

- 4 -

ready to give them utmost humanitarian consideration, for instance, paying paroles and undertaking guarantors for those whose release is contemplated, if the Japanese regulations so requires, with understanding that such release would in no way affect their detainee status.

(End)

0317

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P88. 外政第 2928 号

檀紀 4291 年(1958 年)7 月 29 日

外務部長官

内務部長官 貴下

北韓送還希望者の内、日本国内に仮釈放予定者に関する件

頭の件に関して、当部管下駐日代表部で入手した情報によれば、いわゆる北韓に送還されることを希望する在日韓国人抑留者の内、今回日本政府当局が日本国内に釈放することに決定した者 25 名の名簿は別添と同じということなので、同写本一通を送付いたすので査受なさり願います。

別添、北韓送還希望者の内、日本国内釈放予定者名簿一通  
以上

COPY

Tokyo, July 31, 1958



No. 89

Excellency:

1. Foreign Minister Cho's instructions addressed to Ambassador Limb have duly been received via last pouch and this office has carefully studied the policy of the Government toward the issue concerning the Japanese decision to parole Korean detainees who allegedly desire to go to the north. In accordance with the Government instructions Ambassador Limb is scheduled to meet Japanese Foreign Minister Fujiyama at 4:50 this afternoon. I assure Your Excellency that the results of the meeting would be reported to the Government promptly.

2. The Japanese Foreign Office protested in its note verbale to this office some time ago against our seizure of the Hoshi Maru No. 2. This office, after receiving instructions from the Foreign Ministry, replied to the Japanese side in this regard, as previously reported.

In addition, this week the Japanese Government sent to this office a counter-protest to our reply, details of which are being reported to the Foreign Minister under separate cover. I am herewith enclosing a copy of the note dated July 28 for Your Excellency's reference.

As Your Excellency will note in it, it appears that the tone of the Japanese note is somewhat different from than in the past, in that it not only called our seizure "unlawful", but went so far as to say that it is regretted that "such and untoward incident occurred at this juncture when the Japan-Korea Overall Talks are being held..."

/In view

His Excellency  
President Syngman Rhee

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- 2 -

In view of the adamant nature of the Japanese note verbale it is deemed necessary for our side to reply to it with more accurate and factual data regarding the circumstances of the seizure. I would, therefore, highly appreciate receiving any additional information in this relation from the Government to enable this office to make an effective counter-protest to the Japanese Foreign Office.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

Enclosure: Copy of note

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0321

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P91. 題目 拿捕日本漁船問題

この問題の発端は韓日会談韓国請求権委員会船舶小委員会で議題の確定のための討議が進行していた中、日本側が以外にも過去、平和ラインを侵越し不法漁労に従事していてわが警備船に拿捕された 141 隻の日本漁船問題を、同小委員会の議題として討議の対象とすることを主張したことにある。

わが側は即時このような日本側の主張が、今次本会談再開の契機になった昨年末韓日予備交渉終結において調印された合意事項に違背するだけでなく、この問題はその性質から見て、決して韓日会談の討議対象になれないことを指摘し、日本側がその主張を撤回するように要求したものである。

しかし日本側が最後までその主張を曲げないまま、この船舶小委員会は始まりから難関にぶつかり、われわれの対日請求権の重要な一部を占める船舶返還問題が討議に入れなくなり、われわれはこの打開策を模索していた中、日本側が高級クラス(首席代表)から他の決定がなされない限り船舶小委員会では取扱わないことと提案し、われわれはこれでこの拿捕日本漁船問題はまずさて置いて、船舶小委員会は本来の合意された議題だけを持って、その討議を進行させるものと理解した後、これを受け入れることにしたものだ。うた。

P92. このような措置は、いわゆる拿捕日本漁船問題は口だけさて置いて船舶小委員会の討議を進行させようとした、わが側のひとつの技術的方案だったので、この問題を首席代表に移管したものではなかった。したがって今後なされる可能性がほとんどない首席代表間の正しい決定がない限り、船舶小委員会では再び提起されないことが予期される。

# MINISTRY OF FOREIGN AFFAIRS

INCOMING  
TELEGRAM

B. O. K.

NO. MT-004

DATE. 07311830

1302 P. T. 100.

CLASSIFICATION

TOKYO

TO. KYUNG I. MI  
FOREIGN MINISTER

PART 1. IN ACCORDANCE WITH THE GOVERNMENT INSTRUCTIONS OF  
WOIJUNG 2897 DATED JULY 29TH, 1958, I TOGETHER WITH MINISTER  
YIU MET JAPANESE FOREIGN MINISTER FUJIYAMA AT THE LATTERS  
OFFICE FROM 4:50 P.M. TO 5:40 P.M., ON JULY 31, 1958.  
AT THIS MEETING WE MADE ORAL REPRESENTATION IN ACCORDANCE  
WITH THE POINTS SET FORTH IN THE PART 2 OF THE GOVERNMENT  
INSTRUCTIONS IN COUNTERING THE JAPANESE NOTE VERBALE OF  
JULY 21ST, 1958 REGARDING ITS DECISION TO RELEASE SOME  
26 KOREAN DETAINEES. JAPANESE FOREIGN MINISTER FUJIYAMA  
STATED THAT HE TOOK NOTE OF OUR REPRESENTATION IN THIS  
REGARD. FOR DETAILS, MINISTER YIU'S LETTER WILL FOLLOW  
VIA POUCH AND FURTHER REPORT WILL BE MADE IN PERSON SINCE  
I AM LEAVING FOR SEOUL TOMORROW ( AUGUST 1st ).

PART 2. FOLLOWING THE ABOVE REPRESENTATION, WE INFORMED  
THE JAPANESE FOREIGN MINISTER THAT OUR SIDE HAS NO OBJECTION

2/..... ( More )

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0324

INCOMING  
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS  
R. O. K.

NO. \_\_\_\_\_

DATE. \_\_\_\_\_

CLASSIFICATION

TO. \_\_\_\_\_

- 2 -

TO CONVENING THE FISHERIES AND PEACE LINE COMMITTEE ON  
AUGUST 20, 1958, EXPECTING SMOOTH PROGRESS FOR THE TWO  
COMMITTEES PRESENTLY UNDER WAY BY THAT TIME, WHICH HE  
WELCOMED.

AMBASSADOR LIMB

1958 AUG 1 PM 9 36

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0325

P95. 韓日代第 1293 号

檀紀 4291 年(1958 年)7 月 14 日

第 4 次韓日会談首席代表 ㊟

外務部長官 貴下

第 4 次韓日会談在日韓僑法的地位委員会、日本側討議資料送付請訓の件

頭の件、標記委員会の第 5、6 次会議で一般的に論議されて来た在日韓人の地位または処遇に関連して、韓人の強制退去問題に関して、わが側としては在日韓僑の特殊地位に鑑み、彼らは原則的に日本で彼らが望む

P96. 限り、安定した生活を営為できるようにしなければならないので、日本側により一方的に強制退去してはならないというわれわれの立場を明かしたところ、これに対して日本側はそのような韓人の特殊背景は日本の出入国関係国内法の範囲内で考慮されなければならないと主張することで、両側が相互強制退去問題に関する方針の草案を提出することを相手方側に要求したことがあり、結局日本側は今回別添のように、日本の現行法令である『出入国管理令』第 24 条の該当規定を再整理したに過ぎない案をわが側に提出、討議の資料にしようと提議して来たので、これを別添報告し、これに関して併せて請訓いたします(別添一 同案翻訳文一通)

P97. 討議資料

太平洋戦争終戦以前から続けて日本国に居住する韓国人でも、日本側が次のような理由により韓国領土に送還しようとする場合、韓国側でこの問題をどう取扱うかを、次回の韓人法的地位委員会まで研究していただければ、会議の議事進行上とても助けになるものと考えます。

1. 司法裁判所により有罪の判決を受けた事実
2. 売淫関係の仕事に従事した事実
3. 不法入国を手伝った事実
- P98. 4. ライ病患者としてライ病収容所に収容されたこと。精神障害者として病院に収容されたこと。または貧困、放浪、身体障害などで公的負担になった事実
5. 在留期間を越えて不法に残留した事実
  - (1) 遵法精神が欠けた場合
  - (2) 在留状態が不良なので、在留期間の更新申請が却下された場合
6. 暴力行為により日本国憲法を破壊しようとした者。または日本国の利益、または公安を害する行為をして事実



C O P Y

PKM-24

NOTE VERBALE

The Korean Mission presents its compliments to the Ministry of Foreign Affairs and, with reference to the three (3) Korean detainees at Omura whom the Government of Japan is contemplating to release temporarily, has the honor to state as follows:

The Government of the Republic of Korea is deeply concerned over these three (3) Korean detainees at Omura who, according to the responsible official of the Ministry, are in imminent danger of life of serious illness. From the strictly humanitarian viewpoint, the Mission wishes to request that, under its responsibility, the Government of Japan temporarily release the above-mentioned three (3) Korean detainees without losing time, and render them proper medical treatment. It is understood that in this regard that their temporary release does not affect their detainee status.

It is also understood that their temporary release is based on an emergent measure taken from humanitarian viewpoint, and that it is provisional pending a final settlement of the problems in accordance with Article 2 of the Agreed Minutes which was signed on December 31, 1957.

Tokyo, August 18, 1958

0328

COPY

MT-013

(CABLE) C O D E (CONFIDENTIAL) URGENT

58-3-19

OFFICE OF THE PRESIDENT  
FOREIGN MINISTER

ACCOMPANIED BY MINISTER YIU AND MR KYUNG KEUN CHANG CMA I MET  
AMBASSADOR SAWADA AT THREE PM ON AUGUST NINETEENTH AT JAPANESE  
FOREIGN MINISTRY PD AFTER INTRODUCING MR CHANG TO MR SAWADA CMA  
I TOLD HIM THAT I HAD EXPECTED DURING MY ABSENCE SETTLEMENT OF  
DETAINEE PROBLEM IN QUESTION AND CONSIDERABLE PROGRESS OF WORKS  
OF COMMITTEES WHICH WERE FUNCTIONING CMA BUT CONTRARY TO MY  
EXPECTATION ON THE JAPANESE SIDE HAS NOT ACCEPTED OUR MINIMUM  
CONDITIONS FOR THE SETTLEMENT OF THE DETAINEES ISSUE IN QUESTION  
PD I CONTINUED THAT I REGRETTED NO PROGRESS HAD BEEN MADE OF WORKS  
OF VARIOUS COMMITTEES AND THAT THE ABOVE SITUATION WAS PARTICULARLY  
REGRETTABLE IN THE LIGHT OF THE FACT THAT THE KOREAN SIDE HAD TAKEN  
THE VERY SINCERE CMA REASONABLE AND EVEN CONCILIATORY POSITION  
REGARDING THE OVERALL TALKS AND PARTICULARLY CONCERNING THE  
DETAINER ISSUE PD I ALSO REGRETTED THAT JAPANESE PAPERS AND  
MAGAZINES FREQUENTLY CARRIED STORIES CRITICIZING GROUNDLESSLY  
THE REPUBLIC OF KOREA CMA WHICH WOULD CREATE QUITE ADVERSE  
EFFECT ON THE CONFERENCE ATMOSPHERE PD I REQUESTED MR SAWADA TO  
TAKE UP THE ABOVE MATTERS ~~at~~ TO PREMIER KISHI AND TO GIVE US  
FAVOURABLE REPLY TO OUR PROPOSAL REGARDING THE DETAINEE ISSUE  
AS EARLY AS POSSIBLE FOR SMOOTH PROCEEDING OF THE CONFERENCE PD  
I TOLD HIM IN THIS CONNECTION THAT IF THE DETAINEE ISSUE IS NOT  
SETTLED CMA IT WOULD OBLIGE THE KOREAN SIDE TO CONSIDER THAT IT  
WOULD BE OF NO USE TO OPEN ONLY THE FISHERIES COMMITTEE MEETING  
ON AUGUST TWENTY PD MR SAWADA SAID THAT HE WOULD HOLD A MEETING OF  
HIS DELEGATION AND TO TAKE UP THE MATTER TO PREMIER KISHI ADDING  
THAT HE WOULD DO HIS BEST TO SETTLE THE DETAINEE ISSUE AS EARLY AS  
POSSIBLE PD NOW CMA UNDER THESE CIRCUMSTANCES CMA UNLESS JAPANESE  
SIDE GIVES US ANY FAVOURABLE REPLY ON DETAINEE ISSUE CMA THE

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P99-135

INCOMING  
TELEGRAM

TOKYO

MINISTRY OF FOREIGN AFFAIRS

R. O. K

C E

CLASSIFICATION

NO. MT-018

DATE. 08281730

KORPITAL  
TO. FORMIN

THE JAPANESE FOREIGN MINISTRY NOTIFIED  
THIS OFFICE AUGUST 28 AFTERNOON THAT THE JAPANESE  
GOVERNMENT DECIDED TO RELEASE ON PAROLE ANOTHER  
KOREAN DETAINEE VERY NEARLY OUT OF THE 92 DETAINEES  
IN QUESTION AFTER CONSULTATION WITH MEDICAL DOCTOR  
DUE TO SERIOUSNESS OF HIS DEMENTIA. HIS NAME IS  
KIM IL HO.

KORDIPSION

1958 AUG 29 AM 9 03



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# MINISTRY OF FOREIGN AFFAIRS

INCOMING  
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H. O. K.

NO. MT-023

DATE. 09051700

58.9.5

TOKYO

~~SECRET~~  
CLASSIFICATION

TO. KYUNG MU DAI, FOREIGN MINISTER

EYE MET MR ITAGAKI AT 11:30 AM (SEPTEMBER 5) TO PRESS THE JAPANESE FURTHER TO COME TO OUR TERMS IN CONNECTION WITH THE DETAINEE ISSUE. EYE REPEATEDLY REFERRED TO THE POINTS OF WHICH OUR SIDE MADE REPRESENTATION. MR SAWADA ON SEPTEMBER 4TH REGARDING THE JAPANESE ORAL STATEMENT IN QUESTION AND TOLD HIM THAT AS THE ORAL STATEMENT IS HARDLY ACCEPTABLE TO US AS IT, APPROPRIATE AMENDMENT SHOULD BE MADE ALONG THE LINE OF THE KOREAN POSITION. EYE FURTHER SAID TO THE EFFECT THAT IN CASE JAPANESE SIDE FAILS TO GIVE US A SATISFACTORY REPLY BY THE END OF NEXT WEEK, EYE WOULD BE OBLIGED TO ISSUE A STATEMENT CHARGING THAT THE JAPANESE HAVE NO SINCERITY IN SETTLING PROBLEMS WITH KOREA. MR ITAGAKI REPLIED THAT THOUGH HE FELT IT VERY DIFFICULT TO COME TO KOREAN TERMS AS A WHOLE HE WOULD DO WHAT HE COULD IN THIS REGARD, ADDING THAT AS HE BELIEVED THE QUESTION WAS ALREADY BEYOND THE POWER OF THE ADMINISTRATIVE OFFICIALS, HE WOULD

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0357

# MINISTRY OF FOREIGN AFFAIRS

INCOMING  
TELEGRAM

R. O. K.

NO. \_\_\_\_\_

DATE. \_\_\_\_\_

CLASSIFICATION

TO. \_\_\_\_\_ PAGE 2

IMMEDIATELY REPORT ON MY REPRESENTATION TO PREMIER KISHI FOR INSTRUCTIONS. HE ALSO SAID THAT HE WOULD GIVE A REPLY AS SOON AS HE RECEIVED ANY INSTRUCTIONS FROM THE HIGHER LEVEL OF HIS GOVERNMENT. FOR DETAILS LETTER WILL FOLLOW.

MINISTER YIU



SEP - 5 1958

1958 SEP 6 AM 9 22

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Annex I

/DRAFT/

Korean Proposal at the Committee on Legal  
Status of Korean Residents in Japan  
(September 8, 1958)

Whereas the Republic of Korea and Japan recognize, as a result of the coming into force of the Treaty of Peace signed at the city of San Francisco, September 8, 1951, the necessity to affirm the nationality of Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto; and

Whereas the two countries recognize that it is desirable to take a special measure as regards the treatment of those Koreans after the affirmation of nationality mentioned above;

The Republic of Korea and Japan have accordingly concluded the present Agreement.

Article 1

In present Agreement, the expression "Korean residents in Japan" shall mean Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto.

Article 2

(1) The Republic of Korea and Japan confirm that Korean residents in Japan are nationals of the Republic of Korea.

/(2) The

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(2) The Republic of Korea and Japan recognize the validity of the results effected, at any time before the coming into force of the present Agreement, by the application of laws of either Contracting Party with respect to the personal status of Koreans and Japanese in relation to each other.

Article 3

(1) In the case that a Korean resident in Japan submit, within two years after the coming into force of this Agreement, an application to the Japanese Government for permanent residence together with a registration certificate issued by the Government of the Republic of Korea, the Japanese Government shall grant permission therefor. In this case, none of the provisions of the Japanese laws governing aliens in general in relation to conditions, procedures and fees for granting permanent residence shall be applicable.

(2) After the coming into force of the present Agreement, the authorities concerned of the Republic of Korea and Japan will consult with each other on the compulsory deportation of a Korean resident in Japan who may have been granted permission for permanent residence under the preceding paragraph, relating to such matters as are required for the enforcement thereof.

Article 4

A Korean resident in Japan shall be entitled to the rights on property enjoyed by him in Japan at

/the time

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the time of the coming into force of the present Agreement which aliens in general are not entitled to enjoy, as long as he resides continuously in Japan.

#### Article 5

A Korean resident in Japan shall be entitled to engage in the occupation (except occupation of public officers ) followed by him at the time of the coming into force of the present Agreement which aliens in general are not permitted to follow under the provisions of the Japanese laws, as long as he resides in Japan continuously.

#### Article 6

(1) In the case that any of Korean residents in Japan returns to the Republic of Korea after the coming into force of the present Agreement, neither customs duties nor any other charges shall be imposed him in relation to any movables owned by and taken away with him. The types and quantity of movables to be taken away will be negotiated separately.

(2) The repatriator prescribed in the preceding paragraph may remit to the Republic of Korea the funds he owns through the procedures to be negotiated separately.

#### Article 7

The present Agreement shall be ratified by both Contracting Parties in accordance with their respective constitutional procedures, the instruments of ratifications shall be exchanged at \_\_\_\_\_.

/The present

0361



FISHERIES COMMITTEE MEETING WILL NOT BE HELD ON AUGUST TWENTY  
PD WE ARE NOW USING THE OPENING OF THE FISHERIES COMMITTEE MEETING  
AS A LEVER FOR SETTLEMENT OF THE DETAINEE ISSUE IN FAVOUR OF  
OUR SIDE PD

AMBASSADOR LINE

AUGUST 19, 1958

0330

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COPY

(CABLE)

CODE ( CONFIDENTIAL ) URGENT

MT-014

OFFICE OF THE PRESIDENT

FOREIGN MINISTER

TOGETHER WITH MINISTER YIU AND MR CHAN CHAI MET VICE FOREIGN  
MINISTER YAMADA FROM FIVE PM TO FIVE FIFTY PM ON AUGUST  
TWENTY AT THE JAPANESE FOREIGN MINISTRY PD AT THIS MEETING  
CMA WE MADE ANOTHER STRONG REPRESENTATION AS WE DID YESTERDAY  
TO AMBASSADOR SAWADA PARTICULARLY REGARDING THE MATTER ON  
SOME KOREAN DETAINEES IN QUESTION AT OMURA PD IN THIS  
CONNECTION MR YAMADA STATED THAT ALTHOUGH IT WAS VERY  
DIFFICULT TO COMPLY WITH THE KOREAN REQUEST PARTICULARLY  
IN CONNECTION WITH THE PROBLEM ON QUOTE WRITTEN ASSURANCE  
UNQUOTE CMA HE WOULD MAKE MORE EFFORTS CONTINUOUSLY IN THIS  
REGARD TO WORK OUT A SOLUTION TO THIS PROBLEM PD FOR DETAILS  
MINISTER YIU'S LETTER WILL FOLLOW VIA NEXT POUCH PD

AMBASSADOR LIMB

AUGUST 20, 1958

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~~CONFIDENTIAL~~

COPY

Tokyo, August 21, 1958

No. 21

Dear Mr. President:

Following my return here on Monday, August 18, with our Fisheries representative Chang Kyung Keun and Counselor Choi Kyu Nah, I received a briefing on the latest development on the talks with Japan, particularly in regard to the current detainee issue, while I had been away. The issue, in relation to some Korean detainees who are allegedly desirous of going to 'north' Korea.

I have been informed that we presented the Japanese with a very sincere and conciliatory proposition for the settlement of the current detainee issue which, however, has not yet been accepted by them. Although the Japanese orally promised not to send the paroled detainees to north Korea, they refused to yield to our request to give us written assurances to that effect. As a result, there had been no progress in the other Committee proceedings.

Under such circumstances at a staff meeting held following my return here, it has been decided that the scheduled opening of the Fisheries Committee be postponed until the detainee issue is settled, in order to apply pressure upon the Japanese, and that I meet Japanese officials concerned to press our point to them once again.

Thus, I visited Ambassador Sawada and Vice Foreign Minister Yamada at 3 p.m. Tuesday, and 5 p.m. Wednesday, respectively. Minister Yiu and Mr. Chang accompanied me on these visits. Contents of the talks at these meetings have already been reported in my cables, MT-013 and 014, of which copies are enclosed herewith.

/I told

His Excellency Dr. Syngman Rhee  
President of the  
Republic of Korea

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I told the Japanese officials that it was regrettable that there had been no progress during my absence from Tokyo, in the current talks and that the Japanese side failed to accept our reasonable and conciliatory proposition for the settlement of the current detainee issue. We also told them that a practice of the Japanese press to denounce Korea groundlessly on the detainee issue did not serve the smooth proceedings of the talks and, therefore, should be discontinued.

We also made it clear that the Korean side was of the opinion that until a settlement of the current detainee issue is reached, the opening of the Fisheries Committee should be postponed. We stated that if the Japanese side wanted the smooth operation of the overall talks in future, the highest officials, such as Premier Kishi and Foreign Minister Fujiyama, should direct the lower-level officials to agree to our terms on the detainee issue. Ambassador Sawada replied in this regard that the matter would be taken up with Prime Minister Kishi and he would inform us of its result.

At our meeting with Vice Minister Yamada, as reported in my cable, he stated that it was extremely difficult to give us any written assurances that the released detainees would not be sent to north Korea, however, he said he would give the matter further study, to find a solution to the issue.

I also visited Ambassador MacArthur at 11:30 a.m. today to give him a full explanation on the current detainee issue. I have reported in this regard in detail under separate cover.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

Encls.

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~~CONFIDENTIAL~~

COPY

Tokyo, August 21, 1958

No. 22

Dear Mr. President:

I called on US Ambassador Douglas MacArthur II at his office at 11:30 a.m. today and talked for about 50 minutes. Minister Yiu and Representative Chang Kyung Keun accompanied me on this visit.

After I introduced Mr. Chang who is our representative to the Fisheries Committee, the US Ambassador asked me when the Committee was going to meet. I told him that we wanted to start fisheries discussion as soon as possible, as evidenced from the arrival of Mr. Chang. However, a complicated issue arose in connection with Japan's unilateral decision to release in Japan some Korean detainees at Omura Camp.

We explained to him that at the Korea-Japan Working Committee headed respectively by Minister Yiu and Director Itagaki the Japanese representative promised not to send to north Korea nor release in Japan those Korean detainees who allegedly desire to go to the north, which is clearly recorded. Despite such Japanese action, our side took a very conciliatory attitude for the smooth proceedings of the overall talks and agreed to the contemplated parole, from the humanitarian viewpoint, provided Japan assures us in writing merely that "they would not be sent to the north after their release in Japan". Notwithstanding such a reasonable proposition from our side, the Japanese have not yet agreed to do so, thus our side was obliged to postpone the opening of the scheduled Fisheries Committee, pending a settlement of the current detainees issue.

Mr. MacArthur told us that his Government was not in support of the idea of forcibly sending aliens to destinations which are not of their own choosing. He further stated

/that he

105  
His Excellency Dr. Syngman Rhee  
President of the  
Republic of Korea

0334

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that he understood that Japan would not send them to north Korea after their release, although he thought that it was difficult for the Japanese to give us written assurances to such effect.

We told MacArthur that 'north' Korea, being an integral part of the Republic of Korea, is presently under unlawful occupation by the Communists, and, therefore, our Government could not tolerate any of our nationals being sent to that part of our territory where their safety is not guaranteed.

We also pointed out that Japan made a number of oral commitments in the past on various issues and actually broke them on several occasions in the absence of written assurances. Therefore, we continued, we cannot feel secure until written assurances are given on the current detainee issue. Mr. MacArthur understood that point.

When Mr. Chang told MacArthur that since the Middle-east crisis, Japan seemed to have taken increasingly neutralistic stand, MacArthur opined that Japan was an independent country and as such wanted to pursue her own foreign policy. Citing the US-British and US-ROK relations, the US Ambassador said that, though they all were good allies to each other, that did not mean that they were in agreement on all issues. He further advised us that as the present Japanese administration headed by Mr. Kishi is, in his opinion, sincere toward the settlement of the pending issues with Korea, it would be to the disadvantage of Korea, unless a settlement was sought while Mr. Kishi was still in power. He thought that the more the settlement of the pending problems was delayed, the more difficult such settlement would be. We told him that our side had always been sincere on this matter and expected the same from Japan.

Finally, Amb. MacArthur told us that he would shortly meet Japanese officials concerned and do what he personally could, in connection with the present situation. Any further development in this regard would be reported promptly.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

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~~CONFIDENTIAL~~

Tokyo, August 21, 1958

No. 95

Excellency:

In compliance with cable No. FT-092 of August 16, from the Foreign Minister concerning the parole of the three (3) Korean detainees at Omura Camp, this office prepared a note verbale, as enclosed copy, stating that our Government, from the humanitarian standpoint, requests that the said three detainees be paroled under the Japanese Government responsibility, with understanding that such an action was only an emergency measure without affecting their status as detainees and that the final settlement of the detainee issue would be made in accordance with Article 2 of the Agreed Minutes signed on December 31, 1957.

Following the return here of Ambassador Limb and arrival of Mr. Chang Kyung Keun, they met Ambassador Sawada and Vice Foreign Minister Yamada at 3 p.m. Tuesday (Aug. 19) and 5 p.m. Wednesday (Aug. 20), respectively to press the Japanese side for its acceptance of our terms, as instructed in a Foreign Minister's letter, Waijung No. 2024. Our side also told them that pending the complete settlement of the current detainee issue, no meeting of the Fisheries Committee would be held, despite the original schedule of a meeting on Aug. 20.

The Japanese side, as reported in the cable from Amb. Limb, repeated its insistence that it was very difficult for them to give us the requested written assurances that the paroled detainees would not be sent to north Korea. Details in this regard, I believe, are being reported by Amb. Limb separately.

It appears to me, however, that the Japanese side is taking a unusually stiff attitude regarding the current detainee issue, despite our very reasonable and

/conciliatory

107  
His Excellency  
President Syngman Rhee

104

0336

2.

conciliatory proposition for the purpose of attainment of smooth operation of the overall talks. I took note of cable No. FT-093 of Aug. 20, instructing us not to open the Fisheries Committee until the complete settlement of the current detainee issue and I am fully in accord that such a measure will be effective in applying pressure on Japan for her acceptance of our terms concerning the written assurances.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

*A. C. K.*

Encls.

108

105 0337



MINISTRY OF FOREIGN AFFAIRS

INCOMING  
TELEGRAM

R. O. V.

NO. MT-015

DATE. 08231800

TOKYO

~~SECRET~~  
CLASSIFICATION

KYUNG MU DAI  
TO. FOREIGN MINISTER

AT AROUND 11:40 THIS MORNING ( AUGUST 23 ) THE JAPANESE  
FOREIGN MINISTRY NOTIFIED THIS OFFICE THAT THE JAPANESE  
GOVERNMENT WAS CONTEMPLATING TO MAKE A PROVISIONAL RELEASE  
OF 2 PRO-COMMUNIST KOREAN DETAINEES FROM OMURA ON AUGUST  
25 FOR THE SAME REASON AS IN CASE OF THE 3 DETAINEES WHO  
HAD BEEN RELEASED ON AUGUST 18.

URGENT GOVERNMENT INSTRUCTIONS WOULD BE HIGHLY APPRECIATED  
REGARDING WHETHER THIS OFFICE MAY REQUEST THE JAPANESE  
FOREIGN OFFICE TO MAKE A PROVISIONAL RELEASE OF THE SAID  
2 KOREANS IN QUESTION THROUGH A NOTE VERBALE WITH WORDINGS ALONG  
THE LINE OF THE PREVIOUS CASE OF THE PROVISIONAL RELEASE  
3 DETAINEES.

KORDIPSION

1958 AUG 24 11:00 AM  
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MINISTRY OF FOREIGN AFFAIRS

NO. 77-075

DATE 08257030

August 24, 1958

R. O. K.

CLASSIFICATION

8P0/57로  
사본을 개부대  
어 중부함  
22

SENT TO - AMBASSADOR KIM AND MINISTER YIU

COPY TO AMBASSADOR LIM PD

ACKNOWLEDGED AT ZERO ONE FIVE AUGUST TWENTY FOURTH ONE NINE

FIVE EIGHT REGARDING THE DETAINEE ISSUE PRESENTLY PENDING PD YOU

ARE INSTRUCTED TO UNDERSTAND OUR POSITIONS AS ARE CLARIFIED IN FOLLOWING

ITEMS ONE AND TWO CMA AND TO ~~IMPLEMENT~~ <sup>TAKES ACTION BY</sup> ITEM THREE OF ~~THIS~~ <sup>OUR</sup> CMA PD

ITEM ONE IN THE VIEW OF ~~THE~~ <sup>OUR</sup> GOVERNMENT CMA THE PRESENT SITUATION

IS NOT THE SAME AS WHAT IT WAS AROUND AUGUST EIGHTEENTH WHEN THE

MISSION SENT ITS NOTE PKM TWENTY FOUR PD THE NOTE PKM TWENTY FOUR

WAS ISSUED BECAUSE OUR SIDE BELIEVED THAT BY DOING SO THE IMMEDIATE

IMPASSE ~~WOULD~~ <sup>MIGHT</sup> BE OVERCOME IN THE EXPECTATION THAT THE JAPANESE SIDE

WOULD FAVORABLY RESPOND TO OUR REPRESENTATION OF AUGUST TWELFTH WHICH

SET FORTH OUR POSITION ~~ON~~ <sup>DAZN</sup> ALTERNATIVE TWO OF WOIJUNG TWO ZERO TWO FOUR

~~ON~~ <sup>DAZN</sup> IN THE LIGHT OF OUR CONCILIATORY ATTITUDE SHOWN THEREBY PD FROM

THIS POINT OF VIEW CMA OUR SIDE ~~WILL~~ <sup>HEREAFTER</sup> NOT REFER AGAIN TO SPECIFIC

CASES OF PATIENT DETAINEES WHICH THE JAPANESE GOVERNMENT ~~IS~~ <sup>IS</sup> CONTEMPLATING

TO RELEASE TEMPORARILY ~~PD CMA~~ <sup>WILL HEREAFTER</sup> BUT WILL SEEK A SOLUTION

OF THE PROBLEM FROM ITS BASIC ASPECT PD

ITEM TWO THE MISSION IS ADVISED THAT THE GOVERNMENT HAS NO

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NO. ....

R. O. K.

DATE ....

Page 2

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SENT TO .....

ALTERNATIVE TO REPLACE OUR POSITION AS WAS SET FORTH IN THE MISSIONS  
AIDE MEMOIRE OF AUGUST TWELFTH CMA IN WHICH THE GOVERNMENT ~~HAD BEEN~~  
~~SENT~~  
~~SENT~~ AN UNDERSTANDING WITH THE JAPANESE SIDE CONCERNING SUCH A POINT  
AS IS RELATED TO FUNDAMENTAL PRINCIPLE WHICH CONCERN OUR VITAL INTERESTS  
AND ON WHICH WE WILL NEVER BARGAIN WITH THE JAPANESE UNDER ANY CIRCUMSTANCE PD  
ITEM THREE UNDER THE PRESENT CIRCUMSTANCES CMA THE MISSION IS  
INSTRUCTED TO SEND A NOTE VERBALE WITHOUT DELAY TO THE JAPANESE GOVERNMENT  
TO THE FOLLOWING EFFECT COLON  
QUOTE AS THE JAPANESE SIDE IS WELL AWARE CMA THE KOREAN SIDE HAS  
NO OBJECTION TO THE TEMPORARY RELEASE AS SUCH OF THOSE DETAINEES AT  
OMURA DETENTION CAMP CMA PARTICULARLY THOSE WHO ARE IN IMMINENT DANGER OF  
LIFE CMA IF IT IS CLEARLY UNDERSTOOD THAT THEY CMA AFTER BEING RELEASED CMA  
WILL NOT BE ALLOWED TO GO TO THE AREA OTHER THAN SUCH PLACES AS TO BE  
DESIGNATED BY THE REPUBLIC OF KOREA PD IN THIS CONNECTION CMA THE KOREAN  
SIDE WISHES TO INVITE THE ATTENTION OF THE JAPANESE GOVERNMENT TO THE  
FORMERS REPRESENTATION CMA ON AUGUST TWELFTH CMA ONE NINE FIVE EIGHT  
CMA IN WHICH MINISTER YIU OF THE KOREAN MISSION IN JAPAN TO MR. ITAGAKI

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MINISTRY OF FOREIGN AFFAIRS

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NO. ....

DATE .....

Page 3

CLASSIFICATION

SENT TO

~~KOREAN~~

TO DIRECTOR ITAKAKI

DELIVERED THE FOLLOWING POINTS OF ~~GOVERNMENT~~ POSITION COLON PARENTHESIS

THE WHOLE CONTENTS OF AIDE MEMOIRE OF AUGUST TWELFTH QUOTED PARENTHESIS

PD THE KOREAN SIDE REITERATES AGAIN THAT THE ABOVE MENTIONED POINTS

REMAIN THE FIRM POSITION OF THE KOREAN GOVERNMENT TO WHICH NO ALTERNATIVE.

IS CONCEIVABLE PD FOR CONSEQUENCES WHICH MIGHT ARISE FROM JAPANESE

FAILURE TO RESPOND FAVORABLY TO THE <sup>IT</sup> CONCILIATORY PROPOSAL OF THE KOREAN

SIDE <sup>OR</sup> ~~AND~~ JAPANESE UNILATERAL ACTION <sup>IF TAKE PLACE</sup> CMA THE JAPANESE GOVERNMENT <sup>WOULD</sup> SHOULD

BE SOLELY RESPONSIBLE PD UNDER THE CIRCUMSTANCES CMA THE KOREAN SIDE

URGES AGAIN THE JAPANESE SIDE TO REPLY TO THE FORMER PROPOSAL OF

AUGUST TWELFTH CMA AS IT IS <sup>NOW CONSIDERED</sup> ~~INDISPENSABLE AT PRESENT~~ FOR THE KOREAN

SIDE TO KNOW CLEARLY WHAT THE LATTERS REAL INTENTIONS ARE ON THE

ISSUE PENDING PD UNQUOTE

FOREIGN MINISTER

총	장	과	장	국	관	차	관	장	기

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*Handwritten signature*

Tokyo, August 25, 1958

No. 96

Excellency:

1. Last Saturday noon the Japanese Foreign Office telephoned this office, informing that two more persons among those who allegedly desire to go to north Korea, are slated to be paroled today (Monday, Aug. 25), for the same reason as with the case of the three persons previously paroled. Cable No. MT-015 has been sent in this regard and this office has just received cable No. FT-095 from the Foreign Ministry on this matter.

2. As I reported in my letter No. 95 of August 21, we have notified the Japanese that until the written assurances that these parolees would not be sent to the north, are given us, no meeting of the Fisheries Committee would be held. There has so far been no response from the Japanese side in this respect.

According to the press report, Prime Minister Kishi who was on a stumping tour, stated in Fukuoka that the issue must be discussed further with the Korean side. As Foreign Minister Fujiyama returned Sunday morning from New York where he attended the emergency session of the UN General Assembly, Premier Kishi will talk with him on this matter before deciding on their attitude toward this problem.

3. Ambassador Lieb met Sawada at an informal luncheon this noon where he invited the latter. According to the Ambassador, Sawada told him that he (Sawada) discussed the detainee issue and the relevant situation with Premier Kishi a few days before and believed that a settlement

/would

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His Excellency  
President Syngman Rhee

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0342

2.

would have to await the return of Foreign Minister Fujiyama, etc.

4. Judging from the current situation the Japanese side will reach some kind of decision before Fujiyama's departure for New York again to attend the UN General Assembly about Sept. 3 and approach our side. This office will continue to press the Japanese side for its acceptance of our terms.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

G. T. K.

114

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0343

August 25, 1958

TO : His Excellency the President  
FROM : Vice Foreign Minister  
SUBJECT : Conversation with Ambassador Dowling

0344

Ambassador Dowling called on me at 2:00 p.m. today and made the following representation on the case of Mr. Robert Winter, a U.S. citizen who is presently held by the Prosecutors Office under the suspicion of having violated our foreign exchange control law.

Dowling:

Speaking of the case of Mr. Robert Winter, he has been under detention by the Korean authorities for 18 days as he was held for 10 days by the Metropolitan Police and 8 days by the Prosecutors Office. I hope the Korean authorities concerned will expedite the investigation on his case and proceed with examination without detaining the accused. In asking this, I have no slightest intention of raising objection to or interfering with the rights of the Korean authorities to arrest, investigate and interrogate U.S. citizens violating Koreans laws and regulations in force, but, since Korea is making efforts to invite American capitals into Korea, I

/would think

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would think that frequent disputes of this nature between the Korean authorities and American businessmen in Korea might give an impression to the U.S. Congressmen as if the Korean side were placing pressure on American businessmen, which will put the State Department (Mr. Robertson in particular) in a very difficult position.

CF30

I have not heard of any case in which Korean businessmen were arrested by the Korean authorities under suspicion of having violated the foreign exchange regulations. The Republic of Korea is obliged by treaty to accord the national treatment to American businessmen, and I cannot understand why the Korean authorities detained American citizen for such a long period while they took no action toward Korean nationals of similar category. Besides, the American citizen under question will not be able to run away even if he was peroled. I hope that the Foreign Ministry will use its good offices on the case of Mr. Winter.

Kim:

I will take up this matter with the Justice Ministry this afternoon and will see to it that every measure that is permissible within the Korean relevant law be taken for Mr. Winter. As you say, we are eager to invite American capitals into Korea, but we do not want capitals to be introduced and managed by such American businessmen who would violate our laws and regulations. I don't think  
/the U. S.



the U.S. Congress would object to our Government's apprehending American citizens who violated Korean laws and regulations. I will talk with the Justice Minister this afternoon and ask him to take appropriate steps to meet with your request.

Dowling:

Regarding the Korea-Japan talks, as I have told you before, no government will resort to the means of forceful repatriation. The so-called World Peace Congress which was held recently in Tokyo to protest and oppose to the use of nuclear power, was attended by representatives from many countries, but Japan refused to issue visas to those representatives from north Korea although Japan granted entry permits to the representatives from north Viet-Minh, Red China and East Germany. This will show that Japan does not recognize north Korean puppet regime, and I firmly believe that even if Japan released those pre-communist Koreans in Japan, she will never repatriate them to north Korea.

It will be impossible for Japan, however, to effectively apprehend every attempts of smuggling into Japan by foreign nationals just as Japan is incapable of being held responsible for not being able to prevent smuggling out from Japan of Koreans. Japan thus would not comply with the Korean demand for forceful repatriation, but I think the Japanese side will be able to promise that they would not send those Koreans to north Korea. In this connection, I

/feel that

feel that the Japanese side might be able to give a written assurance to the Korean side with some rewording on the Korean proposal on the matter.

Kim:

The repatriation in the case of the Korean detainees is not "repatriation" but "deportation". International precedence regarding deportation shows that the deporting state may send the deportees in accordance with their nationality and addresses before their departure for the smuggling. The nationality of those detainees now at issue is the Republic of Korea and their addresses before their smuggling into Japan were in Korea, and I can hardly understand how the Japanese side is going to justify the reason for its sending these Koreans to north Korea. Deportation in itself means a forceful repatriation. If Japan is to stick to its so-called non-forceful repatriation principle, they should release those Koreans in Japan since these Koreans prefer to remain in Japan. If they are to deport any of them, their destination cannot be any other place than the Republic of Korea. If Japan has any sincerity toward the settlement of the issues between the two countries, Japan should accept our proposal on this matter, and I hope you will strongly advise Ambassador MacArthur to persuade the Japanese side into accepting our proposal.

0347

/Dowling:

Dowling:

I can understand your reasoning, but I hope you will reconsider the Japanese position. I would like to talk with you more on these matters, and I am wondering whether we could meet again at the Seoul Country Club at 4:00 p.m. on Thursday so that we may have a frank exchange of views while playing golf together.

Kim:

If nothing urgent comes up until that time, I will be very pleased to meet you there.

If Your Excellency approves my meeting Amb. Dowling next Thursday at the Country Club, I will do so. I would be most grateful if Your Excellency gives me instructions as to what subjects to talk with and what specific points to sound out from him.

Most respectfully,

0348

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: 116

# MINISTRY OF FOREIGN AFFAIRS

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R. O. K.

NO. ~~WT-016~~

DATE 08261000

~~CLASSIFICATION~~

TOKYO

TO. KYUNG MU DAI & FOREIGN MINISTER

I RECEIVED FORMIN CABLE INSTRUCTIONS FT-095 OF AUGUST 25 REGARDING DETAINEE ISSUE PRESENTLY PENDING. AS MINISTER YIU IS EXPECTED TO MEET MR ITAGAKI, DIRECTOR OF THE ASIAN AFFAIRS BUREAU OF THE JAPANESE FOREIGN OFFICE AT 10:30 AM AUGUST 26, HE WILL MAKE A STRONG VERBAL REPRESENTATION ALONG THE LINE WITH THE CONTENTS OF ITEM 3 OF THE FORMIN CABLE. JUDGING FROM PREMIER KISHIS ATTITUDE AND WHAT AMBASSADOR SAWADA TOLD ME AT MY LUNCHEON WITH HIM AUGUST 25 (MINISTER YIU WAS PRESENT AT THIS LUNCHEON), IT IS VIEWED THAT THE JAPANESE SIDE IS APPARENTLY TRYING TO WORK OUT A SOLUTION TO THE PRESENT IMPASSE BETWEEN KOREA AND JAPAN. AMBASSADOR SAWADA REQUESTED US TO WAIT FOR THE JAPANESE REPLY REGARDING OUR PROPOSAL ON THE DETAINEES ISSUE UNTIL THE END OF THIS WEEK. IT IS ALSO REVEALED THAT <sup>(Aug. 30.)</sup> CONCERNING THE RESOLVING OF THE PRESENT IMPASSE THERE ARE TWO FACTIONS DASH ONE FAVOURING THE COMPROMISE WITH OUR

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MINISTRY OF FOREIGN AFFAIRS

R. O. K.

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DATE. \_\_\_\_\_

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TO. PAGE 2 / 7

SIDE, THE OTHER AGAINST COMPROMISE. UNDER THE CIRCUMSTANCES,  
IF WE MAKE REPRESENTATION IN A WRITTEN FORM AT THIS STAGE,  
SUCH AS NOTE VERBALE AS WAS INSTRUCTED, I AM AFRAID THAT  
SUCH A WRITTEN DOCUMENT MIGHT BE UTILIZED BY THE -NO-  
COMPROMISE FACTION OF THE JAPANESE SIDE AS ITS PRETEXT OF  
PURSUING SO-CALLED STRONG ATTITUDE TOWARD KOREA. IN VIEW  
OF THE ABOVE, I STRONGLY RECOMMEND THAT WE WAIT UNTIL THE  
END OF THIS WEEK FOR RESULT OF AMBASSADOR SAWADAS EFFORTS.

요호령

AMBASSADOR LIMB

당	담	상	과	장	국	관	차	관	장	공	정
										월	일
										관	국

AUG 26 1958

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# MINISTRY OF FOREIGN AFFAIRS

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R. O. K.

NO. MT-017

DATE. 08261200

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TOKYO

TO. KYUNG MU DAI  
FOREIGN MINISTER

AS ALREADY REPORTED BY AMBASSADOR LINB IN HIS CABLE NO.-086,  
I MET MR ITAGAKI AT HIS OFFICE AT 10:30 AM ON AUGUST 26, 1958.  
I MADE A STRONG VERBAL REPRESENTATION ALONG THE LINE OF THE  
GOVERNMENT INSTRUCTIONS CONTAINED IN FORMIN CABLE NO. FT-095.  
MR ITAGAKI TOLD ME THAT THE REASON WHY THE JAPANESE SIDE HAS  
BEEN UNABLE TO GIVE A REPLY TO THE KOREAN AIDE MEMOIRE OF  
AUGUST 12TH, 1958 WAS THAT THE FOREIGN OFFICE WAS STILL ADJUST-  
ING THE VIEWS AMONG THE MINISTRIES CONCERNED, SUCH AS JUSTICE  
MINISTRY, WELFARE MINISTRY AND NATIONAL POLICE DEPARTMENT.  
HE CONTINUED THAT THE DELAY IN GIVING ANSWER TO THE KOREAN  
SIDE WAS SOLELY CAUSED BY HIS MINISTRY'S CONTINUANCE OF  
EFFORTS TO WORK OUT A SOLUTION TO THE KNOTTY PROBLEM NOW  
AT ISSUE. I STRONGLY TOLD HIM THAT THERE WAS NO ALTERNATIVE  
TO THE KOREAN PROPOSAL, BEING VERY CONCILIATORY, MADE IN THE  
AIDE MEMOIRE UNDER REFERENCE AND URGED HIM TO GIVE A REPLY  
IMMEDIATELY. HE FINALLY SAID THAT THE JAPANESE SIDE WOULD  
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RECOMMENDATION RPO/70

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NO. FT-096

DATE 27/11/58

August 26, 1958

~~SECRET~~  
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SENT TO AMBASSADOR BEN C LIMB KORDIPSON

RECABLE MT ZERO ONE SIX PD YOUR RECOMMENDATION  
HAS BEEN APPROVED PD

FOREIGN MINISTER

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*[Handwritten signature]*  
AUG 27 1958

*[Circular stamp with Chinese characters]*  
*[Handwritten vertical text]*



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0353



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⑤-10

21

Tokyo, August 28, 1958

No. 97

Excellency:

I beg to acknowledge with appreciation the receipt of letter No. 50 of August 25 from the Office of the President.

1. I received also Cable No. FT-095 of August 25 from the Foreign Minister, instructing this office to immediately send a note verbale concerning the current detainee issue to the Japanese Foreign Office.

As a result of the delegates' meeting called to study the above Government instructions, it has been agreed that it is to our advantage to withhold such note verbale until the end of this week, in view of the Japanese attempt to work out a solution to the issue. Cable No. MT-016 of August 16 has thus been sent, containing the above recommendations, to which an approval has already been received from the Government.

As stated in Cable No. MT-016, there seem to be two factions in Japanese way of thinking, one favoring a strong attitude toward us on the current detainee issue and the other advocating a solution by compromise so that the overall talks would not be disrupted at this stage. It would, therefore, not be harmful to our side to give a few days for the Japanese side to decide finally on the matter.

3. As already reported, Minister Yiu again met Asian Affairs Director Itagaki, urging Japan to reply to our aid memoire without further delay. Itagaki replied that the

/delay

His Excellency  
President Syngman Rhee

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delay in replying was caused due to his Ministry's efforts to adjust views of various Ministries concerned, such as Ministries of Justice and Welfare, and that he would make his best to give a reply to the Korean side within this week.

4. As reported previously, Ambassador Sawada is also exerting efforts to work out some kind of solution and, therefore, we are now watching carefully the Japanese move in regard to our request. Any further development will be reported promptly.

With sentiments of loyalty and esteem, I remain,

Most respectfully,

A.T.K.

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0355

INCOMING  
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

R. O. K.

NO. MT-018

DATE. 08281730

TOKYO

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KORPITAL  
TO. FORMIN

THE JAPANESE FOREIGN MINISTRY NOTIFIED  
THIS OFFICE AUGUST 28 AFTERNOON THAT THE JAPANESE  
GOVERNMENT DECIDED TO RELEASE ON PAROLE ANOTHER  
KOREAN DETAINEE VERY NEARLY OUT OF THE 92 DETAINEES  
IN QUESTION AFTER CONSULTATION WITH MEDICAL DOCTOR  
DUE TO SERIOUSNESS OF HIS DEMENTIA. HIS NAME IS  
KIM IL HO.

KORDIPSIOM

1958 AUG 29 AM 9 03



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# MINISTRY OF FOREIGN AFFAIRS

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R. O. K.

NO. MT-023

DATE. 09051700

58.9.5

TOKYO

~~SECRET~~  
CLASSIFICATION

TO. KYUNG MU DAI, FOREIGN MINISTER

EYE MET MR ITAGAKI AT 11:30 AM (SEPTEMBER 5) TO PRESS THE JAPANESE FURTHER TO COME TO OUR TERMS IN CONNECTION WITH THE DETAINEE ISSUE. EYE REPEATEDLY REFERRED TO THE POINTS OF WHICH OUR SIDE MADE REPRESENTATION. MR SAWADA ON SEPTEMBER 4TH REGARDING THE JAPANESE ORAL STATEMENT IN QUESTION AND TOLD HIM THAT AS THE ORAL STATEMENT IS HARDLY ACCEPTABLE TO US AS IT, APPROPRIATE AMENDMENT SHOULD BE MADE ALONG THE LINE OF THE KOREAN POSITION. EYE FURTHER SAID TO THE EFFECT THAT IN CASE JAPANESE SIDE FAILS TO GIVE US A SATISFACTORY REPLY BY THE END OF NEXT WEEK, EYE WOULD BE OBLIGED TO ISSUE A STATEMENT CHARGING THAT THE JAPANESE HAVE NO SINCERITY IN SETTLING PROBLEMS WITH KOREA. MR ITAGAKI REPLIED THAT THOUGH HE FELT IT VERY DIFFICULT TO COME TO KOREAN TERMS AS A WHOLE HE WOULD DO WHAT HE COULD IN THIS REGARD, ADDING THAT AS HE BELIEVED THE QUESTION WAS ALREADY BEYOND THE POWER OF THE ADMINISTRATIVE OFFICIALS, HE WOULD

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# MINISTRY OF FOREIGN AFFAIRS

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NO. \_\_\_\_\_

DATE. \_\_\_\_\_

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TO. \_\_\_\_\_ PAGE 2

IMMEDIATELY REPORT ON MY REPRESENTATION TO PREMIER KISHI FOR INSTRUCTIONS. HE ALSO SAID THAT HE WOULD GIVE A REPLY AS SOON AS HE RECEIVED ANY INSTRUCTIONS FROM THE HIGHER LEVEL OF HIS GOVERNMENT. FOR DETAILS LETTER WILL FOLLOW.

MINISTER YIU



SEP - 5 1958

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Annex I

/DRAFT/

Korean Proposal at the Committee on Legal  
Status of Korean Residents in Japan  
(September 8, 1958)

Whereas the Republic of Korea and Japan recognize, as a result of the coming into force of the Treaty of Peace signed at the city of San Francisco, September 8, 1951, the necessity to affirm the nationality of Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto; and

Whereas the two countries recognize that it is desirable to take a special measure as regards the treatment of those Koreans after the affirmation of nationality mentioned above;

The Republic of Korea and Japan have accordingly concluded the present Agreement.

Article 1

In present Agreement, the expression "Korean residents in Japan" shall mean Koreans residing continuously in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto.

Article 2

(1) The Republic of Korea and Japan confirm that Korean residents in Japan are nationals of the Republic of Korea.

/(2) The

0359

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(2) The Republic of Korea and Japan recognize the validity of the results effected, at any time before the coming into force of the present Agreement, by the application of laws of either Contracting Party with respect to the personal status of Koreans and Japanese in relation to each other.

Article 3

(1) In the case that a Korean resident in Japan submit, within two years after the coming into force of this Agreement, an application to the Japanese Government for permanent residence together with a registration certificate issued by the Government of the Republic of Korea, the Japanese Government shall grant permission therefor. In this case, none of the provisions of the Japanese laws governing aliens in general in relation to conditions, procedures and fees for granting permanent residence shall be applicable.

(2) After the coming into force of the present Agreement, the authorities concerned of the Republic of Korea and Japan will consult with each other on the compulsory deportation of a Korean resident in Japan who may have been granted permission for permanent residence under the preceding paragraph, relating to such matters as are required for the enforcement thereof.

Article 4

A Korean resident in Japan shall be entitled to the rights on property enjoyed by him in Japan at

/the time

0360

131

The present Agreement shall go into effect on the date upon which the instruments of ratifications are exchanged.

However, the provisions of Article 4 and 5 shall be applicable, retroacting on the date of the first coming into force of the Peace Treaty with Japan signed at the city of San Francisco, 8 September 1951.

IN WITNESS WHEREOF, the representatives of the two Governments, being duly authorized by their respective Governments for the purpose of this Agreement, have signed the present Agreement.

DONE at Tokyo, this \_\_\_\_\_ day of \_\_\_\_\_ nine hundred fifty eight, in duplicate in Korea, Japan and English languages, each text being equally authentic.

For the Government of the Republic  
of Korea

For the Government of Japan

0360



September 24, 1958

TO : His Excellency the President  
 FROM : Vice-Minister of Foreign Affairs  
 SUBJECT : Recommendation on our proposal for  
 Draft Agreement on Status and Treat-  
 ment of Korean Residents in Japan  
 at the 4th Korea-Japan Conference

0363

In its instructions dated September 18, 1958  
 (OJ-3,554) for future conduct of negotiation at the  
 fourth Korea-Japan Conference, Government instructed  
 the Delegation as follows:

"At the Legal Status Committee, our Delegation  
 will present to the Japanese our draft proposal  
 (to be sent soon) for immediate comment by the  
 Japanese side to expedite the proceeding of  
 meeting, particularly sounding out again the  
 Japanese intention as to the problem of  
 nationality of Korean residents in Japan."

Now I submit, for Your Excellency's approval,  
 the draft (A n n e x I) which will be presented to  
 the Japanese side for its comment. It is not believed  
 that the Japanese side will easily come to our terms  
 on the problem, but it is necessary at this time to sound  
 out Japanese real intentions through its comment on and  
 reaction to the above-mentioned draft.

The enclosed draft is composed of a Preamble and  
 seven articles, among which Article 1 provide for Definition  
of Korean Residents, Article 2 Nationality, Article 3 for  
Permanent residence and deportation, Article 4 for  
Property rights, Article 5 for Occupation, Article 6 for  
Repatriators' movables and Article 7 for Final clause.

Enclosure: as stated.

Most respectfully,

134

131

MAIN POINTS OF DRAFT AGREEMENT

1. Article 1 (Scope of Koreans under the Agreement): This Agreement is to regulate the status and treatment of those Koreans of prewar category and their descendants.

2. Article 2 (Nationality of Koreans): They are confirmed to be nationals of the Republic of Korea.

3. Article 3 (Permanent residence and deportation): Regardless of Japanese laws, the Japanese Government should grant the Koreans in question permanent residence if they apply therefor together with registration certificate issued by the Korean Government. The Japanese Government cannot deport those Koreans without consultation with the Republic of Korea.

4. Article 4 (Property rights): The Koreans should be entitled to enjoy continuously their property rights which, according to the Japanese law, cannot be enjoyed by aliens.

5. Article 5 (Occupation): The Koreans can engage in all occupation except occupation of public officers of the Japanese Government.

6. Article 6 ( Properties carried by Korean repatriates and their remittance of funds): The repatriates can, without restriction, take away from Japan movables, and can remit the funds he owns to the Republic of Korea.

7. Article 7 (Final Clause): Ratification, etc.

1000

P136. 韓日代第 2010 号

檀紀 4291 年(1958 年)10 月 2 日

駐日公使 ㊤

外務部長官 閣下

北韓行きを希望するという抑留中の韓人僑胞に関する件

(対 4291 年(1958 年)9 月 18 日付 外政第 3,554 号

対 4291 年(1958 年)9 月 27 日付 電文第 FTB-002 号)

頭の件、代号公文外政第 3,554 号及び電文第 FTB-002 号に基づき、9 月 29 日に本職が日本外務省アジア局長板垣に手渡した当部口上書写本を別添のように送付するものです。

P137. 別添当部口上書 PKM-32 号 写本 一通

COPY

PAN-38

NOTE VERBALE

0366

The Korean Mission presents its compliments to the Ministry of Foreign Affairs and, with reference to the detainee issue, has the honour to state as follows:

At a meeting with Mr. Osamu Itagaki, Director of the Asian Affairs Bureau of the Japanese Ministry of Foreign Affairs, on August 12, 1958, Minister Tai Ha Yiu of the Korean Mission in Japan presented an Aide Memoire covering the following points:

- 1) The Korean side will have no objection to the temporary release of detainees if the Japanese side assures in writing that it will exercise constant vigilance to those detainees while they are out of the detention camp so that they could not be sent to the area other than such places as to be designated by the Republic of Korea;
- 2) The above suggestion is made with understanding that no discriminatory treatment will be accorded to the detainees by their political affiliation;
- 3) The agreement to be thus entered into is provisional pending a final settlement of the problem at the overall talks in accordance with Article 2 of the Agreed Minutes of December 31, 1957.

In reply to the Korean position as stated above, on September 13, 1958, Mr. Osamu Itagaki delivered an 'Oral Statement' to Minister Tai Ha Yiu as follows:

"Confidential"

(Oral Statement)

With reference to the Aide Memoire handed by Mr. Tai Ha Yiu to Mr. Osamu Itagaki at the meeting of August 12, 1958, I wish to state that the Japanese Government has the intention, as interim arrangements, to handle the question concerning Korean parolees in due consideration of the request of the Korean side."

138

134

/ Though taking

though taking note of the efforts on the part of the Japanese Government toward the settlement of the problem, the Mission wishes to inform the Ministry, with regret, that the Japanese 'Oral Statement' as quoted above does not meet the request of the Korean side as set forth in its Aide Memoire handed by Minister Tai Ha Yiu of the Mission to Mr. Osamu Itagaki, Director of the Asian Affairs Bureau of the Ministry of Foreign Affairs on August 12, 1958. However, the Mission hereby proposes that the problem at issue be taken up, for fundamental and satisfactory settlement, at the overall talks in accordance with Article 2 of the Agreed Minutes of December 31, 1957, while the other agenda items are discussed in relevant committees, so that the detainee issue presently under discussion may not further deter the proceeding of the fourth Korea-Japan Overall Talks.

Tokyo, September 27, 1958

0367

135

139

MINISTRY OF FOREIGN AFFAIRS  
R. O. K.

DATE \_\_\_\_\_

TO: \_\_\_\_\_

AMBASSADOR LINE

국립중앙도서관  
OCT - 6 1958

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COMMUNICATIONS SECTION

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0368

# MINISTRY OF FOREIGN AFFAIRS

INCOMING  
TELEGRAM  
TOKYO

R. O. K.

NO. MTA-044  
DATE 10061900

CLASSIFICATION

TO. KYUNG MU DAI & FOREIGN MINISTER

SEVENTH MEETING OF THE COMMITTEE ON LEGAL STATUS OF KOREAN RESIDENTS IN JAPAN WAS HELD AT 3:00 PM ON MONDAY (OCT. 6, 1958) AT THE JAPANESE FOREIGN MINISTRY. AT THIS MEETING, THE JAPANESE SIDE REQUESTED US TO GIVE ANSWER TO THE JAPANESE SUGGESTION REGARDING CRITERIA OF DEPORTATION PUT FORWARD IN EARLY PART OF JULY. WE TOLD THE JAPANESE SIDE THAT WE RESERVED OUR COMMENTS ON THE JAPANESE SUGGESTION UNDER REFERENCE AND STRONGLY DEMANDED THAT THE JAPANESE SIDE PRESENT MORE CONSTRUCTIVE IDEAS TO THIS MEETING WITH A VIEW TO BRINGING ABOUT AN EARLY SETTLEMENT OF THE PROBLEMS OF THIS COMMITTEE. IT IS DESIRED THAT OUR DRAFT PROPOSAL REFERRED TO IN SUBITEM ONE OF ITEM 1 OF ANNEX SECOND OF GOVERNMENT INSTRUCTIONS NUMBER WOIJUNG 3554 BE SENT HERE AS SOON AS POSSIBLE, SO THAT WE COULD PRESENT TO THE JAPANESE SIDE AT THE NEXT MEETING WHICH WILL BE HELD AT 3:00 PM ON MONDAY, OCTOBER 13.

AMBASSADOR LIMB

1958 OCT 7 AM 8:30  
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COMMUNICATIONS ROOM

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0369

P142. 外務部政務局 起案用紙

次のように韓日会談首席代表に訓令したらどうだろうか

長官 ㊟ 次官 ㊟ 政務官 ㊟ 課長 担当者

(発送する訓令の内容)

外政第 号

檀紀 4291 年(1958 年)10 月 13 日

外務部長官

第 4 次韓日会談首席代表 貴下

件名：第 4 次韓日会談、在日韓人法的問題地位委員会で  
提出するわが側提案に関する件。

頭の件に関して過般外政第 3,554 号で発送した訓令で、追送することにした別添の  
ような在日韓人の法的地位及び待遇に関する協定のわが側案を送付するので、同草案の  
使用においては前記訓令に沿って施行されるよう望むものである。

別添：在日韓人の法的地位及び待遇に関するわが側協定案 通。

以上



~~RECOMMENDATION TO PRESIDENT~~

October 10, 1958

TO : His Excellency the President

FROM : Foreign Minister

SUBJECT: Recommendation on our proposal for Draft Agreement on Status and Treatment of Korean Residents in Japan at the 4th Korea-Japan Conference

0371

In its instructions dated September 18, 1958 (OJ-3,554) for future conduct of negotiation at the fourth Korea-Japan Conference, Government instructed the Delegation as follows:

"At the Legal Status Committee, our Delegation will present to the Japanese our draft proposal (to be sent soon) for immediate comment by the Japanese side to expedite the proceeding of meeting, particularly sounding out again the Japanese intention as to the problem of nationality of Korean residents in Japan."

Now I submit, for Your Excellency's approval, the draft (A n n e x 1) which will be presented to the Japanese side for its comment. It is not believed that the Japanese side will easily come to our terms on the problem, but it is necessary at this time to sound out Japanese real intentions through its comment on and reaction to the above-mentioned draft.

The enclosed draft is composed of a Preamble and seven articles, among which Article 1 provide for Definition of Korean Residents, Article 2 for Nationality, Article 3 for Permanent residence and deportation, Article 4 for Property rights, Article 5 for Occupation, Article 6 for Repatriators' movables and Article 7 for Final clause.

Most respectfully,

Enclosure: as stated.

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Annex 1

/DRAFT/

Korean Proposal at the Committee on Legal Status of  
Korean Residents in Japan (September , 1958)

Whereas the Republic of Korea and Japan recognize,  
as a result of the coming into force of the Treaty of  
Peace signed at the city of San Francisco, September 8,  
1951, the necessity to affirm the nationality of Koreans  
residing continuously in Japan since the date of the  
termination of hostilities of the Pacific War or since  
prior thereto; and

Whereas the two countries recognize that it is  
desirable to take a special measure as regards the  
treatment of those Koreans after the affirmation of  
nationality mentioned above;

The Republic of Korea and Japan have accordingly  
concluded the present Agreement.

Article 1

In present Agreement, the expression "Korean  
residents in Japan" shall mean Koreans residing continu-  
ously in Japan since the date of the termination of  
hostilities of the Pacific War or since prior thereto,  
including descendants of those Koreans.

Article 2

(1) The Republic of Korea and Japan confirm that  
Korean residents in Japan are nationals of the Republic  
of Korea.

(2) The Republic of Korea and Japan recognize  
the validity of the results effected, at any time before  
the coming into force of the present Agreement, by the  
application of laws of either Contracting Party with  
/ respect to

respect to the personal status of Koreans and Japanese in relation to each other.

Article 3

(1) In case that a Korean resident in Japan submit, within two years after the coming into force of this Agreement, an application to the Japanese Government for permanent residence together with a registration certificate issued by the Government of the Republic of Korea, the Japanese Government shall grant permission therefor. In this case, none of the provisions of the Japanese laws governing aliens in general in relation to conditions, procedures and fees for granting permanent residence shall be applicable.

(2) After the coming into force of the present Agreement, the authorities concerned of the Republic of Korea and Japan will consult with each other on the compulsory deportation of a Korean resident in Japan who may have been granted permission for permanent residence under the preceding paragraph, relating to such matters as are required for the enforcement thereof.

Article 4

A Korean resident in Japan shall be entitled to the rights on property enjoyed by him in Japan at the time of the coming into force of the present Agreement which aliens in general are not entitled to enjoy, as long as he resides continuously in Japan.

Article 5

A Korean resident in Japan shall be entitled

/ to engage

to engage in the occupation (except occupation of public officers) followed by him at the time of the coming into force of the present Agreement which aliens in general are not permitted to follow under the provisions of the Japanese laws, as long as he resides in Japan continuously.

Article 6

(1) In case that any of Korean residents in Japan returns to the Republic of Korea after the coming into force of the present Agreement, neither customs duties nor any other charges shall be imposed him in relation to any movables owned by and taken away with him. The types and quantity of movables to be taken away will be negotiated separately.

(2) The repatriator prescribed in the preceding paragraph may remit to the Republic of Korea the funds he owns through the procedures to be negotiated separately.

Article 7

The present Agreement shall be ratified by both Contracting Parties in accordance with their respective constitutional procedures, the instruments of ratifications shall be exchanged at \_\_\_\_\_.

The present Agreement shall go into effect on the date upon which the instruments of ratifications are exchanged.

However, the provisions of Article 4 and 5 shall be applicable, retroacting on the date of the first coming into force of the Peace Treaty with Japan signed at the city of San Francisco, 8 September 1951.

/IN WITNESS

IN WITNESS WHEREOF, the representatives of  
the two Governments, being duly authorized by their  
respective Governments for the purpose of this  
Agreement, have signed the present Agreement.

DONE at Tokyo, this \_\_\_\_\_ day of \_\_\_\_\_  
nine hundred fifty eight, in duplicate in Korean,  
Japanese and English languages, each text being  
equally authentic.

For the Government of the Republic  
of Korea

For the Government of Japan

0375

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외무부

년 월 일

- I. The Government has no objection, in principle, to acceptance of deportees (postwar category);
- II. The Government has no objection to hold the Working Committee meeting for making arrangements for implementation of the above mentioned deportation;
- III. Before doing that, the Government wishes to know what the Japanese side meant by "no special problem";
- IV. The Government does not consider that there is any special problem concerning deportation of Koreans of postwar category.

정무국장

001231958

145



0377

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P150. 韓日代第 2106 号

檀紀 4291 年(1958 年)10 月 20 日

駐日公使 ㊤

外務部長官 閣下

韓日連絡会議開催を提議した日本外務省口上書送致の件

頭の件に関して、別添写本のように日本外務省から口上書が到来したので報告し、これに関しては 10 月 16 日付貴無電指示 FTB-007 号第 3 項によって処理する計画であり、また同無電指示第 3 項で問い合わせされた点に関しては、本日本側口上書で日本側の意図を知悉されると思料する

P151. ことを添信します。

別添 同口上書 写本 一通

Translation

COPY

No. 171/AM

NOTE VERBALE

The Ministry of Foreign Affairs presents its compliments to the Korean Mission and, regarding the deportation of Korean illegal entrants, has the honour to state as follows:

1. The Ministry understands that the Korean Government has no objection to the acceptance of Korean illegal entrants to be deported by the Japanese Government.
2. Accordingly, the Ministry requests that a meeting of the Japan-Korea Working Committee be promptly held to make arrangements for the deportation of the under-mentioned illegal entrants:

(1) Out of the illegal entrants named in the List prepared under date of December 31, 1957 and delivered to the Korean Mission, those who are now under detention at the Osura Aliens Detention Camp and about whose deportation there is no special problem.

요검토

(2) Illegal entrants who were detained at the Osura Aliens Detention Camp on and after January 1, 1958 and about whose deportation there is no special problem.

(3) Illegal entrants after the end of World War II who are now on parole, and about whose deportation there is no special problem.

Rec.  
Chini  
Oct. 6, 1958  
152

147 Tokyo, October 2, 1958.

0379





臺北第一七一號

外交部

外務省は、大韓民國政府が、日本國政府によつて送還される韓人  
不換入國者の送還に關し、左記の通り申し述べる光榮を有する。

昭和三十三年十月二日

記

外務省は、大韓民國政府が、日本國政府によつて送還される韓人  
不換入國者を受け入れることに、御異存無きものと了解する。  
又、よつて外務省は左記不換入國者の送還に關する日韓連絡委員會が  
進かに開催せられんことを要請する。

(1) 昭和三十三年十二月末日をもつて作成提出した不換入國者名簿  
中、既に、大村牧場所に収容中の者で、その送還につき問題無

153

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0380

を著。

(4) 昭和三十三年一月一日以降大村収容所に収容された者で、その  
送還につき問題無き者。

(5) 第二次世界大戦終了後の不没入国者にして仮放免された者で、  
その送還につき問題無き者。

149

0381

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**RADIOGRAM**

MINISTRY OF COMMUNICATIONS

REPUBLIC OF KOREA



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REMARKS:

NK98 SL K177 SA27  
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KOREACROSS PHYONGYANG

( CONFIDENTIAL ) REFERRING YOUR TELEGRAM NOVEMBER FIRST STOP JAPANCROSS AFTER DEEP CONSIDERATION INTERNAL AND EXTERNAL SITUATION AND ALSO DIFFERENT WAYS OF REPATRIATION WISH TO PROPOSE REPATRIATE SHIPWRECKED VIA NAKHODKA BY AVAILABLE SOVIET SHIP STOP IF YOU AGREE TO THIS METHOD JAPANCROSS IS PREPARED OPEN NEGOTIATION WITH SOVIET EMBASSY TOKYO AND HOPE YOU DO THE SAME AT PHYONGYANG STOP PLEASE KEEP IT STRICTLY CONFIDENTIAL STOP IN VIEW DEPARTURE INQUE FOR HANOI QUICK REPLY REQUESTED  
JAPANCROSS 6532

0383

155

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P156. 通秘第 556 号

檀紀 4291 年(1958 年)11 月 4 日

逋信部長 ㊟

外務部長官 貴下

不穩外国電報内容通報に関する件

本件、日本赤十字社から親共僑胞送還に関して、「平壤」のいわゆる朝鮮赤十字社宛に発送する電報が当部管下ソウル国際電信電話局に誤送され、参考に通報すると同時に、その写本を別添送付するものである。

MINISTRY OF FOREIGN AFFAIRS

~~R. G. K.~~  
~~C. C. B.~~  
~~ASSOCIATION~~

ST-911110

NO. MTR-015

DATE 1/05/80

QUOTE REFERRING YOUR TELEGRAM NOVEMBER FIRST STOP JAPANCROSS

AFTER DEEP CONSIDERATION INTERNAL AND EXTERNAL SITUATION AND ALSO  
DIFFERENT WAYS OF REPATRIATION WISH TO PROPOSE REPATRIATE SHIPWRECKED  
VIA NAKHODEKA BY AVAILABLE SOVIET SHIP STOP IF YOU AGREE TO THIS METHOD

JAPANCROSS IS PREPARED OPEN NEGOTIATION WITH SOI VET EMBASSY TOKYO AND  
HOPE YOU DO THE SAME AT PYONGYANG STOP PLEASE KEEP IT STRICTLY CONFIDENTIAL  
STOP IN VIEW DEPARTURE INCOUE FOR HANOI QUICK REPLY REQUESTED G FIVE  
THREE TWO UNQUOTE

PLEASE SEARCH OUT CONFIDENTIALLY WHAT IS GOING BETWEEN JAPAN  
RED CROSS AND PUPPET RED CROSS AND FOR WHAT THEY ARE NEGOTIATING PD  
WITH SERIOUS CONCERN CMA THE MINISTRY AWAITS MISSIONS REPORT IN THIS  
CONNECTION PD

VICE FOREIGN MINISTER

OFF -

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0385

NOV - 5 1958

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한일회담관계

MINISTRY OF FOREIGN AFFAIRS

INCOMING  
TELEGRAM

~~R O K~~

~~C O S~~  
CLASSIFICATION

NO. MTB-050

DATE. 11141100

TO. Vice Foreign Minister

With reference to PTB-Q15 of November 5 and PTB-Q18 of November 12, this office took steps confidentially to get exact information regarding so called negotiations between the Japanese Red Cross and the Puppet Red Cross.

However, so far the story that the Japanese Red Cross is conducting positive negotiations with the Puppet Red Cross or Russian Embassy here has not been confirmed.

This office will be keeping close watches on the case and any development thereof will be reported to you promptly.

Minister Yiu

장	관	관	관	관	관

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MINISTRY OF FOREIGN AFFAIRS

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R. O. K.

NO. MTB-052

~~CLASSIFICATION~~

DATE 11141900

TO. Foreign Minister & Office of the President

It was decided that a meeting of Korea-Japan Working Committee would be held at 1500 on November 18th. Any government instructions in connection with the Japanese Note Verbale No. 171-ASH of October 2nd, copy of which was sent to the Government, will be highly appreciated.

Minister Yiu



NOV 15 1958

NOV 15 1958

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0388

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P161.

外務部

檀紀 4291 年(1958 年)11 月 17 日

(長官閣下の指示と見解)

1. 850 名の抑留者は全部受け取るべきで、一部を残して置くことはできない。
2. これに関する政府の政策は代表部が既によく知っていなければならないし、この訓令が行かなくても、850 名北韓送還希望者を除いて受け取るという言質を与えるとは考えない。
3. 明日(11.18)会議の経過を見る時まで、本案を保留することが可である。

受命者 政務局長



한일회담관계

OUTGOING  
TELEGRAM

MINISTRY OF FOREIGN AFFAIRS

R. O. K.  
CODE

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NO.

DATE  
NOV 17 1958

SENT TO MINISTER YIU COPY TO AMB LIMB

RECABLE NTB SEHO FIVE TWO PD

ITEM ONE COLON TECHNICALLY CMA THE KOREA JAPAN WORKING COMMITTEE  
IS INDEPENDENT OF THE KOREA JAPAN CONFERENCE PD HOWEVER PLEASE BEAR IN  
MIND THAT THE TWO ARE CLOSELY RELATED TO EACH OTHER CMA AND THEREFORE CMA  
ANY RUPTION AT THE WORKING COMMITTEE WOULD AFFECT VITALLY THE PROCEEDING  
OF THE CONFERENCE SEMICOLON

ITEM TWO COLON AS THE MISSION WAS INSTRUCTED IN PTB ZERO ZERO SEVEN  
CMA GOVERNMENT IS READY IN PRINCIPLE TO RECEIVE THOSE KOREANS OF POSTWAR  
CATEGORY PD BUT OUR FEAR IS THAT IN TAKING UP THIS ISSUE AT THE PRESENT  
MOMENT CMA WE CANNOT BUT RESUME HOT DEBATE ON COMMUNIST DETAINEES OR  
PAROLEES PD THAT IS WHY WE PROPOSED CMA IN PKM NOTE NUMBER THREE TWO  
DATED SEPTEMBER TWENTY SEVEN CMA TO TAKE UP THE ISSUE OF THIS KIND  
SOMETIME AT THE OVERALL TALKS SO THAT THE DETAINEE ISSUE MAY NOT FURTHER  
DETER THE PROCEEDINGS OF THE FOURTH KOREA JAPAN OVERALL TALKS SEMICOLON

ITEM THREE COLON FOR THE PRESENT MOMENT CMA GOVERNMENT DOES NOT  
THINK IT ADVISABLE TO PULL OUT AN RUPTIVE ISSUE AT THE WORKING COMMITTEE

/OR COMMITTEES

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MINISTRY OF FOREIGN AFFAIRS  
R. O. K.

NO. \_\_\_\_\_  
DATE \_\_\_\_\_

CLASSIFICATION

SENT TO

OR COMMITTEES OF THE CONFERENCE SEMICOLON

ITEM FOUR COLON BUT BEFORE TAKING UP THIS ISSUE SOONER OR  
LATER CMA GOVERNMENT CONSIDERS IT HIGHLY NECESSARY THAT THE LEGAL  
STATUS COMMITTEE SHOULD EXPEDITE SETTLEMENT OF THE PROBLEM OF ARTICLE  
TWO CMA PARAGRAPH ONE CONCERNING QUOTE NATIONALITY UNQUOTE SEMICOLON

ITEM FIVE COLON THE ABOVE POINTS ARE NOT FOR OUR EXPLANATIONS  
TO THE JAPANESE SIDE BUT FOR THE MISSIONS INFORMATION PD UNDER THESE  
CONSIDERATIONS CMA THE MISSION IS INSTRUCTED TO REMAIN IN A LISTENERS  
POSITION AT THE WORKING COMMITTEE ON NOVEMBER EIGHTEENTH CMA AND TO  
MAKE NO SIGNIFICANT COMMITMENT ON OUR POSITION SEMICOLON

ITEM SIX COLON IN THIS CONNECTION CMA THE MISSION IS ALSO  
INFORMED THAT OUR SIDE WILL WITHHOLD FOR THE TIME BEING REPLY TO THE  
JAPANESE NOTE VERBALE NUMBER ONE SEVEN ONE ASN DATED OCTOBER SECOND PD

FOREIGN MINISTER

당	담	장	과	장	국	관	차	관	장

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MINISTRY OF FOREIGN AFFAIRS

OUR POSITION

Document No. \_\_\_\_\_ Date: November 24, 1958

Re: Legal Status of Korean Residents in Japan  
(Refer: MTB-C46,054 and 055, and MID-No.2418)

1. The Delegation is advised that the Government is ready to receive all Korean residents in Japan for their settlement at home, if the Japanese Government pays due compensation for the present predicament for which the Japanese Government should be responsible. If the Japanese side be ready to make approach to the problem from this angle, the Korean side would revise its draft proposal in entirety.

2. Our draft agreement was presented to the Japanese side as an alternative to our position set forth in the preceding paragraph.

3. However, it is not for hairsplitting questions and answers that our side presented the draft agreement on October 20, 1958. We presented it for general debate, through which the Committee could and should map out fundamental principles to govern the status of Korean residents in Japan.

4. If and after both sides agree on fundamental principles as stated above, the Committee can deliberate on the draft agreement article by article determining the meanings of various terms. This is not the time, when the Committee wastes time in elaborating definition of one term after another.

5. Therefore, our side should reserve answers, for the time being, to all the questions prematurely raised up by the Japanese side on November 17, 1958;

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/and now

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and now we must know, first of all, about Japanese views on the following matters:

- A) whether the Japanese Government recognizes that those Koreans concerning whom the committee is seeking an agreement are nationals of the Republic of Korea;
- B) whether the Japanese Government is ready grant them permanent residence in Japan if they so desire, and assure that they enjoy their lives as human beings;
- C) whether in Japan its laws and regulations are criteria for circumscribing the scope of an international agreement on the subject now under debate;
- D) whether the Japanese Government is intending to grant Koreans in Japan a sort of "special status" differ<sup>+</sup>ent from other aliens, and if so, what such status will be.
- E) whether the Japanese side shares the view with the Korean side that to grant all of Koreans in Japan permanent residence is not a sole way to the settlement of the problem of Koreans in Japan, as the Korean side is ready to encourage their repatriation to home only if the Japanese Government is ready to pay due compensation for their compulsory emmigration to Japan and their predicament of living since that time.

/We believe

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We believe that Japanese clarification on the above-mentioned points would expedite an accord on fundamental principles to govern the proposed agreement on the subject.

6. However, the Delegation is exclusively informed of what the Government has in mind concerning those question which the Japanese side recently raised up. They are as follows:

1) It is our view that the date of the termination of hostilities of the Pacific War is August 9, 1945.

2) The word, "Descendants" referred to in Article 1 of the draft agreement means those lineal descendants of Koreans continuously residing in Japan since the date of the termination of hostilities of the Pacific War or since prior thereto, who are nationals of the Republic of Korea by the Nationality Law of the Republic of Korea; and it should cover all the descendants to follow without limit of time so long as this Agreement remains in effect; the draft agreement provides for nothing about "places of their living," but will there be any actual question when they gave up their residence in Japan?

3) The Japanese question item 8 seems to have been raised up with a malicious intent; in any civilized country, descendants of those aliens residing in that country with the status of permanent resident are usually granted permanent residence; our side wishes, in this regard, to know what the Japanese practice is on this point.

/ 4) Those

4) Those Koreans who would not take the prescribed procedures for the permanent residence should be governed also by the proposed agreement, though Article 3 may not apply to those Koreans logically.

5) Even before the end of the 2 year period stipulated in Article 3 of the draft agreement, deportation of Koreans may be carried out if and when consultation is made with the Korean side.

6) By the word, "Consultation" in paragraph 2 of Article 3 of the draft agreement, our side take it that deportation of Koreans can be carried out only with the consent of the other party case by case; "Such matters as are required for the enforcement thereof" mean "requirements for implementing deportation".

7) Paragraph 2 of Article 3 will not apply to those who would not obtain due permanent residence under paragraph 1 of the same article.

8) Instead of answering the Japanese question concerning the meanings of Articles 4 and 5 in relation to paragraph 3 of Article 7 and our reservation item 3, we may suggest to the Japanese side that the phrase "the Present Agreement" in Article 4 and 5 be replaced by the phrase "the Peace Treaty with Japan signed at the City of San Francisco, September 8, 1951, while withdrawing paragraph 3 of Article 7 and our reservation item 3.

9) As regards Article 6, the Korean residents in Japan in this Article includes their descendants

/including those

including those who might be born in distant future.

10) The Japanese position concerning paragraph 1 of Article 6 (MTB-046) is unacceptable.

11) We take the position that "procedures" stipulated in paragraph 2 of Article 6 does not include the question on the amount of money to be remitted, and accordingly, we cannot accept the Japanese position that the amount of money remitted should be limited.

12) We have no objection in principle to setting up a Working Party Meeting to deal with matters concerning Article 6, but we consider that time has not yet come for the committee to set up such meeting because we believe that adjustment of difference of views on basic points of the draft agreement is to be more urgently done.

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MINISTRY OF FOREIGN AFFAIRS  
OUR POSITION

Document No. \_\_\_\_\_ Date: \_\_\_\_\_

Re: The Problem of Koreans of Postwar Category  
under Detention at Omura Detention Camp

(Refer: MFB-052, HID No. 2166)

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1. As the Mission was instructed in FTB-007, our Government is ready to receive, in principle, those Koreans of postwar category. But our fear is that in taking up this issue at the present moment, we cannot but resume hot debate on Communist detainees or parolees. That is why we proposed, in PKM Note number 32 dated September 27, to take up the issue of this kind sometime at the overall talks so that the detainee issue may not be further deter the proceedings of the 4th Korea-Japan overall talks.

2. For the present moment, we do not consider it advisable to pull out an eruptive issue at the Working Committee in connection with the detainee issue.

3. Before taking up this issue sooner or later, we consider it highly necessary that the Legal Status Committee should expedite its proceeding particularly concerning the problem of "Nationality" in accordance with government instructions.

4. The Mission is informed that our side will withhold for the time being reply to the Japanese Note Verbale No. 171/ASN dated October 2, 1958.

5. Please submit the Delegation's observations & recommendations ~~on the subject~~ on this subject.

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