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Japan's Supreme Court Rules Against World War II Compensation

By Michael Lipin

Hong Kong

Japan's Supreme Court has handed down rulings that might eliminate any further individual claims of damages for Japanese actions during World War II. China has not yet commented on Friday's rulings, but experts say the Chinese government could still apply political pressure on Japan to compensate wartime victims. Michael Lipin reports from Hong Kong.

The Supreme Court in Tokyo says Chinese individuals cannot seek damages related to World War II-era actions by the Japanese, because Beijing renounced any claims to wartime compensation when the two nations established diplomatic relations in 1972.

In the first of two rulings Friday, Japan's Supreme Court rejected a lawsuit by a group of Chinese forced laborers and their families against Japan's Nishimatsu Construction Company. The decision overturns a lower court ruling from 2004 that ordered Nishimatsu to pay compensation for forcing Chinese to work in Japan during the war.

The Supreme Court then upheld a Tokyo high court ruling from 2005, which said two former Chinese sex slaves, or "comfort women," do not have the right to seek reparations from the Japanese government.

Some of the plaintiffs vowed to continue their fight against Nishimatsu, but **William Underwood**, a researcher at Japan's Kyushu University, says that in a legal sense, the game is over.

Rulings by the Supreme Court usually set the precedent for lower courts around the country, meaning Japanese courts can now refuse to hear any further individual claims.

Underwood says any compensation for war-era victims would now have to come from political pressure rather than legal action.

"The ball is now in the Chinese government's court," he said. "These corporations are doing lots of business in Chinese markets today, so there would be ways of bringing pressure on Japanese companies to come to some sort of settlement with survivors and families."

Underwood says there are public pressures in China for actions such as public demonstrations against Japanese businesses, but Beijing is not yet ready to allow such a campaign.

Gregory Clark, vice president of Japan's Akita International University, says the Japanese court rulings could complicate Prime Minister Shinzo Abe's current visit to the United States.

"The timing is unfortunate, because Abe has arrived in America, and has been met with very hostile reaction over the question of sex slaves," said Clark. "American opinion is more stirred up than what Abe realized... I'm sure it'll get a lot of publicity in the American press, and it could really jeopardize the whole trip."

Mr. Abe caused an uproar in March when he denied there was evidence that Japan's wartime government or military were directly involved in kidnapping women for military brothels. He has since said he stands by an official 1993 apology acknowledging involvement in running the brothels.