

FACTS REGARDING THE ISSUE OF FORCED LABOR

Japan claims that the rulings by the Supreme Court of the Republic of Korea last year constituted a violation of the 1965 Claims Settlement Agreement (hereinafter the Claims Settlement Agreement) between Korea and Japan, and that the rulings pose a serious challenge to the post-war international order established by the 1951 San Francisco Peace Treaty. These claims are entirely without grounds for the following reasons:

- a. The Claims Settlement Agreement concluded between Korea and Japan in 1965 in accordance with Article 4 of the 1951 San Francisco Peace Treaty only stipulates the settlement of civil and financial disposition of properties, including debts, that arose during the period of Japan's illegal colonial rule. Korea is abiding by the Agreement.
- b. Moreover, the 1951 San Francisco Peace Treaty addresses the Allied Powers' waiver of all reparations claims arising out of Japan's prosecution of World War II. As Korea was at that time subjected to colonial rule, it was not considered one of the Allied Powers and is therefore not a party to this treaty.

The Japanese government asserts that all issues pertaining to forced labor were completely and finally settled by the Claims Settlement Agreement. However, the issue of reparations arising out of Japan's unlawful acts against humanity that are directly related to Japan's illegal colonial rule and its war of aggression is not included within the scope of the Claims Settlement Agreement.

- a. Korea's Supreme Court ruled in 2018 that the forced labor victims' right to claim reparations with regard to unlawful acts against humanity by Japanese companies that are directly related to Japan's illegal colonial rule and its war of aggression had not been extinguished. Indeed, throughout the prolonged negotiations that led to the Claims Settlement Agreement, Japan had refused to acknowledge legal responsibility for the illegal colonial rule, and thus this

element could not be reflected in the Claims Settlement Agreement.

- b. Following World War II, the Japanese government also maintained the stance that individuals' right to claim reparations had not been extinguished.

In conclusion, Japan contradicts itself by consistently denying any responsibility for illegal colonial rule and forced labor on the one hand, while claiming that all issues regarding forced labor have been settled by the Claims Settlement Agreement on the other.

Japan's claim that Korea is in violation of the Claims Settlement Agreement is unilateral and arbitrary, aimed at advancing its political agenda of historical revisionism, and does not merit consideration.
