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BRIAN MINAMI/Rafu Shimpo

Carmen Mochizuki, standing, thanks those who supported the efforts of Japanese Latin Americans to win redress. Looking on are Campaign for Justice members, from left, Robin Toma, Julie Small and Paul Mills.

Supporters of Nikkei Latin Americans Press On

Campaign for Justice urges those eligible for redress to file application with the ORA by the Aug. 10 deadline.

By TAKESHI NAKAYAMA
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Campaign for Justice, the coalition that fought for reparations for Japanese Latin Americans who were abducted by the U.S. and interned in this country during World War II, announced that it is continuing its campaign to win them fair and equitable compensation.

On June 11, attorneys for the Japanese Latin American internees reached a settlement with the Department of Justice of a class action lawsuit, *Mochizuki vs. the United States*,** resulting in a presidential apology and compensation of \$5,000 from the U.S. government to each member of the class. That \$5,000 is much less than the \$20,000 individual payments awarded to Japanese American internees.

At a community forum held Saturday in Little Tokyo, civil rights attorney Robin Toma, the lead attorney in the settled lawsuit, urged all eligible Nikkei Latin American former internees to file for redress by Aug. 10. And, he added, "We are not done. We will pursue getting full redress (equal to that awarded to Japanese Americans—\$20,000) through Congress. And to do that, we are starting a letter-writing campaign."

Minimizing Office of Redress Administration claims that funds for paying reparations are running out, Toma said, "We know the U.S. government has many more funds in their coffers. We know the government has a surplus. If the government is to be fair and just, the time is now."

Many influential members of Congress support full redress for the Japanese Latin Americans, he noted. "We've had many members of the House Judiciary Committee

action lawsuit with Toma and will represent those who opt out of the settlement, said, "There is only one reason (the U.S. government) has settled with us—in the hopes that we would shut up and go away. That is exactly what we are not going to do. We are continuing to pressure Congress for further recognition of how wrong this was."

The opt-out provision in the settlement means every member of the class has the option to bring another lawsuit to prevent this from ever happening again, Mills explained.

The suit seeks to make the U.S. more credible in the international community when it raises the issue of human rights, he said. "We will base our lawsuit, in part, on international law ... which the United States violated when it abducted and interned people from a neutral country."

"The chances of winning are less than 50-50. No one should join this lawsuit simply because they think they can get \$20,000 instead of \$5,000. We're going to make big noise to draw attention so this never happens again," Mills warned.

Dr. John Tsuchida, a professor at Cal State Long Beach and an attorney, pointed out, "There were many human rights violations committed by our own country. The sad part of the legal system is that the wronged individual seldom wins."

"The settlement for the Japanese Latin Americans ... shows that it doesn't matter where the wronged people live. What counts is the cause of action, that a constitutional violation took place in the U.S. So long as you are on U.S. territory physically, you are protected by the U.S. Constitution," Tsuchida said.

"The Japanese Latin Americans deserve an apology and reparations. They suffered substantially more than Japanese Americans. What happened to them is offensive to our sense of decency and common sense," he added.

Carmen Mochizuki of Montebello, a Japanese Peruvian and the named plaintiff in the class action lawsuit, said

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—Paul Mills, supporter of former Japanese Latin Americans internees

Many influential members of Congress support full redress for the Japanese Latin Americans, he noted. "We've had many members of the House Judiciary Committee—both Republicans and Democrats—indicate that they are very supportive and believe that this was a wrong that needed to be righted."

Toma said the plaintiffs agreed to accept the settlement because, "although we didn't like it, it was the best deal presented to us. The alternative was litigation, which could take many years with the risk of losing."

The \$5,000 compensation per person is contingent on funds remaining. But the government agreed President Clinton would commit to seek more funds.

Only 600 Japanese Latin Americans have applied for redress so far, but Toma estimated that there may be anywhere from 1,000 to 1,300 who were still alive as of Aug. 10, 1988, when the Civil Liberties Act of 1988 was passed. "The challenge is to get to the (Japanese Latin American) people. Some moved to Japan, then to other Latin American countries," he said.

The settlement also provides for those in the class who do not want to accept the deal to opt out and pursue their own lawsuit, but first they must apply with the government by Aug. 10, Toma said.

Paul Mills, who initiated the Mochizuki v. U.S. class

sense of decency and common sense," he added.

Carmen Mochizuki of Montebello, a Japanese Peruvian and the named plaintiff in the class action lawsuit, said, "I didn't think we could win the impossible fight against the U.S. government, but we are here. It's a touching experience."

Alice Nishimoto, another Japanese Peruvian and plaintiff, said, "I didn't know if I wanted to expose myself, suing the government. I never sued anyone in my whole life. To come this far is a great achievement.

"I decided to accept the \$5,000 because it would include all of us here and in Japan and Peru, and we're not getting any younger," the Gardena resident stated. "We didn't get equal justice ... This is not a 100 percent victory. It does hurt. It bothers me that we're considered less than Japanese Americans."

According to Office of Redress Administration estimates, there is enough money to make 780 payments of \$5,000 each, Julie Small of the Campaign for Justice reported. "If we are successful in locating more people, it's getting close (to running out of funds) ... The next step is to lobby Congress for more money."

The speakers at the community forum urged the JLA abductee/internees to send their claims in before Aug. 10,

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when the Civil Liberties Act redress program is scheduled to end. They also encouraged community members to donate funds to aid the redress efforts on behalf of the Japanese Latin Americans.

Richard Katsuda, president of the National coalition for Redress and Reparations (NCRR) and a veteran of the successful redress movement of the 1980s, urged the community to join in another campaign for reparations and asked people to write letters to President Clinton.

"We can never depend on the government to live up to their democratic ideals ... We have to keep fighting so that equal justice is achieved ... Unless redress is made tangible, it really is too easy for the government to do something like this again," Katsuda declared.

For more information about the Campaign for Justice, call Julie Small at (310) 473-6134.