

Resolution criticizing the judgement of the Seoul Central District Court on the claim for damages against the Government of Japan by complainants including former comfort women.

On January the 8th, the Seoul Central District Court of the Republic of Korea ordered the Japanese government to pay compensation in a case concerning comfort women.

This decision denied the principle of state immunity which is a foundation of international law, and distorted the facts about Japan's actions before and during WW II .

The Japan-Korea Claims Agreement (*) concluded at the time of the normalisation of diplomatic relations between Japan and the ROK in 1965 established that all claims, including the issue of comfort women that the ROK unilaterally brought up at a later date(**), between the two countries, their people and their corporations had been settled “completely and finally”. As part of this agreement, Japan supplied the ROK with 300 million US dollars in grants and 200 million US dollars in loans, which was approximately 1.6 times larger than the national budget of the ROK at that time.

(* The Agreement on the Settlement of Problems concerning Property and Claims and on the Economic Co-operation between Japan and the Republic of Korea)

(** in the early 1990s)

Further, in the agreement between Japan and the ROK in 2015, both governments confirmed that the issue of comfort women had been “finally and irreversibly resolved”. These were undertakings between states. To tear up these agreements would be to destroy the foundation of bilateral relations between Japan and the ROK, and an unthinkable act.

This judgement clearly violates the above Japan-Korea Claims Agreement of 1965 (*) which is an international undertaking, and also conflicts with the bilateral agreement of 2015.

Moreover, the judgement goes so far as to overturn the principle of state immunity, in which no sovereign country is subject to any other country's jurisdiction. This is insupportable under international law and we can in no way recognise it. It risks influencing all bilateral problems of reparations and compensation, including those involving other countries.

The statements in the judgement on comfort women are a complete misrepresentation of

the facts. There is absolutely no evidence of “forced participation” due to the military or civilian authorities of Japan. This judgement based on fantasy is absurd.

This judgement takes its cue from the decision of the Supreme Court of the ROK concerning Former Civilian Workers from the Korean Peninsula during the War, and is part of the Moon administration’s repeated tearing up of international agreements. Our anger is surely understandable.

Therefore, as the unanimous position of the LDP Foreign Affairs Division and Research Commission on Foreign Affairs, we call on the Japanese government to swiftly take the following measures.

- 1 Continue to strongly urge the Moon administration to take concrete and appropriate measures to remedy this breach of international law without a moment’s delay.
- 2 Investigate strong responses, such as filing a lawsuit at the ICJ, withdrawing recognition of the newly appointed ambassador of the ROK to Japan, or postponing the dispatch of the Japanese ambassador to the ROK.
- 3 In preparation for a situation in which the assets of the Japanese government might be seized by the ROK, consider strong measures such as freezing the assets of the ROK in Japan or imposing financial sanctions, while reconsidering the very nature of bilateral relations between Japan and the ROK.
- 4 Strengthen both cooperation with the international community and our global communication so that the rightness of Japan’s position is appreciated by international society.

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