on the road toward the recovery of their rights and receipt of an apology and compensation. However, the Japanese government ignored South Korea's judicial sovereignty immediately after these rulings, and have continued to do so over the past four years. The Japanese government endlessly repeats their claim that the South Korean court

“violated international law.” In 2019, in response to the court ruling, Prime Minister Abe Shinzō slapped South Korea with trade restrictions, causing severe damage to South Korea-Japan relations.

Having caved in to pressure from the simple-minded Japanese government, the offending companies, including Nippon Steel, Mitsubishi, and Nachi-Fujikoshi, refused to open any kind of dialogue with the victims. They have denied any responsibility for violations of the human rights of the victims of forced labor, and refuse to acknowledge the rulings by taking any action, neither apologizing or compensating the victims.

In 2019, one year after the ruling was made, I traveled with a team of lawyers who were one of the support groups for the Nippon Steel case. We traveled to the headquarters of Nippon Steel, Mitsubishi, and Nachi-Fujikoshi in central Tokyo, where we demanded an open dialogue with the companies in order to reach a shared understanding with regards to the ruling, but none of the responsible personnel from the offending companies would agree to meet us. All it took was a visit to the offending companies’ offices from our legal team and the support group to bring out a crowd of right-wingers who, up until the very end, prevented us from proceeding and threatened us at the front gate.

The victims of Nippon Steel lodged their lawsuit in Japan in 1997 and in South Korea in 2005. By the time of the ultimate ruling in 2018, they had been fighting in court for twenty-one years. Opposing even common-sense human rights, Nippon Steel, Mitsubishi, and Nachi-Fujikoshi, companies who can be considered representative of Japan, are using the Japanese government as a shield to trample on the human rights of people who are victims of forced mobilization. As the offending Japanese companies would not engage in a direct dialogue for the purpose of carrying out

what the ruling required them to do, the victims initiated proceedings to exercise their legitimate rights. When the ruling was about to be carried out,<sup>58</sup> the Japanese government bought time for itself by deliberately postponing the delivery of the related documents. The government then returned the documents without any explanation as to why they were not delivered to the offending companies, thereby slowing down the execution of the ruling. It was as plain as day what they were trying to do. There is no question that they have insulted the victims, who are elderly persons eagerly awaiting the execution of the court ruling.

In the summer of this year (2022), cognizant of the fact that the liquidation of the South Korean assets of Mitsubishi Heavy Industries was imminent, the Japanese government did not hesitate to threaten South Korea by saying that “a breakdown of diplomatic relations between South Korea and Japan” would occur in the unlikely event that the funds were actually distributed. The purpose of this was to obstruct the legitimate exercising of the rights of the victims.

**The Idea That There Would be a “Breakdown of Diplomatic Relations Between South Korea and Japan” Turns the Victims into “Danger”**

It is not only the Japanese government that threatens the victims of forced mobilization with a “breakdown of diplomatic relations between South Korea and Japan.” Some Korean and Japanese media outlets have told their audiences that in the unlikely event that the funds were actually distributed, a breakdown such as that would occur. Yamamoto Seita, however, a lawyer who has worked for many years for the rights of the South Korean victims of forced mobilization and the South Koreans who were brutalized as “comfort women” of the military of the Empire of Japan, sharply

criticized the notion of a “breakdown of diplomatic relations between South Korea and Japan” in an interview published by the *Hankyoreh* newspaper in early August of [2022].

The argument that liquidation would mean a breakdown of ties between South Korea and Japan has surfaced in both countries, and can be found in [the discourses of] the civil society of both countries, but I do not understand the meaning of this. What is this “breakdown”? Would it be like the situation between Russia and Ukraine? Does anyone seriously believe that if the liquidation of assets held by offending companies in Korea takes place, the Japanese Self-Defense Forces might land on Dokdo or carry out a missile attack on Seoul? In the end, if we take this more seriously—this claim that some kind of “breakdown” might occur—it means putting in jeopardy the lives of the victims or now carelessly waiving their rights.<sup>59</sup>

The question I would like to ask the so-called experts in South Korea-Japan relations who legitimize this argument about a breakdown in relations between South Korea and Japan is, “For whose sake do we have South Korea-Japan relations and the national interest, if not for the sake of the human rights of victims of forced mobilization who have struggled their entire lives for the restoration of those rights, who are demanding an apology and compensation from the government of Japan and the offending companies?”

### ***The Government and Judiciary of South Korea Forgetting the “Judicial Monopoly” Crime***

The final 2018 Supreme Court ruling was delayed for five years because of what we could call a judicial monopoly controlled by the regime of President Park Geun-Hye, together with the Ministry of Justice headed by Yang Sung-tae (1948-), and the representative of the offending company, Kim Yen-Jang. It was a judicial monopoly in which some members of the elite echelon of South Korean society had unfairly carried out an ugly trial deal. The victims lost in the first and second trials. On May 24, 2012 the victims won a reversal in the High Court of Appeals.<sup>60</sup> The following year, in 2013, the High Court of Appeals affirmed the plaintiffs' claims, but the Japanese companies appealed the decision in late 2013.<sup>61</sup> By 2018 five years had passed since the ruling had been reversed and the case had been remanded to the lower court. While this arbitrary judicial monopoly went on, by the time of the final court ruling in 2018, four victim plaintiffs of the Nippon Steel lawsuit had died. The four victims were never able to witness the final verdict in their cases, as they were subjected to a crime beyond their imagination, a “courtroom deal at the cost of their lives.” On July 26, 2022, the Ministry of Foreign Affairs of the Yoon Suk Yeol administration submitted an opinion in the Supreme Court, effectively requesting a postponement of the cash transaction (i.e., the liquidation of the Korean assets of the offending Japanese companies). At the time of the Park Geun-hye administration, a judicial monopoly was shaping and took advantage of the rules of civil procedure. The Ministry of Foreign Affairs, which was complicit in the crime at the time, delayed the victims’ proper execution procedure without any remorse, and used those rules to halt the liquidation of Japanese companies’ assets. As reflected by the impact of the opinion of the Ministry of Foreign Affairs, the Supreme Court has so far delayed its decision to liquidate the assets.

The government of South Korea has frequently and repeatedly claimed that they respect the decisions of the Supreme Court of South Korea,



but in fact, they continue to search for ways to invalidate the rights of the victims.

To what extent do the rulings of the Supreme Court carry great historical significance? Why do the victims insist firmly on an apology from the perpetrators? Why do they have to suffer so much? How do we refrain from repeating mistakes such as the agreement in 2015 between the Japanese and the South Korean government regarding the issue of the “comfort women” of the Armed Forces of Imperial Japan? How do we correctly solve the problem without paying some arbitrary amount of money? We need to do our best to find a solution to these questions.

### ***A Business Worth Hundreds of Trillions of Won versus “My Life is Worth 931 Won”***

On August 8 of [2022], South Korean Ambassador to Japan, Yun Duk-min (1959-), clarified that, at that point in time, when the Supreme Court in Korea was expected to rule on whether to allow the liquidation of assets of two Japanese companies to compensate forced labor victims as early as August 2022, the liquidation could severely damage South Korea’s economy and

There [was] concern that the people and businesses of both countries will suffer great damage, and as much as tens or hundreds of trillions [won] in business opportunities for Korean and Japanese companies could be lost.<sup>62</sup>

One month earlier, on July 6, 2022, Chung Siyoung, who had been conscripted to work for Mitsubishi Heavy Industries’ Nagoya Aircraft Manufacturing Plant had received 99 yen (or 931 South Korean won or USD \$0.74) from the

Japanese government as her allowance for withdrawal from the welfare pension system, which was money that she had paid into the system when she was forced to work. Denouncing the Japanese decision, 93-year-old Chung declared that “My life is worth 931 won.”<sup>63</sup>

Eighty years ago, forced mobilization victims were conscripted from colonial Korea while in their teens. These victims of forced labor somehow survived a long ordeal of living on the brink of death right in the middle of the Empire’s war of aggression. They were met with such bitter disappointment! In order to restore their human rights and dignity, they fought a life-long struggle to wrest an apology and compensation from the Japanese government and the offending companies. In 2018, they finally won a victory, through the ruling of the Ministry of Justice of the Republic of Korea. Yet, we live in an age in which the spirit of the ruling, the desperate cries of the victims of forced labor, and the wishes of those victims are, in the end, weighed against a business opportunity worth hundreds of trillions of South Korean won.

### ***Conclusion: The Suffering of the Victims of Forced Mobilization, and Their Human Rights and Dignity***

The plaintiffs, victims who were forced to labor without respect for their dignity and value as human beings and were forcibly mobilized by the Japanese government’s illegal colonial rule over the Korean peninsula as well as the anti-humanitarian illegal acts of Japanese companies directly linked to the execution of the war of aggression, continue to suffer, as ever, without receiving compensation for their psychological damages. The South Korean and Japanese governments took the mental suffering of the victims of forced mobilization so lightly that they concluded the 1965 Agreement without even making an effort to

investigate and confirm the reality of the situation. The responsibility for not clearly defining the right to claim compensation for forced mobilization in the claims agreement must be borne by the parties who concluded the agreement, and this responsibility cannot be shifted to the victims.

Toward the end of the written text of the ruling on forced mobilization by the Supreme Court there is a supplementary opinion from the Supreme Court justices, Kim Jae-hyung (1965-) and Kim Seon-soo (1961-), and it makes clear their opinions on various issues. These two Supreme Court justices commented on the long period of mental anguish of the victims during the history of colonial rule and war of aggression, writing, “The plaintiffs, victims who were forced to perform labor without respect for their dignity and value as conscripted human beings, have suffered without compensation for the emotional damage done to them.” It is now four years since the day that the Supreme Court issued their ruling, but has the suffering of the victims ended?

Have the governments of South Korea and Japan confronted the suffering of the victims during the past four years, these governments that said that the “emotional damage to the victims” at the time of the 1965 Claims Settlement Agreement, “was viewed terribly lightly”?

The victims, who have suffered from being pulled into Imperial Japan’s war of aggression during their youth from a Korea that was colonized by the Empire, have fought their whole lives to regain the human rights and dignity that were trampled on.

Those who say that the execution of the ruling of the Supreme Court will result in diplomatic relations between South Korea and Japan being damaged, those who intimidate the victims, and those who exchange the value of human rights for a business opportunity, I would like them to listen to the words of Yano Hideki, who has walked with the victims of forced labor longer than anyone. In order to overcome the suffering and to regain the human rights and dignity that were trampled on—this is truly why human beings struggle:

The victims of forced mobilization were dragged to Japan in their teenage years, and up until the late 1990s when they initiated their struggle in a court in Japan, they were unable to plead their case anywhere, and what was done to them and the suffering they endured, toward which all had turned a deaf ear, became clear for the first time in a court in Japan. Even if they lost in court, the judiciary of Japan has at least given recognition to their suffering and to the facts of what was done to them, and the formal record that was made shall remain.

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## Notes

<sup>1</sup> Among the numerous titles on this subject, those with particular relevance to Japan include: Aaron William Moore, *Bombing the City: Civilian Accounts of the Air War in Britain and Japan, 1939–1945* (New York: Cambridge University Press, 2018); Paul H. Kratoska, *Asian Labor in the Wartime Japanese Empire. Unknown Histories* (London: Routledge, 2005); Yuki Tanaka and Marilyn B. Young, eds., *Bombing Civilians. A Twentieth-Century History* (New York: The New Press, 2009).

<sup>2</sup> See William Underwood, “Names, Bones and Unpaid Wages (1): Reparations for Korean Forced Labor in Japan,” *The Asia-Pacific Journal: Japan Focus*, Vol. 4, Issue 9 (4 September 2006), <https://apjjf.org/-William-Underwood/2219/article.html>; William Underwood, “Names, Bones and Unpaid Wages (2): Seeking Redress for Korean Forced Labor,” *The Asia-Pacific Journal: Japan Focus*, Vol. 4, Issue 9 (4 September 2006), <https://apjjf.org/-William-Underwood/2225/article.html>; William Underwood, “New Era for Japan-Korea History Issues: Forced Labor Redress Efforts Begin to Bear Fruit,” *The Asia-Pacific Journal: Japan Focus*, Vol. 6, Issue 3 (3 March 2008), <https://apjjf.org/-William-Underwood/2689/article.html>; Satoko Oka Norimatsu, “Amidst an Explosion of Anti-Korean Hate: Thoughts on Overcoming Colonialism and Bringing Peace to the Korean Peninsula,” *The Asia-Pacific Journal: Japan Focus*, Vol. 17, Issue 21, No. 3 (1 November 2019), <https://apjjf.org/2019/21/Norimatsu.html>; Sven Saaler, “Demolition Men: The Unmaking of a Memorial Commemorating Wartime Forced Laborers in Gunma (Japan),” *The Asia-Pacific Journal: Japan Focus* 20, Issue 16, No. 14 (15 September 2022), <https://apjjf.org/2022/16/Saaler.html>. On labor mobilization in colonial Korea in general, see Tonomura Masaru, *Chōsenjin Kyōsei Renkō* (Tokyo: Iwanami Shoten, 2012); Totsuka Etsurō,

‘Chōyōkō Mondai’ to wa Nani ka? *Kankoku Daihō-in Hanketsu ga Tou Mono* (Tokyo: Akashi Shoten, 2019); Hatano Sumio, ‘Chōyōkō’ Mondai to wa Nani ka: Chōsenjin Rōmudōin no Jittai to Nikkan Tairitsu (Tokyo: Chūō Kōronsha, 2020).

<sup>3</sup> See “Zaisan Oyobi Seikyūken ni Kan Suru Mondai no Kaiketsu Narabi ni Keizai Kyōryoku ni Kan Suru Nipponkoku to Daikanminkoku to no aida no Kyōtei,” *Ministry of Foreign Affairs of Japan* (22 June 1965), [https://www.mofa.go.jp/mofaj/gaiko/treaty/pdfs/A-S40-293\\_1.pdf](https://www.mofa.go.jp/mofaj/gaiko/treaty/pdfs/A-S40-293_1.pdf); English version: Tanaka Akihiko (project leader), “Agreement on the Settlement of Problems Concerning Property and Claims and on Economic Co-operation between Japan and the Republic of Korea (Tokyo, June 22, 1965),” *‘The World and Japan’ Database - Database of Japanese Politics and International Relations*, <https://worldjpn.net/documents/texts/JPKR/19650622.T9E.html>.

<sup>4</sup> Emphasis added. Japan does not entertain diplomatic relations with North Korea. In 2002, the Japan-DPRK Pyongyang Declaration was signed when Prime Minister Koizumi Junichiro visited Pyongyang. See Koizumi Junichiro and Kim Jong-Il “Japan-DPRK Pyongyang Declaration,” *Ministry of Foreign Affairs of Japan* (17 September 2002), [https://www.mofa.go.jp/region/asia-paci/n\\_korea/pmv0209/pyongyang.html](https://www.mofa.go.jp/region/asia-paci/n_korea/pmv0209/pyongyang.html). In this Declaration, Japan apologized for the colonial rule, but otherwise, it has not been implemented until today, and no compensation has been paid by Japan to North Korea.

<sup>5</sup> Some victims received compensation in the 1970s, after the South Korean government had passed the Law Concerning Claims for Compensation Against Japan in 1974. These included 8,552 victims of forced labor. More victims received compensation from the Korean government in later years. See Totsuka, ‘Chōyōkō Mondai,’ 59 and ch. 1.

<sup>6</sup> See Saaler, “Demolition Men.”

<sup>7</sup> Ibid.

<sup>8</sup> Song Jung-A and Kana Inagaki, “Why Japan-South Korea Relations Have Soured,” *Financial Times*, 28 August 2019, <https://www.ft.com/content/94ce21dc-c584-11e9-a8e9-296ca66511c9>.

<sup>9</sup> See Joint Action for Resolution of the Forced Labour Issue and Settlement of Past Issues, “Closing our Eyes to History and Leaving the Victims Behind is not a Solution!,” trans. *Peace Philosophy Centre*, 7 March 2023,

[www.peacephilosophy.blogspot.com/2023/03/statement-closing-our-eyes-to-history.html](http://www.peacephilosophy.blogspot.com/2023/03/statement-closing-our-eyes-to-history.html);

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<sup>10</sup> See Kishida Fumio and Yun Byung-Se, “Announcement by Foreign Ministers of Japan and the Republic of Korea at the Joint Press Occasion,” *Ministry of Foreign Affairs of Japan* (28 December 2015), [https://www.mofa.go.jp/a\\_o/na/kr/page4e\\_000364.html](https://www.mofa.go.jp/a_o/na/kr/page4e_000364.html).

<sup>11</sup> Hayashi Yoshimasa, “Foreign Minister Yoshimasa Hayashi’s Comment on the Government of the Republic of Korea’s Announcement Regarding the Issue of Former Civilian Workers from the Korean Peninsula (CWKs),” *Ministry of Foreign Affairs of Japan* (6 March 2023), [https://www.mofa.go.jp/a\\_o/na/kr/page1e\\_000579.html](https://www.mofa.go.jp/a_o/na/kr/page1e_000579.html).

<sup>12</sup> See Joe Biden, “Statement from President Joe Biden on Japan-ROK Announcement,” *The White House* (5 March 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/03/05/statement-from-pr>

esident-joe-biden-on-japan-rok-announcement.

<sup>13</sup> The China-Japan-Korea History Textbook Tri-National Committee, ed., *A History to Open the Future: Modern East Asian History and Regional Reconciliation* (Honolulu: School of Pacific and Asian Studies, University of Hawai'i at Manoa, 2015).

<sup>14</sup> Eckhardt Fuchs, Tokushi Kasahara, and Sven Saaler, eds., *A New Modern History of East Asia* (Göttingen: V&R Unipress, 2018), <https://www.gei.de/en/research/publications/details/eckhardt-fuchs-tokushi-kasahara-sven-saaler-eds-a-new-modern-history-of-east-asia>.

<sup>15</sup> On the idea of “German physics” or “Aryan physics,” see Philip Ball, *Serving the Reich: The Struggle for the Soul of Physics Under Hitler* (Chicago: University of Chicago Press, 2014); Alan Beyerchen, *Scientists under Hitler: Politics and the Physics Community in the Third Reich* (New Haven, CT: Yale University Press, 1977).

<sup>16</sup> “The Sado Complex of Heritage Mines, Primarily Gold Mines,” *UNESCO World Heritage Convention* (22 November 2010), <https://whc.unesco.org/en/tentativelists/5572>.

<sup>17</sup> Tsujimura Tetsuo, “Dai 140 Kai Kokkai Sangiin Yosan Iinkai Dai 8-gō Heisei 9-nen 3-gatsu 12-nichi,” *National Diet Search System Online* (12 March 1997), 11, <https://kokkai.ndl.go.jp/#/detailPDF?minId=114015261X00819970312&page=11&spkNum=87&current=2>.

<sup>18</sup> Tsujimura Tetsuo once served as the head of the Elementary and Secondary Education Bureau, the department of the Ministry of Education that oversees the affairs of elementary and secondary educational institutions in Japan.

<sup>19</sup> Murayama Tomiichi, “Statement by Prime Minister Tomiichi Murayama ‘On the Occasion of the 50th Anniversary of the War’s End’,” *Ministry of Foreign Affairs of Japan* (15 August 1995), <https://www.mofa.go.jp/announce/press/pm/murayama/9508.html>; Obuchi Keizō and Kim Dae Jung, “Japan-Republic of Korea Joint Declaration. A New Japan-Republic of Korea Partnership Towards the Twenty-First Century,” *Ministry of Foreign Affairs of Japan* (8 October 1998), <https://www.mofa.go.jp/region/asia-paci/korea/joint9810.html>.

<sup>20</sup> International Labour Conference (ILO) 87th Session 1999, *Report of the Committee of Experts on the Application of Conventions and Recommendations. General Report and Observations Concerning Particular Countries* (Geneva: International Labour Office, 12 March 1999), 130.

<sup>21</sup> Kōno Yōhei, “Statement by the Chief Cabinet Secretary,” *Ministry of Foreign Affairs of Japan* (4 August 1993), [https://www.mofa.go.jp/a\\_o/rp/page25e\\_000343.html](https://www.mofa.go.jp/a_o/rp/page25e_000343.html).

<sup>22</sup> See Saaler, “Demolition Men.”

<sup>23</sup> See Takazane Yasunori, “Should ‘Gunkanjima’ Be a World Heritage Site? - The Forgotten Scars of Korean Forced Labor,” *The Asia-Pacific Journal: Japan Focus*, Vol. 13, Issue 28, No. 1 (13 July 2015), <https://apjif.org/2015/13/28/Takazane-Yasunori/4340.html>.

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<sup>27</sup> "Inscription of the 'Sites of Japan's Meiji Industrial Revolution: Iron and Steel, Shipbuilding and Coal Mining' on the UNESCO's World Heritage List (Statement by the Japanese Delegation at the 39th Session of the World Heritage Committee of UNESCO)," *Ministry of Foreign Affairs of Japan* (14 July 2015), [https://www.mofa.go.jp/mofaj/pr\\_pd/mcc/page3\\_001285.html](https://www.mofa.go.jp/mofaj/pr_pd/mcc/page3_001285.html).

<sup>28</sup> "MOFA Spokesperson's Commentary on State of Conservation Report on Implementation of Follow-up Measures Concerning Inscription of Sites of Japan's Meiji Industrial Revolution on World Heritage List," *Ministry of Foreign Affairs. Republic of Korea* (13 December 2022), [https://www.mofa.go.kr/eng/brd/m\\_5676/view.do?seq=322115&page=1](https://www.mofa.go.kr/eng/brd/m_5676/view.do?seq=322115&page=1).

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<sup>30</sup> ICOMOS, "Report on the UNESCO/ICOMOS Mission to the Industrial Heritage Information Centre Related to the World Heritage Property 'Sites of Japan's Meiji Industrial Revolution: Iron and Steel, Ship-Building and Coal Mining' (Japan) (C 1484) 7 to 9 June 2021," *United Nations Educational, Scientific and Cultural Organization* (2 July 2021), 6, 19, 21, 22, <https://whc.unesco.org/en/documents/188249>.

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<sup>50</sup> Joyce Lee, “Calls for Boycott of Japan Grow in South Korea as Diplomatic Row Simmers,” *Reuters*, 5 July 2019, <https://www.reuters.com/article/us-southkorea-japan-laborers-boycott-idUSKCN1U00FZ>.

<sup>51</sup> *Kokumin Chōyō-rei. Gunju Kaisha Chōyō Kisoku. Kankei Kikei* (Tokyo: Ministry of Health and Welfare/Labor Bureau, March 1944), 28, <https://dl.ndl.go.jp/pid/1454681/1/1>.

<sup>52</sup> ILO, *Report of the Committee of Experts*, 129-30.

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The name of the company was Nippon Steel & Sumitomo Metal Corporation from 2013 to 2019.

<sup>55</sup> “Japan's surrender finally ended World War II in 1945 and liberated Korea. Lee went back to Kamaishi to collect his wages, only to find the steel mill had been bombed to rubble. He later found out from the company's files — published by a Japanese academic — that only 23.8 yen (\$0.20) had been saved in his name.” From: Lee Suh-Yoon, “Wartime Forced Laborer Reflects on Court Victory,” *Korea Times*, updated 22 November 2018, [https://koreatimes.co.kr/www/nation/2023/04/251\\_259058.html](https://koreatimes.co.kr/www/nation/2023/04/251_259058.html).

<sup>56</sup> Lee Min-Young, “A talk from Heart to Heart: Wartime Forced Labor Victim Lee Chun-shik,” *Korea Times*, 21 November 2018, [https://koreatimes.co.kr/www/nation/2023/02/720\\_259101.html](https://koreatimes.co.kr/www/nation/2023/02/720_259101.html).

<sup>57</sup> The Agreement was signed as a supplement to the Treaty on Basic Relations Between Japan and the Republic of Korea. The original document can be viewed at “Zaisan Oyobi Seikyūken,” MOFA, [https://www.mofa.go.jp/mofaj/gaiko/treaty/pdfs/A-S40-293\\_1.pdf](https://www.mofa.go.jp/mofaj/gaiko/treaty/pdfs/A-S40-293_1.pdf).

<sup>58</sup> Following up the 2018 ruling, in September 2021, the Supreme Court of South Korea ordered the liquidation of Mitsubishi’s assets in order to allow compensation for the victims of forced labor. In August 2022, the liquidation was postponed and remains undetermined until now. See “South Korea's Top Court Orders Mitsubishi Heavy to Pay Compensation for Wartime Labor,” *Japan Times*, 29 November 2018, <https://www.japantimes.co.jp/news/2018/11/29/national/crime-legal/south-koreas-top-court-orders-mitsubishi-heavy-pay-compensation-wartime-labor> and “South Korean Top Court Postpones Decision on Wartime Labor Asset Liquidation,” *Japan Times*, 20 August 2022,



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<sup>59</sup> Jung In-Hwan, “Fears of ‘Breakdown’ in Korea-Japan Ties Over Forced Labor Case Miss Point, Says Postwar Litigation Specialist,” *Hankyoreh*, 4 August 2022, <https://english.hani.co.kr/arti/PRINT/1053527.html>.

<sup>60</sup> “Supreme Court Rules Japanese Firms Must Pay for Forced Labor,” *The Chosunilbo*, 25 May 2012, [http://english.chosun.com/site/data/html\\_dir/2012/05/25/2012052501084.html](http://english.chosun.com/site/data/html_dir/2012/05/25/2012052501084.html).

<sup>61</sup> Chang Se-Jeong and Shim Kyu-Seok, “Forced Laborers Hope Deliberate Delay by Court is Over,” *Korea JoongAng Daily*, 24 August 2018, <https://koreajoongangdaily.joins.com/news/article/article.aspx?aid=3052321>.

<sup>62</sup> Lee Young-Hee and Esther Chung, “Put Off Liquidations, Korea's Envoy to Tokyo Proposes,” *Korea JoongAn Daily*, 9 August 2022, <https://koreajoongangdaily.joins.com/2022/08/09/national/diplomacy/korea-japan-forced-labor/20220809150701865.html>. Kim Yeong-Hwan uses a clever expression: “freezing liquidation” (*genkinka wo touketsu suru*).

<sup>63</sup> See Lee Jung-Youn, “Japan Gave \$1 Compensation to War Crime Victims: Civic Group,” *The Korea Herald*, 5 August 2022, <https://www.koreaherald.com/view.php?ud=20220805000516>.