



Unfinished business: Chinese survivors support each other during a 2005 trip to Nagasaki, where they were forced to dig coal for Mitsubishi. Their claim for compensation was rejected by the Fukuoka High Court in March. COURTESY OF THE NAGASAKI SUPPORT GROUP FOR CHINESE FORCED LABOR LAWSUITS

## THE ZEIT GIST

# WWII labor redress efforts gain traction

**2009 sees progress on several fronts as firm's use of POWs continues to dog Aso**

By WILLIAM UNDERWOOD

APOWs at Aso Mining during World War II have captured most of the headlines since Taro Aso became prime minister last fall, but other forced labor redress efforts are gaining momentum that will continue regardless of who becomes Japan's next leader.

American POWs have received a historic apology and expect to be included in a Japanese reconciliation program soon. The remains of Koreans conscripted by the Japanese military are being sent home to South Korea, as new details are emerging about the unpaid wages for civilian labor conscripts now held by the Bank of Japan. A Japanese construction company is now moving to compensate

Chinese forced laborers, while an influential mining firm has expressed willingness to follow suit. There are also signs the global trend toward righting past wrongs is picking back up — and would be boosted by a change of ruling party in Tokyo.

Media coverage peaked in mid-June during a visit to Japan by an Australian survivor of forced labor at Aso Mining and the British son of an Aso POW who died after the war. The pair retraced the trail of wartime mistreatment and met with sympathetic lawmakers from the opposition Democratic Party of Japan. Prime Minister Aso refused to meet the visitors or apologize to them, but talks were held with officials of Aso Corp., who insisted they could not confirm the presence of POWs at Aso Mining despite being shown records produced by the family firm in 1946. Seeking apologies and compensation, the visitors walked away with corporate lapel pins instead.

Prime Minister Aso conceded in January that his father's coal mine did use Allied prisoners of war, but the admission came three years after foreign reporters first broke the story and only after multiple documents confirming the fact were found in the government's possession. Hounded on history by the DPJ, the Aso administration issued official apologies in the Diet to "all POWs" in February and March. In May the Japanese ambassador to the U.S. apologized in Texas at the annual convention of the American Defenders of Bataan and Corregidor, then waded into the audience to shake hands with survivors of the Bataan Death March.

Ambassador Ichiro Fujisaki also told the American former POWs that Japan plans to include them in a reconciliation scheme. More than 1,000 British, Dutch and Australian ex-POWs and family members have been invited to Japan since 1995 through the Peace, Friendship and Exchange Initiative, while related programs have benefited Canadians and New Zealanders. Allied nations except for the U.S. have recently compensated their citizens for harsh imprisonment in Japan.

Lester Tenney, head of the American POW group until it disbanded after the Texas convention, later expressed disappointment that Japan's industrial sector has taken no steps toward healing the legacy of unpaid forced labor. Last spring Tenney asked the Japan Business Federation (Keidanren) for a conciliatory gesture, citing the group's charter on ethics and corporate social responsibility. His letter has gone unanswered.

Last week, meanwhile, the remains of 44 Korean military conscripts killed during WWII were sent to South Korea from Yutenji Temple in Tokyo, where more than 800 sets of remains still reside. The Japanese government is paying travel expenses for Korean family members to attend the state memorial service and about \$300 in condolence money per fatality, as it did when 160 sets of bones were repatriated from Yutenji last year. Yet Japan's "humanitarian" approach to

the process excludes any public information about the military dead, leading to calls for fuller historical context regarding Japan's responsibility for colonialism and war.

In a milestone for Korean forced labor reparations, on May 19 the Korean Broadcasting System (KBS) aired a 50-minute documentary called "The Secret of the ¥200 Million Financial Deposits." Researchers for South Korea's respected public broadcaster discovered records in the National Archives of Japan listing the salary arrears, savings and pension contributions now held by the Bank of Japan in a "foreign creditors deposit account." Records of the funds, which were earned mainly by Korean civilian conscripts in Japan and are worth hundreds of thousands of dollars today, are numbered and broken down by prefecture and company.

During the war Japanese companies, including Aso Mining, withheld the bulk of money earned by their Korean workers. Soon after the war the funds were quietly deposited with Japan's central government, which apparently intended to transfer the money to its South Korean counterpart. Under the terms of the 1965 treaty that normalized relations between Tokyo and Seoul, however, Japan provided grants and loans directly to the South Korean state and the rights of former Korean conscripts to claim their money were waived, freezing the funds in the Japanese treasury.

The existence of the financial deposit system, along with a postal deposit system for Korean military conscripts, became lost to history until a few years ago. Citing protection of privacy, Japanese authorities almost never discuss the conscription-linked cash and have never indicated their ultimate plans for the money. The KBS documentary, by far the fullest investigation to date, charged Japan with perpetrating a "60-year coverup."

South Korea now needs data about the deposits to implement its own compensation program for wartime conscription. The 2007 redress law calls for both fixed-amount compensation and individualized payments to former conscripts and families, with Seoul ready to pay out 2,000 won (\$1.55) for every ¥1 in the BOJ. Pressure on Japan to reveal information about the deposits, and perhaps to use money for a historical reconciliation project, will likely increase in the months leading up to the 100th anniversary of Korea's annexation by Japan in 1910.

Reparations work for Chinese forced labor in wartime Japan has been unfolding less dramatically, partly because there were no Chinese at Aso Mining, but the strongly positioned movement may be closest to resolution.

Nishimatsu Construction Co., the firm currently embroiled in a scandal over alleged illegal payments to both the LDP and DPJ, is in talks to compensate its

360 Chinese workers or their heirs, even though the company won its pivotal April 2007 case at the Japan Supreme Court, which ruled the 1972 treaty that restored Japan-China ties bars individual redress claims. But Japan's top court also found that Nishimatsu "profited from the forced labor of Chinese who suffered extremely grave physical and psychological pain," and added that efforts to compensate the plaintiffs are expected.

Japanese judges have routinely ruled that the state and private companies jointly broke the law by forcibly deporting workers from China and forcing them to work without pay in Japan. A growing number of judges, in the course of rejecting lawsuits following the 2007 precedent that essentially granted Japanese companies full legal immunity, have recommended that victims be redressed through voluntary, nonjudicial means. Nishimatsu is heeding this advice and other firms may, too.

The newfound willingness of Mitsubishi Materials Corp. to consider settling out of court with Chinese workers is most surprising, since earlier in the decade Mitsubishi aggressively defended itself using revisionist historical arguments. In separate cases involving its coal and copper mines in Fukuoka, Nagasaki and Miyazaki, Mitsubishi has been ready in recent months to enter into settlement talks on the condition that its prime co-defendant, the Japanese government, would also settle. Tokyo refused and the talks collapsed, even though the subsequent Fukuoka ruling called the labor enterprise a "state policy."

While Chinese authorities have never actively supported redress efforts, citizens are being allowed more freedom to push historical claims in the Chinese court of public opinion, which few of Japan's export-driven businesses can ignore. Seven hundred of the 40,000 Chinese who toiled in Japan were reportedly alive as of last September, when forced labor redress supporters were permitted to hold a large meeting in Shandong Province.

Last month the DPJ, as part of its "project team for postwar settlements," formed a new party subcommittee on Allied POW issues that remain "like a thorn caught in the throat." With existing DPJ subcommittees already focusing on Chinese forced labor and war-remains issues, the new group aims to clarify the realities of POW forced labor and "formulate trust-building policies such as exchange and reconciliation programs."

The party's sustained attention to Aso POWs and American POWs, and the government's decade-old initiative for inviting Western POWs to Japan, are raising the bar for Japan's relations with Asian victims of forced labor and other injustices, especially since reconciliation with the West is already more advanced than with China or Korea. Top DPJ officials have indicated they would approach Japan's historical debts with more sincerity than the LDP has displayed in postwar decades. DPJ President Yukio Hatoyama met with the Aso POW visitors last

month and, in a redress-friendly image, has pledged to "build a society full of love" if tapped to lead the country.

Lafarge Corp., which merged with Aso Mining's successor company in 2001 and does business in Japan as Lafarge Aso Cement, offers a model of reconciliation in the Camp des Milles Memorial, the WWII internment and deportation camp in southern France now being restored as a "cultural landmark" for citizen education. Lafarge purchased the Camp des Milles site in 1998 and was not involved in wartime wrongdoing there. The French corporation's commitment to "remembrance of the past . . . at locations neighboring its operational sites" may be transferable to the Kyushu coalfields where POWs, Koreans and Chinese were forced to work without proper pay.

Last month U.S. President Barack Obama visited Dresden in Germany during a trip that also commemorated D-Day in France, perhaps seeking to transcend the victim-victimizer dichotomy in a more holistic approach to the past. In April Obama connected the atomic bombing of Japan to America's "moral responsibility" to pursue the abolition of nuclear weapons.

Commentators in Japan and the U.S. have floated the scenario of an Obama apology at Hiroshima coupled with an apology at Pearl Harbor by the Japanese emperor or prime minister. Nancy Pelosi, speaker of the U.S. House of Representative, laid flowers at Hiroshima last September. Yohei Kono, speaker of the Japan House of Representatives, did likewise at Pearl Harbor last December.

The U.S. Senate, having apologized in 2008 for atrocities against Native Americans, last month issued a mea culpa for slavery, an injustice for which American businesses and universities have also apologized. In a "micro" act of redress, Canada in 2006 granted compensation to a handful of Chinese immigrants who paid a discriminatory "head tax" decades ago. Italy, on a larger scale, paid Libya some \$5 billion in reparations for colonialism last fall, prompting the declaration of a new Libyan-Italian Friendship Day. Last month 46 countries backed creation of a European Shoah Legacy Institute to track the return of property seized by the Nazis during the Holocaust.

The United Nations has declared 2009 to be the International Year of Reconciliation. Impressive progress during the first half of the year involving Japan's history of forced labor highlights how much work remains.

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