

November 17, 1955

**Letter, Kim Yong-shik of the Korean Mission in Japan
to President Syngman Rhee**

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Summary:

Report on Omura Detainee Case and the Japanese proposals

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REPUBLIC OF KOREA

KOREAN MISSION IN JAPAN

Tokyo, November 17, 1955

Excellency:

SUBJECT: Omura Detainee Case

As I reported by cable already, I met the Japanese Minister of Justice, Shiro Hanamura, Saturday afternoon last week and talked for about 40 minutes on the Omura detainee case.

In the beginning I insisted that all our detainees at the detention camps who entered Japan before August 1945 should be released immediately.

Hanamura then argued that the Japanese immigration law provided that aliens who received prison terms of more than one year are subject to deportation and that the law applied to Korean residents as well, therefore, those Koreans at Omura must be deported.

I countered his remark with the statement that the problem concerning the status and treatment of the Korean residents here was discussed at the Korea-Japan conference and failed to reach any agreement. Therefore, Japan has no right to deport the pre-war category of Korean residents unilaterally. And I demanded that Japan release this category of our detainees from Omura immediately.

Hanamura then asked me if it was acceptable to Korea to receive a certain category of Koreans now in detention camps who have records of several previous convictions. I told him that those people who entered Japan before the V-J Day should be released without delay.

Centering around the above points, fierce arguments were exchanged. Finally, the Japanese Justice Minister

His Excellency
President Syngman Rhee

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said he would set aside the question whether or not the pre-war category of Korean residents are subject to deportation and asked me if Korea would consider the following proposal:

- a. Japan shall release all of the Korean detainees at detention camps in Japan who entered Japan before August 1945, and instead,
- b. Korea shall return to Japan those Japanese fishermen who completed their prison terms and also accept the deportation of Koreans who entered Japan illegally after August 1945.

At this moment I thought of various advantages to our side, in case we accept the above arrangements, for instance:

- a. If Japan releases pre-war category of the Korean residents from detention camps, it shows to the world that the detention of these people heretofore was without legal ground.
- b. In the future no further detention of pre-war Koreans will be justified, since by releasing the said category of the Korean residents from detention Japan herself admits that it was without legal ground.
- c. As for the acceptance of our illegal entrants from Japan, it has been our policy to accept them since before, therefore, we have nothing to lose.
- d. It will show to the world that our detaining the Japanese fishermen after completion of their prison terms was with sufficient reasons.

On the basis of the above judgment, I thought of accepting the above-mentioned arrangement immediately, however, told Hanamura that I would give him the reply within a few days after consultation with the Government.

Early this week I was instructed by the Government to accept the above-mentioned proposal and proceed immediately with the arrangement. Tuesday being a busy day for the Japanese Government (due to the inauguration of the new conservative party; please refer to the separate report), I met Hanamura again on Wednesday, Nov. 16, and informed him that our side accepted the said proposal. He then mentioned that as for the implementation of this arrangement, detailed plans would be worked out at the administrative level

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between representatives of his Ministry and this office. After this he looked quite satisfied with the arrangement and, in reply to my insistence upon preparing a written statement, promised to do so, if necessary, after the administrative-level talks were completed.

Later in the same afternoon I issued a public statement to the press, announcing that both sides reached agreement on the Omura case and Japanese fishermen held in Korea (copy of the statement is enclosed herewith).

Following this, I received a telephone call from Hanamura, who said that his commitments required Cabinet approval and that he had not yet obtained consent of Agriculture and Forestry Minister. Therefore, he had to tell the press later in the evening that the final arrangement had not been reached yet, etc.

On the telephone I made it clear to Hanamura that whether he gets approval from the Cabinet or not was an internal matter which he must settle himself and that as far as our side was concerned, we expected that the said arrangement be observed by releasing the detainees at Omura immediately. Hanamura replied that he would do his best in obtaining Cabinet approval, adding that his commitment would carry no weight without it, to which I countered that the commitment was commitment and we expected it to be observed strictly, demanding the immediate opening of the administrative-level talks between the two sides.

The wisdom of announcing the above settlement to the public lies in the fact that it will make the said arrangement more binding upon Japan, because she might attempt to withdraw her commitments, if pressed by the Foreign and Agriculture Ministries of Japan who are known as opposed to such arrangement.

In fact, the Justice Minister, concealing the fact, told the press that no such agreement had been reached and it would not be final until the Cabinet approved it. In propagandizing this, the Japanese Government mobilized all the radio network in Japan and the press media, twisting the fact that the agreement had been reached. Under such circumstances I was determined to give the full fact to the press and the public, thus meeting foreign newsmen of AP, UP, AFP and Reuter whom I met until 11:30 last night.

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This morning some of the local press carried the public statement issued by this office, pointing out that Japan made concessions to Korea. Even the Justice Ministry itself said that the final agreement would be reached only after the administrative-level talks were completed. Nevertheless, they could not conceal the fact completely. The Foreign Office sources here expressed dissatisfaction with the arrangement, saying that our side bypassed them in the negotiations on this case.

It is nothing but an excuse, because this office has been negotiating with the Justice Ministry officials in the past, as far as the Omura case is concerned. The Jap Foreign Ministry is fully aware of this fact. The American Ambassador in Japan also frequently talked with the Jap Finance Minister and Defense Board Director-General and made some arrangements in the past.

In case Japan fails to observe the above-mentioned agreement, it clearly indicates Japan's character of duplicity. In this regard, we must hold fast and blast out any sinister attempt of the Japanese. Since the Japanese Cabinet is meeting tomorrow (Nov. 18) to study this problem, we must watch future development carefully. However, as one of the Cabinet members did make such commitment, it will not be possible to withdraw it now.

As a conclusion, if this case is settled by means of the above-mentioned arrangement, Japan will no longer find any basis for detaining our people who entered Japan before August 1945. Since it will become a fait accompli, it will greatly benefit our stand in the event the Korea-Japan talks be resumed. I wish our press circles in Seoul would also blast out the Japanese scheme and expose the true nature of the Japanese duplicity, in case Japan does not live up to the commitment she made.

As our practical measure to counter the Japanese duplicity, we can easily continue detention of the Japanese fishermen until such time that Japan abides by her agreement with our side by releasing all our pre-war category of detainees from Omura.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

Yung Suk Choo

Encl.: Copy of press release

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