

Document 11.13: “Chinese Germ Warfare Victims Call for Just Ruling by Japanese Supreme Court,” in *China Daily*, June 26, 2006

Almost 200 Chinese nationals seeking compensation from the Japanese government for its germ warfare campaign during Japan’s invasion of China have demanded a just ruling from the Japanese Supreme Court.

“For true Sino-Japanese friendship, Japan’s Supreme Court should make a just ruling,” said Wang Xuan, who heads the group of Chinese lawyers for the victims.

Wang made the remarks at a meeting on Sunday.

A group of 180 Chinese who were victims or whose family members were killed by Imperial Japanese Army’s germ warfare program, filed a lawsuit with the Tokyo District Court in 1997, demanding 10 million yen each and an apology from the government.

Ichinose Keiichiro, a Japanese lawyer for the plaintiffs, said germ warfare victims had appealed for compensation according to law, and the Japanese court should require the Japanese government to apologize and compensate the victims. Acknowledging the plaintiff’s request was the way to realize the rule of justice, said the Japanese lawyer.

“We are not just demanding an apology and compensation from the Japanese government, we are also defending the dignity of the Chinese people,” said Lou Xian, another Chinese lawyer for the victims.

In a ruling on Aug. 27, 2002, the district court turned down the demand by the plaintiffs but acknowledged that the Japanese army conducted germ warfare in China — the first court to do so.

The plaintiffs subsequently appealed to the Tokyo High Court, which dismissed the appeal on July 19 last year [2005]. In handing down the ruling, the high court

acknowledged that the Imperial Japanese Army's Unit 731 waged germ warfare in China resulting in the agonizing deaths of many Chinese people.

Both the district and high courts rejected compensation demands saying that there were "no rules allowing individuals to directly demand damages from perpetrating countries."

The plaintiffs appealed to the Japanese Supreme Court on July 20 last year.

The plaintiffs at Sunday's meeting said although the district and high court both rejected their appeal, both courts acknowledged the germ warfare carried out by invading Japanese troops. "This is a fact that the Japanese government can not deny," they said, calling on the Japanese Supreme Court to make a fair judgement on their appeal.

Studies by Chinese and foreign scholars have shown that between 1931 and 1945, some 270,000 Chinese people were victims of Japanese germ warfare.

Source: Xinhua, "Chinese Germ Warfare Victims Call for Just Ruling by Japanese Supreme Court," *China Daily*, June 26, 2006.