

## **Editor's Notes**

August 15<sup>th</sup> of this year was the 71<sup>st</sup> anniversary of the defeat and surrender of Japan in World War II (WW II). On June 1<sup>st</sup>, 2016 in Beijing, Mitsubishi Materials Corporation of Japan apologized to the Chinese slave laborers who were kidnapped and forced to work for its company, and both sides reached a settlement. This achieved a great milestone victory for the Chinese people seeking compensations from the Japanese companies. On this occasion, the organization of Chinese Federation of Civil Claims Against Japan decided to publish the "settlement agreement" in its entirety, signed by Mitsubishi and the Chinese forced laborers, to provide readers the opportunity to understand the agreement in detail and its historical meanings.

August 15<sup>th</sup> was the V-J day, the day on which the Fascist Japan was defeated and surrendered in WWII. As of this year, it has been 71 years since the Chinese people's victory over Japan in the Second Sino-Japanese War. On June 1<sup>st</sup> this year in Beijing, Mitsubishi Materials Corporation (Mitsubishi) apologized to the victimized Chinese laborers during WWII, and two sides reached a settlement. This achieved a great milestone victory for the Chinese people seeking compensations from the Japanese companies. Therefore, to those Chinese who were the victims of the Japanese invasion with great loss of properties and lives, this year is a year with extraordinary meanings.

Now, the 87-year old Yan Yu Cheng, one of the Chinese forced laborers, and Mitsubishi have finished signing the settlement agreement. He authorized Mr. Tong Zeng, the chairman of the Chinese Federation of Civil Claims Against Japan, to publish the whole settlement agreement for the public to review. On this, during an online interview with the reporter from *China Youth Daily*, Mr. Tong said that this is a good example for both sides to resolve the problems left behind from the war and the settlement agreement should be shared by the peace loving people in the whole world. He also stated that the ultimate goal of demanding compensation from Japan is to promote world peace.

### **China's "the Diary of Anne Frank"**

The white paper "China Demands Japan to Compensate Atrocity Victims" written by Mr. Tong Zeng in 1990 initiated a campaign to seek compensation from Japan for Chinese citizens who were victimized during WWII. This white paper ignited a raging fire across the whole country and made tens of thousands of Chinese atrocity victims and their relatives see the hope of receiving fairness and justice. They decided to seek justice and compensation, not continue the half-century silence any more.

In a short time, Tong received thousands of supporting letters from all over China, including many from the kidnapped Chinese forced laborers themselves or their family members. These letters described the painful memories and vigorous denunciations of the atrocities they experienced, inflicted by the Japanese iron heel policy during the Japanese invasion. Within a few years, he had received about 10,000

such letters. These letters were translated into English and are made public on the internet as “Letters in Tong Zeng’s Collection.”

To better preserve the “Letters”, American oversea Chinese David Chai and Don Tow registered a non-profit educational organization, “10,000 cries for justice,” and collaborated with Mr. Tong to create a website, “10,000 cries for justice” (<http://www.10000cfj.org/>). David Chai said these letters reminded him of the famous “The Diary of Anne Frank”. Just like Anne’s dairy, written by a 15-year old girl, Anne Frank, has become the irrefutable evidence of Hitler’s crazy massacre of the Jews, these “Letters” from the atrocity victims can become the irrefutable evidences of the crimes committed by the Japanese Three Alls Policy – Kill All, Burn All, and Loot All.

After Mitsubishi apologized to the Chinese people who were kidnapped, mistreated, and forced to work for its company, and reached a settlement with them on June 1<sup>st</sup>, 2016, Tong continued his effort to reach more Chinese forced laborers to let them know about this news and demand compensation. From reviewing some of those 10,000 letters, he came across two letters that actually came from Mitsubishi’s victims and their families, and immediately sent mails to seven forced laborers mentioned in those two letters. Three letters were returned because of change of addresses, the other four victims’ families successively got in touch with Tong. Tong was very happy that he could reach those families even after twenty some years. Out of these four, two had already registered with local related agencies, the other two had not known the fact that Mitsubishi had apologized already, they basically had given up hope for getting compensation from Mitsubishi after so many years.

### **China’s strength made the apology from Mitsubishi happen**

Tong explained, comparing to other perpetrator countries, the apology and the settlement from Mitsubishi of Japan was more comprehensive in form and offered the most money in compensation than any other settlements after the war. For example, the compensation paid by Germany to the victims was tended to be on a moral basis, more or less just symbolic. And the most compensation to the Korean victimized laborers from Japan was only about 70 thousand RMB. Due to our country’s overall strength and the increase of our determination to defend our territorial integrity in recent years, it was under this backdrop that the following activities were able to take place: the detaining of Japan Mitsui shipping’s commercial ship to settle the compensation dispute between Mitsui and some Chinese shipping firm, the successful filing of the lawsuits in the Chinese court by lawyers Kang Jian, etc., on behalf of the Chinese forced laborers demanding compensation, and the frequent requests by the Chinese Federation of Civil Claims Against Japan to the Japanese Embassy in China demanding Japan to apologize and compensate to the Chinese forced laborers. Tong thought that the circumstance of China’s strength and ever increasing international influence finally made Mitsubishi’s apology a reality.

Tong mentioned one incident, which happened before the apology: The Japanese government did not support the settlement between Mitsubishi and the

Chinese atrocity victims, and this caused a real dilemma for the company's business development. Finally, based on the considerations of humanity, human rights, and the future development of its company, the high level management of Japan's Mitsubishi in June this year agreed to the settlement before the new board of trustees assumed office.

Tong said that China and Japan are neighboring countries separated only by a narrow strip of water. They are also two important countries in Asia and even in the world. If we cannot properly resolve the left-over historical issues, if Japan does not apologize for its past crimes and has the correct and factual historical view, it will definitely have some detrimental effect to the relation between these two countries, even to the peace of the world. He expressed that this Mitsubishi's apology has great impact on the Japanese society, and he prepares to utilize the success of this example to apply pressure to the Japanese government and demand the Japanese government to apologize to the Chinese forced laborers in WWII just like to the Korean comfort women.<sup>1</sup>

### **Settlement provides a very good example**

Apart from those forced laborers who accepted the settlement agreement with Mitsubishi, there are others and their survivors who insist on continuing their lawsuits. Tong expressed that these are just two ways of seeking justice and fairness, and there is no contradiction between the two ways. After WWII, Germany set up a fund for "remembrance, responsibility and the future", without going through any litigation. With more than 20 years of experience related to lawsuits in Tokyo and Beijing, Tong thinks that lawsuits involve many international laws and national laws, and therefore have certain difficulties.

For those who insist on suing, Tong showed his support for their choices. On the other hand, reaching a settlement agreement opens a workable way to resolve the remaining problems after the war. No matter which way, the goal is same – getting the Japanese perpetrators to acknowledge, apologize and compensate.

### **Thank our Japanese friends for providing help**

In the activities of getting compensations from Japanese companies over 20 plus years, Tong has gotten in touch with some Japanese friends with a sense of justice. Tong said "On the international front, Japanese people have also made contributions after the war, but it is not easy for the current Japanese generation to apologize for the crimes committed by their grandfathers' generation." "The perpetrators have to express their sincere apologies to the victims in order to defuse the resentment from the victims. It is very touching to see that some Japanese lawyers have provided legal helps for the Chinese forced laborers for free for more than 20 years. They did it all for justice and peace."

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<sup>1</sup> "10000 Cries for Justice" website editors' comment: We are aware that the December 28, 2015 agreement between the Japanese government and the South Korean government is not a good example to follow for settling the issue of atrocities committed by the Japanese military during WWII.

According to Tong, the Japanese government previously has also tried to communicate with the victims seeking compensations through those lawyers. He indicated that not long ago the Japanese government apologized to Korean “comfort women”. Even though some strategic interest might be one of the considerations, one of the main reasons was for the Japanese government to get rid of the “historical burden”. Therefore, Tong indicated that he has confidence to get the Japanese government to acknowledge and apologize to the Chinese forced laborers. “If we can resolve the problems in our generation, don’t pass them on to the next generation”, Tong said.

Our newspaper August 12<sup>th</sup>.