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| <https://embassynews.info/wp-admin/post.php?post=41640&action=edit>**The Importance of the Japan-ROK Relationship**  |  |
| * Japan and the ROK have long built a friendly and cooperative relationship based on the *Treaty on Basic Relations between Japan and the ROK* as well as the *Agreement on the Settlement of Problems concerning Property and Claims and on Economic Co-operation between Japan and the ROK* (hereinafter referred to as “the Agreement”), ever since the normalization of our relations in 1965.
* Close coordination between Japan and the ROK as well as among Japan, the US and the ROK is indispensable, in order to address urgent issues such as North Korea.
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**For the Important Bilateral Relationship**

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**Commitment to be honored**

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| **How were the commitments breached?**  |  |
| * Former civilian workers from the Korean Peninsula filed lawsuits against Japanese companies, for which they worked during World War II, in order to seek compensation.
* The Supreme Court of the ROK rendered judgments on October and November 2018, confirming the claims for compensation by former civilian workers from the Korean Peninsula, which have been “settled completely and finally” by the Agreement.

**The ROK breached the fundamental commitments which served as a legal foundation of the Japan-ROK relationship.**  |
| **What were the commitments?**  |  |
| * The 1965 Agreement

* + “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 … is settled completely and finally.” (Article II.1) “No contention shall be made” thereof. (Article II.3)
* *Negotiation History*

* + The ROK side proposed to Japan the “Outline of the Claims of the Republic of Korea against Japan” (the so-called “Eight Items,”) (which included “accrued wages of the requisitioned Korean, compensation and other claims.”)
	+ During the negotiation,
		- The ROK side sought compensation for all requisitioned workers, including compensation for their psychological and physical sufferings.
		- In response to the Japan’s proposal to pay compensation to the individual workers, the ROK side claimed that it would receive payment from Japan and then provide it to individual workers domestically on its own responsibility.

− *The Agreed Minutes to the Agreement** + “Problem concerning property, rights and interests … and concerning the claims …, which is settled completely and finally …, includes any claim falling within the scope of the so-called “Eight Items”.

**It is crystal clear that any claims by former civilian workers from the Korean Peninsula were settled.** |

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**It is clear that the ROK shared the same understanding that claims of former civilian workers were settled.**

* In the 1970s, the Government of the ROK implemented compensation for bereaved families of the workers requisitioned by Japan and deceased before 15 August 1945 by utilizing a part of 500 million dollars provided pursuant to the Agreement.
* In 2005, the Government of the ROK announced its position that the amount of the grant aid arrangement should be considered to include funds for compensating “the historical fact of suffering” concerning victims of requisitioned workers. It also stated that the Government of the ROK has a moral responsibility to spend adequate amount of the grant aid in order to provide victims of requisitioned workers with relief. The name of President Moon, then Chief Director of the Blue House Institute of Civil Affairs, is listed among those who signed this document.

* The Government of the ROK enacted relevant legislations in 2007 and 2010, through which it expanded the scope of compensation and provided further compensation to the missing, the wounded, the survivors requiring treatments, victims of accrued wages and their families. **The Government of the ROK clearly saw it as its own responsibility to address claims by former civilian workers from the Korean Peninsula.**

**The ROK failed to engage in arbitration.**

* The 1965 Agreement stipulates that any dispute concerning the interpretation and implementation of the Agreement shall be settled by consultation and arbitration.
* As the ROK failed to respond to diplomatic consultations for more than four months, Japan referred the dispute to an arbitral tribunal.
* However, the ROK failed to engage in arbitration and, as a result, an arbitral tribunal could not be constituted.

**The Government of the ROK yet again breached the Agreement.**

**Only the Government of the ROK can remedy its breaches of the international law.**

* Japan has been requesting the Government of ROK to remedy its breaches of the international law soon after the judgments of the Supreme Court of the ROK on October 2018.
* Japan also requested the ROK to settle the dispute by arbitration, but the ROK failed to engage in arbitration.

**Japan continues to urge the Government of the ROK to carry out its commitment.**