J Japan, Chongryon, and Sanctions

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Abstract

With nearly 900,000 long-term residents, Japan has one of the largest populations of overseas Koreans. Japan is unique in that it is the only country that further classifies its Korean residents by external political affiliation; i.e., those not adopting Japanese nationality are affiliated with the Korean Residents Union of Japan (Mindan) or the General Association of Korean Residents in Japan (Chongryon), organizations that are linked to South and North Korea, respectively. The status of Korean residents in Japan, and both organizations supporting them, is a product of Japan's complex relationship with the Korean Peninsula during the last century. American concerns about Japan's Korean residents—both as an occupying power and a treaty ally—add another dimension to what should have been a domestic or bilateral issue between the Government of Japan, its Korean residents, and North or South Korea. Chongryon's long-term financial, material, and technical support to Pyongyang's nuclear and ballistic missile programs highlighted the differences between all governments. However, Pyongyang's admission that it abducted Japanese citizens has brought about significant changes in the Japanese government's policies toward North Korea and Chongryon. These include the suspension of ferry services between the two countries and limiting remittances to North Korea. As the Trump Administration considers tighter sanctions as part of its North Korean strategy, the history of the Japan's relations with its pro-Pyongyang residents provides a cautionary tale about the international community's ability to use sanctions as a means to curb Pyongyang's nuclear weapons and ballistic missile ambitions.

Key words: The League of Koreans, Korean Residents Union of Japan, General Association of Korean Residents in Japan, Mindan, Minjon, Chongryon, Chosen Soren, repatriation, Calcutta Agreement, International Committee of the Red Cross, Junichiro Koizumi, Kim Jong-il, Shinzo Abe, So Sok-hong, remittances, illicit funding, abductions, sanctions

Introduction

Koreans living in Japan constitute Japan's second largest minority group and are the third largest group of overseas Koreans. Japan's Ministry of Justice reported 492,000 Koreans living in Japan as of 2015; the Republic of Korea (ROK) Ministry of Foreign Affairs assessed the total Korean population in Japan at nearly 886,000 for the same year. In either case, only China and the United States have larger Korean populations.

As the differing official estimates show, there are significant disparities in assessing who belongs to the Korean community. In addition to the factors that defined other Korean diaspora—ethnicity, residency, and naturalization—the Korean community in Japan was further defined by political orientation. Koreans unwilling or unable to adopt Japanese nationality were affiliated with the Korean Residents Union of Japan (Mindan) or the General Association of Korean Residents in Japan (Chongryon), organizations that were linked to South and North Korea, respectively.

The status of Korean residents in Japan, and both organizations supporting them, is a product of Japan's complex relationship with the Korean Peninsula during the last century. Japan's wartime policies encouraging Korean immigration were replaced with post-war efforts to facilitate repatriation. The United States (U.S.), the Republic of Korea (ROK) and the Democratic People's Republic of Korea (DPRK) have supported or opposed Japan's repatriation policy over the years. Nonetheless, the Japanese government's policies toward Korean residents changed little in the ensuing decades. North Korea's initial nuclear weapons development efforts and ballistic missile launches did not alter Japan's policies. However, Pyongyang's admission that it abducted Japanese citizens, coupled with tests of nuclear devices and increasingly capable ballistic missiles, have brought about significant changes in the Japanese government's policies toward its North Korean residents. These include the suspension of ferry services between the two countries and the banning of banking remittances to North Korea.

In briefings to the incoming administration, President Obama warned that North Korea would be the greatest and most urgent foreign policy challenge. Seemingly fulfilling this assessment, Pyongyang has detonated its most powerful nuclear weapon and conducted multiple rounds of missile launches since President Trump's inauguration, disclosing and testing four new missile systems. In addition to demonstrating the capability of current weapons, each test provides North Korean scientists

and engineers with additional insight into technologies and capabilities they must master to fulfill its objective of placing a warhead atop an intercontinental ballistic missile. In a statement to the House Armed Services Committee on June 12, 2017, Secretary of Defense Jim Mattis wrote, "The most urgent and dangerous threat to peace and security is North Korea." As the Trump Administration considers tighter sanctions as part of its North Korean strategy, the history of Japan's relations with its pro-Pyongyang residents provides a cautionary tale about the international community's ability to use sanctions as a means to curb Pyongyang's nuclear weapons ambitions.

Historical Background

In August 1945, there were an estimated five million Koreans living outside of Korea. The decline of the Qing Dynasty and Russian Empire, global economic depression, and rise of Imperial Japan fueled massive population movements across the frequently disputed borders of Northeast Asian nations. At the time of Japan's surrender, over 2.4 million Koreans lived in Japan and nearly 2.2 million in the Japanese puppet state Manchuria.³ Based on the census data of the period, more than 15 percent of the Korean population lived outside of Korea. Japan's wartime diaspora was also considerable: 3.2 million Japanese civilians and 3.7 million military personnel were outside of Japan at war's end, nearly 9 percent of the population. Historian Michael Lee describes the migration as "one of the most under appreciated aspects of the early twentieth century."

Repatriation, Education and the Rise of the League of Koreans

While aware of the considerable number of Koreans in Japan, policymakers in Washington and Allied occupation authorities in Tokyo had developed neither the plans to facilitate their return nor the policies to address their legal status. The staff of the Supreme Commander for the Allied Powers (SCAP) assumed that Koreans in Japan—nearly all of whom had come to fill Japan's wartime labor needs—would voluntarily return to Korea. The initial exodus seemingly confirmed this assumption. An estimated one million people left Japan in an "uncontrolled" repatriation, many crossing the East Sea in unregistered boats.⁵

Amidst this chaos, the League of Koreans, Chosoren, was organized on October 15, 1945. The league was led by Communists and soon allied with the Japanese Communist Party, which had been suppressed throughout the war years. Despite the political leanings of its leaders, the

league's objectives reflected the practical needs of Koreans in Japan at the time. Chosoren's three objectives were to facilitate the repatriation of Koreans in Japan, educate children in Korean to prepare them for life in Korea, and support the construction of a new Korea. Independent of SCAP or Japanese authorities, the League of Koreans scheduled trains to take Koreans to embarkation points and commandeered ships to repatriate people to Korea. The league distributed relief supplies obtained from the Welfare Ministry, and negotiated with former employers for payments due to Korean workers.

Seeking to gain control of the repatriation process, SCAP prohibited league members from coordinating transportation. However, policies enacted to facilitate orderly repatriation often had the opposite effect. On November 1, 1945, SCAP issued a directive that prohibited individuals from taking more than ¥1000 and 250 pounds of property from Japan. Because of this this policy, repatriates suffered severe hardships due to the rampant inflation in Korea. Many Korean repatriates attempted to return, while those in Japan were dissuaded from leaving. A separate SCAP directive prohibited the repatriation of Koreans who had joined the Communist Party of Japan. While the American-led SCAP established policies, the British Commonwealth Occupation Forces (BCOF), composed of British, Australian, and New Zealand troops, were responsible for border security; BCOF worked closely with Japanese police to restrict mobility of Koreans in Japan. ¹⁰

SCAP officials were equally concerned about the spread of Communism in Japan by the return of repatriated Koreans. Lieutenant General John R. Hodge, who headed the U.S. Military Government in Korea, expressed concern that conditions in the southern half of the peninsula created an "extremely fertile ground for the establishment of Communism." The uprisings that began in 1946 seemingly confirmed these fears, as well as concerns that Moscow and Pyongyang were coordinating these activities. Many Koreans repatriates illegally returned to Japan, finding the economic conditions in Korea worse than those in Japan. However, SCAP officials believed that the illegal return of repatriated Koreans was part of a broader effort to place Communist agents in Japan. ¹²

Seeking to control immigration, the authorities required Koreans to apply for repatriation. Separately, SCAP directed the Japanese government to pay all costs associated with repatriation. ¹³ The changes limited Chosoren's role in the process, but did not change the overall

policy objective of repatriation. By March 18, 1946, the deadline for applications, approximately 514,000 Koreans applied for repatriation to southern Korea. Less than 10,000 sought repatriation to northern Korea. This reflected that most Koreans living in Japan had come from Gyeongsang and Jeolla Provinces and Jeju Island. From 1945 to 1949, 818,292 Koreans left Japan through controlled repatriation.¹⁴

Education and the Fall of the Chosoren

As noted, the League of Koreans' objectives included Korean language education for children awaiting repatriation. In addition to children, many young adults sought to become literate in Korean. The league soon operated 539 primary and secondary schools across Japan, providing Korean language instruction to over 41,000 students. ¹⁵ The league created an education department and published Korean-language textbooks covering a variety of subjects and grade levels, including contemporary accounts of Japanese colonial rule and liberation, as well as the division of the Korean peninsula. ¹⁶

In October 1947, SCAP directed that all Korean schools comply with Japanese education directives, with an exception for Korean language instruction. The Ministry of Education subsequently required all schools to comply with the Japanese School Education Law in order to be accredited. Under the law, Japanese was the language of instruction and Korean considered an extracurricular class. ¹⁷ Beginning in early April 1948, Koreans in Osaka and Kobe protested the decisions. The governor of Hyogo Prefecture closed Korean schools, leading to two weeks of riots in which Korean protestors held the governor and leading officials hostage. The American military commander brought in U.S. Military Police to help restore order. In the end, two students died and nearly 5000 protestors were arrested. In the wake of the Osaka-Kobe Education Incident, SCAP directed the Japanese government to disband the League of Koreans. ¹⁸ On September 8, 1949, the Japanese government dissolved the organization.

The Korean Residents Union in Japan should have been the natural beneficiary of the league's dissolution. Founded in 1946, the organization incorporated the formal name of the ROK into its title in 1948 to reflect its alignment with the Seoul government, but continued to be known by the abbreviation Mindan. Although the majority of Koreans living in Japan at the time came from southern Korea, few connected with Mindan's leaders, who were wealthy and conservative. Lacking the league's resources, Mindan emphasized improving the lives of Koreans in Japan

rather than repatriation and education. Few Koreans joined Mindan.

The Korean War forced the Americans, Japanese, and Koreans to reexamine the same issues they had failed to resolve over the past five years. Seeking to remove Korean Communists from Japan, the Japanese Government drafted a Deportation Ordnance shortly after the outbreak of the war. Although the issue was of particular concern for Prime Minister Shigeru Yoshida, SCAP officials refused to act on the proposal. The war split the Korean community in Japan. Over 700 men aligned with Mindan left Japan to fight with the ROK Armed Forces. North Korean sympathizers attacked American bases, Japanese police stations, and factories before the North Korean government directed them to stop.

The political division on the peninsula was mirrored in Japan. Korean Communists and leftist-nationalists in Japan formed the Democratic Front of Koreans, Minjon, in 1951.²⁰ Minjon opposed American military action in Korea, and feared Japan would rearm to support the United States. When the San Francisco Peace Treaty went into effect on April 28, 1952, Koreans in Japan lost their Japanese nationality, but were unable to qualify as residents.²¹ Negotiations between Japan and the ROK failed to resolve the issue. At war's end, the approximately 650,000 Koreans in Japan were divided into pro-North and pro-South camps. Although Mindan's membership grew, the vast majority of Koreans in Japan supported Minjon and Kim Il-sung's government.²²

Chongryon emerged as the successor organization to Minjon on May 25, 1955. Unlike previous groups, Chongryon was formally aligned with North Korea. Chongryon was North Korea's overseas organization and its members were overseas nationals. Korean education—in support of eventual repatriation—remained central to Chongryon's charter.

Chongryon-Supported Repatriation to North Korea

Traditional accounts of the 1959-60 repatriation of Koreans to North Korea have focused on the Calcutta Agreement. The International Committee of the Red Cross (ICRC) ratified the agreement between the Japanese Red Cross Society and the Red Cross Society of the Democratic People's Republic of Korea to repatriate Koreans "on humanitarian grounds" in the Indian city on August 13, 1959. Four months later, the first of more than 82,000 Koreans and 6,000 Japanese left Japan for North Korea. The Japanese and North Korean Red Cross Societies repatriated more than 51,000 people during the first year and another 24,000 during the second year of the agreement.

Professor Tessa Morris-Suzuki of the Australian National University provides a fuller account of the repatriation, and Chongryon's role in the "return." Using declassified ICRC documents, Suzuki-Morris notes that senior officials of the Japanese government lobbied the ostensibly apolitical Japanese Red Cross as early as 1956, urging the repatriation of Koreans to North Korea. The conservative government viewed the Koreans in Japan as indigent Communists who were an enormous drain on welfare services. Failing to resolve the legal status meant that Koreans were prohibited from public sector employment, denied public housing, and precluded from participating in government pension programs.

For two years the Government of Japan (GoJ) and the Japanese Red Cross lobbied the ICRC to support the repatriation. This effort was complicated by preliminary negotiations with the ROK to begin formal discussions on establishing diplomatic relations with its former colony. The South Korean government opposed repatriation to North Korea, but offered little support to Koreans in Japan. Obtaining compensation for Koreans brought to Japan during the war was a non-negotiable issue for the Syngman Rhee government.

It is unclear when Tokyo and Pyongyang began discussing the "return" of Koreans to North Korea, but it is certainly before the Japanese and North Korean Red Cross Societies drafted an agreement in February 1959. Unlike negotiators in South Korea, North Korea waived compensation claims, and promised to bear all costs associated with the repatriation. In August 1956, Kim Il-sung issued Cabinet Order 53, which stipulated that repatriates would receive jobs, stipends to cover expenses, and business loans. The socialist government would also provide medicine, clothing, and blankets. Repatriates would be considered a preferential class, living in "preferred homes;" their children would receive "preferred treatment" in school. The government guaranteed payments of Won 20,000 for adults and 10,000 for children under 15. ²³ In August 1958, Kim Il-sung announced that all Koreans in Japan were welcome to return to North Korea. ²⁴

Chongryon was key to the repatriation efforts. While portrayed as a spontaneous mass movement, there is increasing evidence that Chongryon coordinated its actions with explicit support from the North Korean government and tacit approval of the GoJ. Professor Sonia Ryang, an anthropologist who grew up within the North Korean community in Japan, described the organizations' efforts at the time:

. . . Chongryon carried out an organization-wide campaign to encourage the repatriation of scientists and engineers in order to assist North Korea's effort to reconstruct its war-torn economy. Chongryon's publications waged an all-out campaign for repatriation, praising it as "the great transportation from capitalism to socialism." North Korea was depicted as "paradise on earth" and the "true and only fatherland for all Koreans in Japan." ²⁵

Chongryon-affiliated schools were critical in this campaign, with teachers assuring students that "a better life awaited across the waters." According to recently declassified documents from South Korea's Foreign Ministry, the North Korean government began providing funding to Chongryon shortly before the repatriation movement began. From 1957 to 1984, Pyongyang sent over Y35 Billion (\$100 million) to the organization to support education and governmental activities.²⁶

While the ICRC ratified the agreement, officials soon became concerned about the limited, technical role the organization was allotted in the repatriation process. The Japanese and North Korean Red Cross Societies, each backed by their respective governments, did most of the work involved in processing and returning the repatriates. Because Japan and the DPRK did not have diplomatic relations, the decision to leave Japan was final. The ROK Government and Mindan vehemently opposed the repatriation. Amid press reports that Sygnman Rhee's agents were planning to bomb the processing center, the Japanese government deployed over 900 police to the former U.S. Army camp in Niigata that had been converted to a Red Cross Center. Mindan activists attempted to block the trains taking Koreans to Niigata. Chongryon members prepared returnees to return, and protested in the rare instances in which ICRC officials determined that returnees were not eligible for repatriation.²⁷

Those arriving in North Korea soon discovered their status as repatriates was a liability rather than an asset promised by Chongryon facilitators in Japan. Beginning in 1957, the North Korean government initiated a socio-political classification of the entire population. The resulting *songbun* system classified all citizens into one of three distinct classes based on family background and loyalty to the Kim family: "friendly," "neutral," or "enemy" forces.²⁸ It isn't clear how the initial repatriates were classified. However, the suspension in repatriation

coincides with the Classification Project for Division of Populace. From 1967 to 1970, the North Korean government further divided the three classes into 51 categories. ²⁹ "Repatriates from Japan" who were not part of the Chongryon cadre were assigned to Category 34—below shamans and prostitutes but above Protestants, Catholics and capitalists—in the newly designated "Wavering Class" and placed under surveillance. ³⁰

Although repatriation resumed in 1971, only a fraction of the people sought to return to North Korea. Table 1 reflects the annual numbers of people repatriated through 1980 based on information from the Immigration Bureau, Japan Ministry of Justice. ³¹ When the program officially ended in 1984, 86,603 Koreans, 6,731 Japanese, and six Chinese spouses—were repatriated to North Korea. ³² Only 300 were allowed to return to Japan.

Table 1 – Number of People Repatriated from Japan to North Korea by Year

1959	2,942	1971	1,358
1960	49,036	1972	1,003
1961	22,801	1973	704
1962	3.497	1974	479
1963	2,567	1975	379
1964	1,822	1976	256
1965	2,255	1977	180
1966	1,860	1978	150
1967	1,831	1979	126
1968-1970	Suspended	1980	40
		Total	93,286

Source: Immigration Bureau, Japan Ministry of Justice

Kim Il-sung's "September Instruction"

On September 15, 1986, Kim II-sung is reported to have issued an instruction to Chongryon, directing the organization to expand its business activities in Japan in order to provide support to the North Korean regime. Chongryon had long provided funds to the Pyongyang government, which took a portion of all money sent by Koreans in Japan to relatives in North Korea. The organization portrayed the remittances as voluntary, personal transactions of negligible amounts. ³³ In contrast, those sending money

viewed their relatives as hostages and payments as extortion, with Pyongyang threatening to intern, kill or starve those who had returned to North Korea.³⁴ Regardless, Han Kwang-hee, a former finance official in Chongryon's headquarters who detailed his allegations of Kim's "September Instruction" in a 2002 memoir, *My Chosen Soren's Crime and Punishment*, viewed the new order as "an epoch-making event" for Chongryon.³⁵

Following the instruction, Chongryon established the Joint Venture Research Association, along with a counterpart organization in Pyongyang. The association oversaw expansion into 39 new industries, including pharmaceuticals, trading, and insurance. ³⁶ Chongryon's headquarters entered the highly profitable pachinko industry. At the time of "September Instruction," ethnic Koreans owned nearly 75 percent of parlors across Japan, as well as the companies that manufactured pachinko machines. ³⁷ Pachinko was one of the few opportunities available to Koreans in Japan at the end of the World War II. Thirty years later, ethnic Korean entrepreneurs in the pachinko business ranked among the nation's richest people. ³⁸ Seeking to replicate their success, Chongryon's headquarters acquired and directly managed 20 parlors; local chapters would ultimately operate another 40 pachinko parlors.

As in the past, Chongryon solicited contributions from its members for major events in North Korea. Chongryon donated \(\frac{4}{4}\) Billion to commemorate Kim Il-sung's \(80^{th}\) birthday. The North Korean government used the money to construct the *Man Gyong Bong-92* as a replacement for the ferry that had run between Wonsan, North Korea and Niigata, Japan since 1971. "The Ship" became a critical conduit for moving hard currency to North Korea. Japanese customs regulations at the time allowed visitors from Japan to leave with five million yen (\\$42,000) and unlimited amounts of foreign currency and traveler's checks.\(^{39}\) Additionally, 18 Japanese banks were authorized to transfer money to financial institutions in North Korea.

American and Japanese defense officials, researchers, and intelligence officials found it difficult to determine the amount of money transferred from Japan to North Korea. Testifying before Congress in November 1993, Under Secretary of Defense for Policy Paul Wolfowitz assessed that Chongryon members sent \$600 million to North Korean annually. ⁴⁰ Katsumi Sato, a former Communist who had been involved in Korean repatriation in the 1960s and directed the Contemporary Korea Research Institute in Tokyo at the time of Wolfowitz's testimony, stated that

remittances were more likely between \$1.8 to 2.0 billion each year. ⁴¹ The Director-General of the Public Security Intelligence Agency, Japan's national intelligence agency, estimated Chongryon was remitting 60 to 80 billion yen (\$650 – \$850 million) when he appeared before the Diet in March 1994. ⁴²

Leading economists and political scientists worked to put the remittances in context. Nicholas Eberstadt of the American Enterprise Institute examined unreported financial flows from Japan to North Korea during the 1993-94 nuclear crisis. At the time, major media outlets were reporting on "Kim II-sung's money pipeline" that funded the nuclear weapons program. In contrast to previous estimates, Eberstadt assessed the remittances were more reflective of Japan's bubble years; excluding amounts transported aboard the *Man Gyong Bong-92*, Chongryon members sent approximately \$100 million to North Korea annually.⁴³

Despite Eberstadt's significantly lower estimate of annual cash flows from Japan, Jennifer Lind noted that Chongryon's remittances remained critical to North Korea, as they were one of the sources available to Pyongyang to obtain hard currency. Kim Il-sung's "September Instruction" occurred one year before his country defaulted on loans from international banks. At the time of North Korea's default on loans from European banks, it owed an estimated \$880 million to \$1.98 billion in loans from Japanese banks. ⁴⁴ Following the default, the country was unable to access international credit markets. Earning hard currency through trade was equally problematic. Although Japan was the only capitalist nation with significant trade relations with North Korea at the time, it is unclear how much of the \$418 million in two-way trade was done in hard currency. ⁴⁵ Accordingly, hard currency remitted by Chongryon was vital to the Pyongyang government.

Kim Il-sung's "September Instruction" was designed to do more than meet the regime's short-term financing needs. Pak Do-gyong, who previously taught economics at Korea University in Kodaira City, linked the Chongryon remittances to North Korea's efforts to develop nuclear weapons. ⁴⁶ Professor Hideshi Takesada, who led the Korea Research Division at Japan's National Institute for Defense Studies (NIDS), was even more specific in detailing Chongryon's role in North Korea's nuclear and ballistic missile programs. Takesada stated that the North Korean military used 30 to 50 percent of Chongryon's currency remittances. In addition to cash, the military used Chongryon to obtain critical materials and technologies. ⁴⁷ Titanium golf clubs were used to manufacture missile

shields, commercial Global Positioning Systems and Sony PlayStations became the basis for guidance systems, and electronic fish finders were used to improve sonar systems. ⁴⁸ Professor Toshio Miyatsuka of Yamanishi Gakuin University noted that Pyongyang's interest in Japanese goods was not confined to high end products. Refrigerators containing chlorofluorocarbons provided the chemicals needed to wash chips, and abandoned bicycles were valued for ball bearings. ⁴⁹

Japan was not unique in its ability to supply items to support North Korea's weapons programs. However, geographic proximity, lax customs enforcement, and a sizable Chongryon-affiliated population facilitated the development of Pyongyang's weapons programs. Testifying before the Financial Management, Budget, and International Security Subcommittee of the Senate Governmental Affairs Committee on May 20, 2003, a North Korean defector stated that 90 percent of the components used in the guidance systems for missiles were acquired in Japan; Chongryon operatives coordinated the smuggling. Although the ferry service had been suspended—ostensibly due to increased maritime safety and customs enforcement—the *Man Gyong Bong-92* resumed service in August 2003. Consequently, it was little wonder that Japan was "Pyongyang's shopping center of choice."

Concerns about Chongryon's remittances coincided with increased North Korean provocations. The North Korean nuclear crisis of the early 1990s and 1998 Taepodong missile launch over Japanese territory shattered Japan's security assumptions, leading to greater bilateral (U.S.-Japan) cooperation. Professor Akiko Fukushima of the National Institute for Research Advancement stated, ". . . events emanating from North Korea have made Japanese citizens aware of the need for, and the cost of, Japanese peace, security, and safety. The North Korean nuclear crisis in 1993 and in 1994 led to their acceptance of a stronger alliance with the United States." ⁵²

An increased understanding of the North Korean threat led to the first trilateral (U.S.-Japan-ROK) security consultations. Defense officials from the tree countries began Track II negotiations in 1994; the discussions became official 18 months later. ⁵³ Established in 1999, the Trilateral Coordination and Oversight Group was a means for high-level American, Japanese, and South Korean diplomats to meet regularly and develop common policies toward North Korea. Scholars from all three countries held seminars to examine areas for cooperation: NIDS, in conjunction with the Center for Naval Analysis and Korea Institute for Defense Analysis

explored trilateral naval cooperation, and the Washington-based Institute for Foreign Policy Analysis held a trilateral workshop on military responses to nuclear, chemical, and biological contingencies. ⁵⁴ Reflecting the optimism of the period, Ralph Cossa, President of the Pacific Forum Center for Strategic and International Studies, developed the term "Virtual Alliance" to describe the close relations between the three states. ⁵⁵

Despite threats from North Korea and clear evidence that Chongryon's activities were critical to Pyongyang's nuclear weapons and ballistic missile programs, the Japanese government took little action to stop the financial flows. Pro-Pyongyang credit unions, which had served the Korean community since 1952, operated with no special oversight. Some analysts have attempted to equate the subsequent investigations of Chongryon-affiliated credit unions as proof of a broad crackdown on remittances. However, acting on recommendations from Japan's Financial Reconstruction Commission and Financial Services Agency, the Bank of Japan had provided funds to a number of insolvent North Korean lenders since 1997. Indeed, in 1998 and 1999 the Bank of Japan injected over ¥514 Billion (\$4.8 Billion) to support 14 failed credit unions. ⁵⁶ While many of the failures were due to managers illegally funneling money to North Korea, the actions by various agencies of the Japanese government at this time were intended to restore stability to the banking system vice curbing illicit transfers.

Government inaction was not limited to financial regulators. In her analysis of Chongryon's illicit financial flows, Jennifer Lind noted several factors that might have dissuaded the Japanese government from sanctioning North Korea. Sanctions, to include those authorized by the United Nations (UN), backed by a blockade or threat of force inevitably raised constitutional issues. Any sanctions enacted without UN authorization lack legitimacy. 57 Lind noted the Japanese government was also concerned about terrorist reprisals. At this time, security officials estimated there were 600 North Korean agents in the country. However, their greater concern was the agents' ability to leverage the Chongryon community, "holding their relatives as hostages, the professionals could oblige the resident to do their bidding."58 Michael J. Green, Japan Chair at CSIS, cited the legacy of Chongryon's deep ties to the Tanaka Faction of the Liberal Democratic Party (LDP). In the 70s and 80s, Chongryon's business empire was incorporated into Tanaka's "kickback- and pork barrel-fueled political machine. 59 Consequently, illicit financial remittances in 2002 were estimated to be \$85 million.⁶⁰

Humanitarian concerns further complicate the issue. In her 2006 documentary *Dear Pyongyang*, Director Yang Yong-hi chronicles her life as the daughter of ardent Chongryon supporters. Seeking to spare his sons the systemic discrimination against Koreans in Japan, Yang's father repatriated her three older brothers to North Korea in 1971. The family's frequent remittances of money, food, clothes, and school supplies were critical to the well-being of her brothers and their families who endure frequent shortages despite living in the relative affluence of the capital. Because contributions from relatives are critical to the survival of most repatriated Koreans—as well as the thousands of Japanese spouses—the Japanese government will be reluctant to completely ban remittances to North Korea.

Support from the Korean Science and Technology Association in Japan

At the same time Chongryon was financially assisting the regime, the Korean Science and Technology Association in Japan (KSTA) was providing material and technical support to North Korea's weapons programs. ⁶¹ KSTA was incorporated in June 1959 as an umbrella organization of Korean scientists and engineers dedicated to advancing science and technology in North Korea. By the early 21st Century, KSTA had over 1200 members, including 150 graduates from Japanese universities. ⁶²

The KSTA maintains a liaison office with the Korean Workers' Party, and has been critical in acquiring equipment and materials for the North Korean military. Japan's National Policy Agency traces this cooperation back to 1987. Since then, Japanese police have uncovered several incidents in which members of the KSTA have facilitated the illegal export of computers, chemicals, equipment, and machinery critical to Pyongyang's weapons programs. Notable examples include the procurement of a jet mill needed to produce solid fuel for missiles in 1994 and illegal exports of sodium fluoride and other chemicals required to make sarin in 1996. Other investigations linked the KSTA to purchases of Direct Current power inverters and stabilizers needed for uranium purification, freeze dryers used in the manufacture of biological weapons, and Alternating Current synchroscopes used on multi-engine ships and aircraft. 63 An October 2005 investigation of KSTA members for the unauthorized sale of ginseng medicines uncovered classified Japan Defense Agency documents at an affiliated software company.

Abductions, Anger and Action

On August 30, 2002, Prime Minister Junichiro Koizumi's office announced that he would travel to Pyongyang for a summit meeting with North Korean leader Kim Jong-il to discuss normalizing relations between the two countries. Although Japanese and North Korean political leaders had conducted eight rounds of talks in the early 1990s and another three rounds in 2000, they made little progress in resolving the differences between the two countries. After a year of secret negotiations, the two leaders agreed to meet to discuss the two largest obstacles to normalization: first, Japan's compensation to North Korea; second, North Korea's response to allegations it had abducted Japanese nationals.⁶⁴

The summit agenda itself was an achievement for Prime Minister Koizumi. Pyongyang had long insisted on discussing reparations for Japan's colonial rule. However, given the poor state of the economy, North Korea was now willing to consider low-interest loans, grants, and other forms of aid. Similarly, North Korea appeared willing to provide information on missing Japanese nationals, a subject it had previously denied. In turn, Japan signaled that it was serious about normalizing relations with North Korea.⁶⁵

Koizumi's determination to normalize relations with North Korea had many roots. Tokyo's failure to establish diplomatic relations with Pyongyang remained a legacy of colonial and wartime history. China and Russia had been allied with North Korea throughout the Cold War, but had established diplomatic with South Korea at the end of the Cold War. Japanese leaders hoped that diplomatic ties would facilitate resolution of concerns about North Korea's nuclear weapons and ballistic missile programs. Lastly, resolving a difficult foreign policy problem would be a major accomplishment for the latest government that was facing challenges in reviving the Japanese economy. ⁶⁶

On September 17, Prime Minister Koizumi flew to Pyongyang to meet with Kim Jong-il. At the outset of the afternoon session, Chairman Kim reversed the North Korean government's long-standing denials of its involvement in abducting Japanese civilians, placing the blame on "special mission organizations in the 1970s and 1980s, driven by blindly motivated patriotism and misguided heroism." The North Korean leader not only admitted his agents kidnapped ten of eleven civilians the GoJ suspected had been abducted, but took responsibility for three additional kidnappings. Kim Jong-il revealed that five of the abductees were alive, while eight died.

Reading from a prepared statement, Chairman Kim outlined the rationale for Pyongyang's actions: "I believe there were two reasons behind the abduction of Japanese citizens. First, the special mission organizations wanted to obtain native-Japanese instructors of the Japanese language. Second, the special mission organizations hoped to use abductees to penetrate into 'the South.'"⁶⁸

The admission shocked Prime Minister Koizumi. In the press conference following the signing of the Pyongyang Declaration, the Japanese leader opened his remarks by stating,

I feel heartbreaking grief about those abductees who lost their lives without coming home. I am utterly speechless when I imagine the tremendous grief their surviving family members must be experiencing. I have come to Pyongyang today in order to take a giant step toward building stable peace in this region, fully determined to prevent—at any cost—the recurrence of this kind of despicable conduct.⁶⁹

The Japanese public shared the prime minister's sense of outrage. While the Japanese people initially supported Koizumi's decision to meet with Kim Jong-il, they questioned the wisdom of resuming talks with Pyongyang, and faulted the government for failing to return with surviving abductees or obtain adequate information about those who died. These perceptions were reinforced when North Korea's investigation into the deaths of abductees contained numerous disparities.

The abduction issue would become the defining issue in Japan's future negotiations with North Korea regarding normalization. It would also figure prominently into Japan's relationship with the United States and South Korea as the countries confronted North Korea over its nuclear weapons and ballistic missile programs. A Cabinet Office public opinion survey completed in November 2003 confirmed the primacy of the abduction issue among the Japanese people: while 66 percent of respondents were concerned about North Korea's nuclear weapons program, 90 percent listed the abduction issue as their primary concern. The abduction issue would lead to the passage of laws limiting the amount of remittances and restricting merchant shipping that curtailed Chongryon's ability to support the regime.

In May 2003, Deputy Chief Cabinet Secretary Shinzo Abe raised the

possibility that the Diet would enact legislation to search North Korean vessels and strengthen oversight of pro-Pyongyang financial institutions. ⁷² Abe had accompanied Prime Minister Koizumi to the summit with Chairman Kim, and was considered a hardliner toward North Korea. As LDP Secretary-General, he would repeat the call for legislation that would enable sanctions in the fall, as well as calling for sanctions the following year when North Korea returned fabricated tests of abductee remains. Over the next decade, the Japanese government would target North Korean ships, scientists, and schools.

Ships

In 2004, the Diet passed a law authorizing the Ministry of Land, Infrastructure and Transport to bar uninsured ships from docking at Japanese ports. The new law complimented the *Law on Liability for Ship Oil Pollution Damage* that had been enacted in 2002 following an oil spill by a North Korean tanker. Because only 2.8 percent of North Korean vessels were insured, the new law was much broader. The 2004 law also allowed authorities to ban North Korean ships assessed as a "threat to the nation's security."

On February 9, 2004, the Diet amended the Foreign Exchange and Foreign Control Law, allowing the GoJ to impose sanctions without a UN resolution or international resolution. The revised law allowed Japanese authorities to ban remittances, restrict trade, freeze assets, and take "additional measures deemed necessary against a country that poses a threat to Japan's peace and security."

The two laws were clearly interrelated, designed to target Chongryon's remittances to North Korea. The Ministry of Finance reported that North Korean-registered ships were responsible for transporting the majority of cash remitted to Pyongyang from 2000 to 2002. Of the \$120 million remitted, \$107 million was sent by ship and only \$13 million processed through the nations' financial institutions.

In response to North Korean tests of a Taepodong-2 long-range missile and five short-range missiles, the GoJ banned the *Man Gyong Bong-92* from calling on Japanese ports for six months on July 5, 2006. ⁷⁷ Following North Korea's first nuclear test in October 2006, the GoJ banned the *Man Gyong Bong-92* indefinitely and prohibited all North Korean ships from visiting Japanese ports; vessels involved in humanitarian activities were exempt. ⁷⁸

Following Pyongyang's thinly disguised satellite launch in February

2016, the GoJ banned all North Korean ships from Japanese ports, as well as prohibiting visits from third-country ships that have called on North Korean ports. ⁷⁹ At the same time, the government banned all remittances of money to North Korea with the exception of amounts less than \(\frac{1}{2}\)100,000 (\(\frac{8}{2}\)70) intended for humanitarian purposes. ⁸⁰

Scientists

KSTA's support to North Korea's weapons programs was not limited to materials. In 2006, the Japanese police arrested So Seok-Hong, a researcher affiliated with the Institute of Industrial Sciences at the University of Tokyo and a director of KSTA. Dr. So was an expert in rocket engines, specializing in second stage engine technology. Dr. So frequently visited North Korea, and was in the country during the 1998 Taepodong missile test, as well as the missile launches during the summer of 2006. The 74-year old scientist established a company to facilitate the shipment of technology critical to Pyongyang's nuclear weapons and ballistic missile programs. Dr. So arranged for other Chongryon-affiliated scientists and technicians to visit North Korea to advise military researchers there. During these visits, he arranged for fellow scientists to carry medicines the Japanese government had banned from export due to their potential use in biological weapons.⁸¹

In May 2016, Japanese media reported the Ministry of Justice placed additional sanctions on Chongryon, barring 13 individuals from reentry should they leave Japan. In addition to Chongryon Chairman Ho Jong-man and six senior executives, the government sanctioned six prominent scientists. Received KSTA's first and long-time chairman, Dr. Lee Shi-gu, a theoretical physicist and former professor at the Chongryon-affiliated Korea University. Research Reactor Institute and an internationally recognized expert in reactor physics who has authored multiple, peer-reviewed articles, was reportedly subject to the ban. He Ministry of Justice neither announced the sanctions nor confirmed media accounts. Similarly, the aforementioned researchers have refused to comment on these reports.

Schools

Beginning in 2010, prefectural and municipal governments across Japan began cutting subsidies to Chongryon-affiliated schools. Some governments made support contingent on severing ties with Chongryon, incorporating the issue of abducted Japanese nationals into the learning curriculum, providing detailed financial information, or banning travel to North Korea. 85 Others cut support altogether.

Following the LDP's return to power in 2012, newly appointed Education Minister Hakubun Shinomura announced the national government would introduce legislation to eliminate the ¥15000 (\$150) monthly subsidies at the 39 private high schools catering to foreign students. Return This reversed an April 2010 law enacted by the Democratic Party, which exempted students attending public high schools from tuition fees while providing subsidies to those attending private schools. The exemptions and subsidies essentially made secondary education free for all students, including those who attended the 11 Chongryon-affiliated high schools.

Many of these schools were already in the process of changing, including removing portraits of Kim Il-sung and Kim Jong-il from classrooms, incorporating South Korean history into the curriculum, and teaching Japanese language and culture. ⁸⁷ Nonetheless, the cuts significantly affected operations and enrollment, particularly at the secondary schools that educated over 40,000 students during the 1970s. By 2016, Chongryon-affiliated schools educated less than 10,000 students; the 1400 high school students included those with Japanese and South Korean nationalities. ⁸⁸

International organizations criticized the governments' decisions to reduce or eliminate education subsidies, while individual schools filed lawsuits. In a 2013 report on the domestic situation of all signatory countries, the United Nations Committee on Economic, Social, and Cultural Rights stated, "The Committee is concerned at the exclusion of Korean schools from the State party's tuition-waiver programme for high school education, which constitutes discrimination." In a July 2017 ruling, the Osaka District Court found "the government's exclusion of Osaka Korean High School from its free tuition high school education program to be illegal," as the "exclusion had been based on political issues, such as North Korea's past abductions of Japanese citizens. 89

Conclusion

As the Trump Administration considers tightening sanctions as part of its North Korean strategy, the history of Japan's relations with its pro-Pyongyang residents provides a cautionary tale about the international community's ability to use sanctions as a means to curb Pyongyang's nuclear weapons ambitions. Chongryon and its affiliated organizations operated within Japan's legal, regulatory, and administrative systems for over six decades. Its members are registered with national, prefectural, and local government agencies. Japan is a treaty ally of the United States and the cornerstone of America's security policy in the Asia-Pacific region. It is a signatory to international non-proliferation treaties and multilateral export control regimes. These policies are administered by the Ministry of Economy, Trade and Industry, where a staff of 80 is responsible for policy, inspection, and licensing of sensitive export items.

Despite mutual concerns about North Korea's nuclear weapons and ballistic missile programs, the Chongryon community was a source of money, material and technology critical to these programs. Significant financial support in response to Kim Il-sung's "September Instruction" occurred throughout the 1980s and 1990s. While governments and intelligence agencies debated the amounts being remitted, there were few efforts to check the transfers. The first North Korean nuclear crisis and ballistic missile tests highlighted the risks, but did little to change policies and laws governing remittances and transfers. Even if stricter laws had been in place, it is unlikely they would have covered the export of abandoned bicycles and old refrigerators that Pyongyang's supply chain managers acquired for use in its weapons programs.

However, North Korea's admission that it abducted Japanese citizens has brought about significant changes in the Japanese government's policies toward Chongryon and its support of North Korea. These include the suspension of ferry service between the two countries and banning of remittances to North Korea. Both laws were enacted in 2004. They were first used in 2006, twenty years after Kim II-sung issued the September Instruction. While they have no doubt reduced Chongryon's ability to support North Korean weapons programs, Pyongyang was able to advance its programs in the time before the laws were passed.

Assessing the effectiveness of government actions targeting individuals and groups is more challenging, particularly in democratic countries with personal privacy protections and strong legal systems. With the exception of the arrest of Dr. So, Japanese authorities have found it difficult to take action against other Chongryon-affiliated scientists. The government's moves to cut education subsidies became the subject of international criticism and domestic legal action. Japan's relationship with Chongryon highlights the challenges of implementing multilateral economic sanctions.

Notes:

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Chosen Kyoryu Mindan [在日本朝鮮居留民団]. The union reincorporated as the Zai

Nihon Daikanminkoku Kyoryu Mindan [在日本大韓民国居留民団] in 1948.

¹ Jeffrey Lewis, Director of the East Asia Nonproliferation Program at the Middlebury Institute of International Studies at Monterey, noted that miniaturization is only one of the obstacles North Korean engineers must overcome. The other technical challenges include making a compact nuclear weapon capable of surviving the shock, vibration and temperature change associated with ballistic missile flight, and constructing a reentry vehicle that can survive the extreme heat of reentry. Jeffrey Lewis, "North Korea's Nuclear Weapons: The Great Miniaturization Debate", *38 NORTH*, February 5,2015. For a detailed analysis, please see http://38north.org/2015/02/jlewis020515/. Last accessed on June 12, 2017.

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- ³¹ Kim Chan-jung, *Chosen Soren*, (Tokyo: Shinchosha, 2004), p. 82.
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- ⁴⁸ Mark Magnier, "Japan Shrugs Off N. Korea Threats of Inspections," *Los Angeles Times*, June 13, 2003, Available online at
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