**Speakers:**

Mr. CHOI Sung Yong (International abductions)

Mr. LEE Jae Geun (Abductions & freedom of expression)

Mr. NAM Jang Ho (abductions)

Mr. HWANG In Chul/ Mr. Jung Hyun Soo (Abductions)

***Mr. CHOI Sung Yong (International abductions)***

**Michael Kirby:**

Good morning, ladies and gentlemen. I convene the fourth day of the public sittings of the Commission of Inquiry established by the United Nations to investigate violations of human rights in the Democratic People's Republic of Korea. Today's investigation has been designed so that we are mainly addressing issues of international abductions, which means involuntary seizures and the violation of the rights of prisoners of war.

We will have very full day devoted substantially to those topics. The first witness [1:00] has already come forward and that is Mr. Choi Sung Yong. And I understand Mr. Choi, that you have no objection to the use of your name and that this has been discussed with the secretariat of the Commission of Inquiry and does not present any security or protection concerns for you and your family. And I ask a question which is asked of all persons who have come to assist the Commission of Inquiry. Do you declare that the evidence you are giving to Inquiry will be the truth?

**Mr. CHOI Sung Yong:**

Yes. I can do that.

**Michael Kirby:**

For now, Mr. Choi, perhaps you might tell us about your father, Choi Won Lo, and his life, because it was his abduction which you [2:00] believe occurred involuntarily that brings you before the Commission of Inquiry today. So if you tell us about what your understanding is of your father's disappearance and the circumstances and how old you were at that time and how you came to know about the circumstances of your father's disappearance from the Republic of Korea.

**Mr. CHOI Sung Yong:**

My father, he was born in Chongju-gun in North Pyongan province. He was born in 1910 and he was in one of the [3:00] units of General MacArthur during the Korean War. He worked as a spy in North Korea and that was recognized in recent days and that is why he was given a special medal by the current Park Geun Hye administration of Korea.

And on the 5th of June 1967, that is after the Korean War, he was working as a fisherman. Actually he was in the vessel business, actually he had 3 vessels and one of the vessels needed one more hand, one more fisher so he decided to get on the ship. And that was an attack near the Young Pyung area and along with his ship he was taken to the North. [4:00] He was taken to Hae Ju and at that time I was 15 years old. And North Korea, in the process of investigating my father, because he was with the UN command during the Korean War, early in the morning he was taken somewhere. So out of 8 fishermen who had been taken, 5 were returned to South Korea in 3 months’ time along with another ship. However my dad and other people well... except for one person，Mr. Yang Yong Su, who came back to Korea in 1970 as a spy and Mun Kyung Sik, he was also taken at that time, [5:00] but he currently lives in Pyongyang City.

But my father, I heard that because he served in the UN command, he was sent to the People's Court in North Korea. Because he committed treason in the eyes of North Korea, his ship was seized. In 2002, I met with the spy and he came to our house and told my mom that my father had disappeared in 1970… in other words, that he had been sent to the People's Court and had been executed. That's what he told me and my mom so that is the current situation. [6:00] I have disclosed a card that I have sent to the United Nations… also the document was created by the National Security Agency of Korea. According to this document, because my dad had killed many North Korean soldiers during the war, that’s why he was executed in the North.

**Michael Kirby:**

I just want little clarification of that evidence. You said that your father took a role in the United Nations command. Had he been a soldier or a member of the Navy before the war? Had he served in the war against the Japanese colonial power [7:00] or how did he come to rise to a senior position in the United Nations military force that came to Korea when the Korean war broke out?

**Mr. CHOI Sung Yong:**

Well, in the North… after the liberation from the Japanese colonial rule, the young people had set up security forces and my father was the head of that security force in his hometown. And at that time there was a conflict between the left and the right of the ideology and when the Korean War broke out on the Korean Peninsula… as you know at that time we didn't have many armored vehicles and the MacArthur command decided to [8:00] establish a special organization made from the people from North Korea and the unit was called 8240 and the people in this unit were trained by United States army and had infiltrated the North in order to save the civilians as well as the US soldiers. So he had a special mission that had been given to him.

**Michael Kirby:**

[unclear] … serve in the Republic of Korea navy or army or what was his position actually during the Korean War?

**Mr. CHOI Sung Yong:**

On the first of July, there is a special army [9:00] which is part of the Korean army, ROK Army… gave my dad a special medal. So I believe that my father was part of the Korean Army at the time of the war.

**Michael Kirby:**

South Korea?

**Mr. CHOI Sung Yong:**

Yes. That's true.

**Michael Kirby:**

That spy… was that a spy for North Korea or for South Korea?

**Mr. CHOI Sung Yong:**

Rather than on, not on behalf of South Korea, but more likely there was, he was with the 2400 young people, so his unit had conducted joint operations with the US army [10:00] of the areas above the current NLL.

**Michael Kirby:**

[unclear] of military reconnaissance rather than civilians spying?

**Mr. CHOI Sung Yong:**

Well, according to the medal my father had received, he was the head of the unit called ‘8240’, vessel 8240 that belongs to the UN Army.

**Michael Kirby:**

His abduction involved the 5 other fishers? Is that correct or was it 4 other fishers and him?

**Mr. CHOI Sung Yong:**

Actually, 8 people.

**Michael Kirby:**

[11:00] He was taken to the North. Was this, do you believe, an operation specifically designed to capture him or was he just in the wrong place at the wrong time?

**Mr. CHOI Sung Yong:**

It's the second. So he was fishing, went out at sea fishing, and then in the course of the investigation, the North Koreans found out about his past history of working for the United Nations during the Korean War.

**Michael Kirby:**

And… although a group of the fishers, I think 5, were returned to South Korea and [12:00] 1 fishing vessel, his was kept in North Korea and confiscated by the North Korea authorities.

**Mr. CHOI Sung Yong:**

Yes. That's true.

**Michael Kirby:**

[unclear] … after the loss of your father, tell us about how many members of your family were there and the effect of his removal on all of you as a family.

**Mr. CHOI Sung Yong:**

In 1968 there was an attack on the Korean Blue House by Kim Sin Jo. Well, before that, when the fisherman and others that had been abducted to North Korea, if they returned to South Korea they were [13:00] welcomed and rewarded. But after that incident by Kim Sin Jo in 1968, anybody who's been to North Korea was arrested because of the violation of our law against communism. So there was this law that was… being guilty by association. We couldn't go abroad. We couldn't become public servants, so the family members of the North Korea abductees were victimized one more time by the South Korean government.

**Michael Kirby:**

[unclear] … given that they had been fighting with the general [Multiple Speakers 13:49] under the United Nations flag.

**Mr. CHOI Sung Yong:**

[14:00] Well, partially. I have talked to many families like mine, and our family… we did receive some protection from the government and the institutions. It’s just that we were not able to become public servants and when it came to… well it’s our whole family members, we were not protected in terms of having our rights guaranteed to become public servants and others. Since the Lee Myung Bak government my father was recognized for the first time as a war veteran and with the [15:00] Park Geun Hye administration he received the highest honor in terms of medal that a soldier could receive from the Korean government. That is the 1st of July 2013.

**Michael Kirby:**

Being concerned about the disadvantages suffered by families in your family situation, you decided to establish a group called the Abducted Families Union. Is that correct?

**Mr. CHOI Sung Yong:**

For the first time in the world, I established such an organization.

**Michael Kirby:**

Tell us approximately when that was [16:00] set up.

**Mr. CHOI Sung Yong:**

That was February 2000.

**Michael Kirby:**

You set up this organization. What led you to do so?

**Mr. CHOI Sung Yong:**

My mother who had passed away wanted me to bring the remains of my father back to Korea. There was a joint… a special declaration on 15th of June that dealt with the Korean prisoners here in Korea who had not given up [unclear] communism and they were allowed to go to North Korea. And my mom [17:00] saw that happen and she wanted to ask me to make sure that my father's remains would be brought back to Korea.

**Michael Kirby:**

South Korea?

**Mr. CHOI Sung Yong:**

Yes. I wanted to bring the remains of my father to South Korea.

**Michael Kirby:**

[unclear] … that goal or not?

**Mr. CHOI Sung Yong:**

We just could not find the whereabouts of my father's remains.

**Michael Kirby:**

[unclear] … investigate or inquire about the whereabouts from that spy you told us said that he had been taken away and presumably killed in 1970 in [18:00] the North.

**Mr. Choi Sung Yong:**

No he didn't tell us that.

**Michael Kirby:**

[unclear] … investigate and find the whereabouts of your father's remains?

**Mr. Choi Sung Yong:**

Honorable Commissioners, from 2000 onwards I have devoted myself to talk about the stories of abducted Koreans to the government and the Korean people and I endeavored to bring out a lot of abducted Koreans. Based on a lot of the information, I tried to find out about the whereabouts of my father. [19:00] I dare to tell you this about South Korea. We have brought back eight Koreans abducted to North Korea. I have brought back seven of them. If we bring back one more, that would make nine. When I bring back these people, I bring with them soldiers who have served in the Korean War and the news of other abducted people. I did everything to find out about the whereabouts of my father but unfortunately I have not been able to find out where he is located right now. My mother, my deceased mother, has left her message with me [20:00] and I haven't endeavored to uphold her will, that is to find out about the remains of my father through lobbying. My organization commits itself to finding out news about people abducted to North Korea and upon receiving information about them I do everything to bring them out from North Korea.

**Michael Kirby:**

How many members does the Abducted Families Union have? How many families are involved in relation to people who had been abducted?

**Mr. CHOI Sung Yong:**

In 2010, October 2010, the government officially announced 517 South Koreans were [21:00] abducted. Their families, 1200 of their families, live in South Korea right now.

**Michael Kirby:**

What was the number? How many?

**Mr. CHOI Sung Yong :**

517 South Koreans abducted and 1200 families. The number of the family members of these abducted people is 1200.

**Michael Kirby:**

Yes. You said you have succeeded bringing back seven and that eight in all have been brought back. Is that bringing back the actual person or bringing back their remains following their death?

**Mr. Choi Sung Yong:**

[22:00] They all came back alive.

**Michael Kirby:**

Why were they returned and others numbering more than 1000 have not been returned?

**Mr. Choi Sung Yong:**

In order to rescue one person, you need this much evidence, letters and documents related to that individual. Until this day, North Korea denies the fact that they have abducted South Koreans to the South Korean government. And they also denied about the abductions until 2002 to the [23:00] Japanese government. Bringing out these abducted South Koreans and making the news public was also very difficult. In the past, the government, the South Korean government, told me not to make it public because they were afraid what the North Korean government would think. But I represent the family of abductees.

**Michael Kirby:**

[unclear] … Korean government tell you keep it quiet. What interest do they have in not having due publicity given to the fact of abduction?

**Mr. CHOI Sung Yong:**

The South Korean government did not want to provoke the North Korean government. And from 2000 onwards if you became the president of South Korea, they were very ambitious [24:00] about going to the high level meetings and they did not want to get any more trouble with the North Korean government and that’s why getting the stories out to the public was prevented. The only reason was because they were very conscious of what the North Korean government would think.

**Michael Kirby:**

[unclear] … not the media in South Korea be able to bring this message to the general public?

**Mr. CHOI Sung Yong:**

In regards to that, about publicizing these stories, I believe the South Korean government was not comfortable about the fact. They were part of preventing the media from getting the stories out. [25:00] It's absolutely the opposite of what's going on in Japan.

**Michael Kirby:**

Why is it so, in your opinion?

**Mr. CHOI Sung Yong:**

In the Constitution of South Korea, the president has to swear to protect the lives and the safety of the people but the president often forgets, is neglecting of this pledge. They forget everything about this and try to keep a low profile, trying to get things in low profile and that is why we don't have many South Korean abductees alive today. Political leaders of the past of South Korea must take accountability of this but they haven't taken [26:00] accountability. If for example, we have 500 prisoners alive, that is not the entire truth and we don't have a lot of people who can negotiate the process.

**Michael Kirby:**

During the military dictatorship in South Korea your family was treated with great suspicion and their conduct was monitored and they were investigated. Is that correct?

**Mr. CHOI Sung Yong:**

Because of my father's achievements we were not under heavy surveillance, but there was limit about ourselves serving in the public office.

**Michael Kirby:**

But was your family under surveillance by the South Korean authorities [27:00] after your father disappeared?

**Mr. CHOI Sung Yong:**

Until this day, the families of the abductees cannot serve as judges or prosecutors in South Korea.

**Michael Kirby:**

Perhaps the family member has voluntarily gone over to the North side. Is that the basis of the civil disability that is suffered by family members?

**Mr. CHOI Sung Yong:**

As I have repeatedly said, [28:00] after the case of the Kim Sin Jo attack on the Blue House, in addition to the abductees everyone associated with repatriation to North Korea… we are charged with, we are under the suspicion of guilt by association. It was relaxed with the Kim Young Sam administration. However families of abductees have to go through personal identification, verification and we are prevented from entering public service positions.

**Michael Kirby:**

Do you agree with that prevention or do you resent it and wish it to be changed?

**Mr. CHOI Sung Yong:**

[29:00] It's still ongoing right now but the laws… we have requested that the laws related to the families of abductees be changed. We have requested this. But whether we are seen as victims of abduction or as a burden to the government remains uncertain. But I have this feeling, I detect this feeling, that the government sees us as a burden to the government.

**Michael Kirby:**

Why would that be?

**Mr. CHOI Sung Yong:**

The North and South Korean family reunion meeting [30:00] is happening today. When this is happening, do you think that the South Korean government can mention anything about abductions? I think that if the Korean government can do that, then we have taken a very significant step. When that meeting is going on, there's no way that the South Korean government is going to propose to North Korea to talk about abduction. They use abstract expressions such as ‘people separated during the Korean War’. There's no way that they can talk about this issue to North Korea right now when all of these meetings are happening. So I came to this meeting today. I'm 62 years old today, [31:00] I have always waited ever since I was 15 years old to learn about the whereabouts of my father. It’s shame that I have not be able to have any hope but I try to hold on to as much hope.

**Michael Kirby:**

When the group of 5 were returned to South Korea after 3 months, as you have told us, did they confirm that your father had been removed against his will or did they not know whether he had voluntarily gone to and remained in North Korea?

**Mr. CHOI Sung Yong:**

My father owned three vessels. [32:00] He owned these ships. My father at that time was about 54 years old. There's no reason whatsoever for my father to remain in North Korea until this day. I am very proud of what he had done during the Korean War but I do not want to talk about that now to North Korea, but at least what I am seeking is to be able to at least give them up [33:00] a ritual to remember them.

**Michael Kirby:**

Are other families who are members of the Abducted Family Union in the same position as you and your family?

**Mr. CHOI Sung Yong:**

I set up this organization in 2000 and have been part of it ever since. We have achieved a lot of milestones but at that same time there were a lot of opinionated individuals and for that reason some have come and gone. I am not certain about their position right now but those who remain with me, with this organization until today, share the same position.

**Michael Kirby:**

And you still hopeful [34:00] that you would be able to secure, negotiate the return of families of persons who were abducted from South Korea?

**Mr. CHOI Sung Yong:**

I would like to let you know that, at least back in 2000, I myself moved with the abductees when I was bringing them back to South Korea because at that time abductees were very weak and old. They could not move on their own. We cannot delay [35:00] the return of the abductees anymore because if we wait any longer it will be long overdue, they will be all dead and by then we would not have enough to negotiate with North Korea.

**Michael Kirby:**

How many abductees do you estimate, as your best estimate based on fact, are still alive in the North?

**Mr. CHOI Sung Yong:**

I believe about 200 of them or maximum 215 are still alive.

**Michael Kirby:**

Has the North ever admitted that it had a policy to abduct people from South Korea as ultimately they did admit [36:00] in the case of Japan? I think when Mr. Koizumi visited North Korea, there was an admission that there had been cases of abduction, though there is still a big dispute about the number. Has they ever been an admission that people had been abducted from South Korea?

**Mr. CHOI Sung Yong:**

Please allow me to give you an explanation relating to your question. [37:00] This is the husband of Yokodamebumi, Kim Young Nam. He was married to this woman and child's name is Kim Hye Kyung. Until 2002, North Korea officially notified the Japanese government that there were no Japanese abductees and the case was very similar until 2002 to South Korea. But, afterwards, Kim Jong Il admitted modestly to the Japanese government that there were Japanese abductees and started to return Japanese nationals back to Japan in return for continued foreign relations, diplomatic ties and aid. And that is [38:00] why the North Korean regime submitted the fact that there were Japanese abductees.

And to the Korean media, when I found out the fact that Yokodamebumi was a Korean student, I told this to the press. When Premier Abe was in charge of the Defense Ministry, I also gave them information about the DNA of the Japanese abductees, the Korean abductees and they found out that it belonged to Kim Young Nam. But in the past, North Korea had brought Kim Young Nam [39:00] to Kim Chul Jun. We prepared conferences about Kim Young Nam and Kim Chul Jun. It was only after this press conference that North Korea admitted that Kim Young Nam… Kim Chul Jun was in fact Kim Young Nam and that Kim Il Kyung was in fact Kim Hye Kyung. And that the student was abducted while she was on a field trip.

And the person is now the terrorist Kim Gwang Hyun, now works at Jae Il Bank in South Korea. The case of Kim Young Nam [40:00] was very distorted. The facts were very distorted by the North Korean government and this pattern has been continued repeatedly. But Kim Jung Il in return for US$10 billion dollars in aid admitted to the abduction of Japanese people and I think the Korean political leaders are very wrong about what they are… how they are responding to the abduction of Korean nationals. They should have been very strong about this issue. The South Korean government is returning all North Korean prisoners of war who have [41:00] refused to become part of South Korea and I don't understand why until this day they have not demanded the return of South Korean abductees.

**Michael Kirby:**

They consider that, in some cases, it has not been established that the person from South Korea was abducted against their will or has decided to stay in the North against their will and that they are volunteers who have joined the society of North Korea. Could it be that the government of the South considers that is just not proved or provable and therefore that they should just assume that they are a missing person who may have volunteered to go to North?

**Mr. CHOI Sung Yong:**

[42:00] Well, you may say that some people are voluntarily staying in North Korea. North Korea has committed many crimes. They had this Cheonan vessel incident. They have been denying all this, all the crimes they had committed and North Korea has been saying for a long time that the abductees to North Korea were all voluntary. It seems that the South Korean government is accepting North Koreans at their words. But what you need to know is this. Even if these people have gone to the North voluntarily, just in case, they should be returned to their families in South Korea. [43:00] Their children, their parents are missing them. They want to see these people in North Korea. Why where they calling Kim Young Nam, Kim Chul Jun? That’s because North Korea wanted to hide the crimes that they had committed. They had abducted all these innocent fishermen and they had hijacked airplanes. I think it’s North Korea’s crime that they have not allowed these people to express their opinions and I believe it’s up to the United Nations to allow these people who have been taken to the North to express their opinions. And I think the South Korean government should also be held responsible for not asking North Korea to return these people.

**Michael Kirby:**

Bringing back 8 persons [44:00] of the 9 altogether who you say are abductees who have been brought back to South Korea is, on your figures, quite a small number. How did you actually get the North Korean government to agree to that small group returning to South Korea? Why did they agree, in your belief?

**Mr. CHOI Sung Yong:**

No, no, no. Those North Korean government did not agree to this. We have persuaded the abductees. We have provided letters to these abductees from their family members in South Korea. So when [45:00] they had the will to secretly escape from North Korea, then our people have gone to North Korea to secretly take them out of North Korea. Some of them have escaped to China and then they have been repatriated back to North Korea and some of them have been killed. They would look at night skies and were just waiting until the day that they would die. They are just missing their hometown. I think that the United Nations should take forceful measures to have North Korea acknowledge that there are abductees, so that North Korea would confess that there are people who have been taken to North Korea against their will.

**Michael Kirby:**

And that acknowledgement [46:00] has never to your knowledge been done by North Korea? They have never acknowledged abductions?

**Mr. CHOI Sung Yong:**

No. They have never acknowledged that.

**Michael Kirby:**

When the group of five returned to South Korea after 3 months following the raid on the vessels which included your father’s vessel, they affirmed that your father has been seized involuntarily as one of their group? Answer the question. Is the answer to that question…

**Mr. CHOI Sung Yong:**

[47:00] As soon as they came to Korea, they received investigation from the South Korean government and they have confirmed that my father had been detained and they had been investigated about what sort of investigation they had received in North Korea. And they have testified why three people are still detained in North Korea and why our ship had been seized by North Korea.

**Michael Kirby:**

Yes. Thank you very much, Mr. Choi. My colleagues may have some other questions.

**Marzuki Darusman:**

Thank you, Mr. Chairman. Mr. Choi, thank you for these statements. Just a few questions. The Chairman has brought us here to the [48:00] point where the group of five… the five fishermen were returned to the ROK. We have a note on that on the 16th of September. What year was that?

**Mr. CHOI Sung Yong:**

This is 1967.

**Marzuki Darusman:**

Did they return? Were they just allowed to leave the country or was there any handover from the North Korean government to the ROK officials?

**Mr. CHOI Sung Yong:**

[49:00] These five fishermen, they came back to Korea on another ship beside… not the ship that they have been taken on and they had been transferred to the Incheon Port. However, the North Koreans did not explain to us why these people were taken initially and why 3 others were not able to return.

**Marzuki Darusman:**

Then what did they do subsequently? Did they report to the ROK government or did the ROK government ask them to inform them about what they had gone through? How did it go?

**Mr. CHOI Sung Yong:**

[50:00] As was mentioned before, I don’t know exact numbers. I think it’s over 3000 fishermen who had been taken to North Korea. I think some of them have been returned to Korea. And when these abducted fishermen have returned to South Korea, they received questioning from the South Korea government. They are questioned as to how they were taken to North Korea and what questions they had received in North Korea and how they were able to return to South Korea. And we have… the families of the abductees have asked to South Korean government to disclose what had been questioned. Only I have some information on my father.

**Marzuki Darusman:**

[51:00] In Korean law, is there a legal procedure to file a case of a missing person?

**Mr. CHOI Sung Yong:**

Well, the people who are related to North Korea... Since 1968, because of the incident in 1968, whether it was abduction, whether it was the Korean POWs, there is this guilt by association concept that has been applied. They say that the guilt by association has been repealed but still there are tougher identification process for the families related to the abductees and POWs in North Korea. [52:00] This is quite unfortunate for the members of the families of those who have been taken to North Korea.

**Marzuki Darusman:**

Would you have been able to just go to the police and file a complaint of a missing person, in this case your father?

**Mr. CHOI Sung Yong:**

Even before we file this report of the missing person, the South Korean government is already aware of this. We cannot file a missing persons report, because we don’t know where he has been taken to.

**Marzuki Darusman:**

That’s the whole thing. So if he is missing then you can normally go to the police and file a case and report that your father, in this case, has been missing and they need to do something about it. Has that [53:00] been [unclear]…?

**Mr. CHOI Sung Yong:**

The police has done nothing to help us. The only thing they have done is put a surveillance on us. It seems that the South Korean government has never appealed or has complained to North Korea about the abductees.

**Marzuki Darusman:**

[unclear] … you have not filed a complaint to the police, is that the case? An official complaint was not submitted to the police.

**Mr. CHOI Sung Yong:**

There was no need for that because the press has already reported that my father had been taken by the North Koreans.

**Marzuki Darusman:**

[54:00] Which institution in Korea is most sympathetic to your issue, to your cause?

**Mr. CHOI Sung Yong:**

Well, first of all, in order to have people released and to talk about the pains of the family members of the abductees… Well it’s the press, it’s the press that is dealing with the pains of the families. [55:00] The South Korean government has not forged any tangible policies to deal with the abductees.

**Marzuki Darusman:**

And Parliament?

**Mr. CHOI Sung Yong:**

Well, the Korean Parliament… I think they are using us. They are using the abductees to satisfy their political goals. I mean the politician have always promised that they will resolve the abductees issue. But when it comes to the time when they actually have to step up, they close their mouth. They don’t really show any strong commitment to resolve the abductees’ issue. [56:00] That is why North Koreans are saying that these abductees are voluntarily staying in North Korea, that they are not Korean prisoners of war. And the only way to resolve this is for our president and top politicians to have strong commitment for this and the abduction issues should not be dealt with as part of the reunion of separated families. It should be dealt with as a separate issue so that at least the family members of the abductees would know when their family members had actually passed away in North Korea.

**Marzuki Darusman:**

The present government is embarked on a policy to separate the abductees’ issue from the family reunion issue. Would say that is a step in the [57:00] right direction?

**Mr. CHOI Sung Yong:**

Yes. These are two separate issues. It is quite simple. We have 500 POWs and we have 500 abductees. I think that we should find out, first of all, whether they are alive in North Korea and I think that the Park Geun Hye administration should separate the two issues. You know, there is a meeting today to discuss about the possibility of the reunion of separated families. I think that they should be deal with the abductees issue separately from the separated families’ issue. Because [58:00] the North Koreans are sending us these documents out of the blue. They say that they cannot find… confirm whether our families are alive or not in North Korea. They only confirm the survival of those that they think can be of use to them. As for my father, they said that they are not able to confirm if he is alive or not. Well, my dad is over 100 years old. What good is he to them? They could just tell us whether he is alive or not.

Allow me to continue with my explanation. [59:00] I have two group pictures, such as these ones, that I got from an informant from North Korea. There are more than 60 abductees. These people were taken away in 1974, 1972. They were all abducted and trained in North Korea. This person escaped, managed to escape yesterday and I made this news public yesterday. This is the third abductee that managed to escape, the 9th that managed to escape. Regardless of this evidence, North Korea continues its stance, [1:00:00] not admitting to the fact of the existence of the abductees. Families of these abductees, they were separated during the Korean War and they should not be classified as separated families during the Korean War. These are families of abductees. This is another picture of an escapee.

**Marzuki Darusman:**

When did he come back… escape from North Korea, this one?

**Mr. CHOI Sung Yong:**

He escaped on the 11th of August from North Korea. 2013, August 11. And this person…

**Marzuki Darusman:**

[unclear] photographs? [1:01:00] Was this made...?

**Mr. CHOI Sung Yong:**

I got it from an informant in North Korea; he sent these pictures to me.

**Marzuki Darusman:**

And the one who escaped is in the photo there? Which one is he?

**Michael Kirby:**

You’re showing the fourth from the right.

**Mr. CHOI Sung Yong:**

On top of the row, the woman is… this woman is a North Korean official. And the fourth, the fourth is this person.

**Marzuki Darusman:**

Who would be in the background, then, on top, on the stairs, there? Did he explain? The people in the background there.

**Mr. CHOI Sung Yong:**

[1:02:00] These people are visitors, tourists in Pyongyang. Those people in the background are foreign visitors, tourists in Pyongyang. Tourists in Pyongyang, they were witnessing this group picture being taken. They were abducted in 1974.

**Michael Kirby:**

Why would a group of abductees whose identity and existence is denied by North Korea take the risk of coming together and having a group photograph in the presence of a large number of strangers whose allegiance and loyalty they didn’t know and in the company of an official from North Korea, the woman whom you’ve pointed out in the group photo? How can you be sure that this is a photograph of the abductees as you [1:03:00] say? It seems a little unlikely. It seems a very risky thing for them to do. Do you understand my concern about the reliability of this evidence?

**Mr. CHOI Sung Yong:**

In 2007, the South Korean government asked me for the permission to send these pictures to the scientific investigation institution [1:04:00] so that they can verify these pictures. So these pictures were sent to this government institution for verification. In only eleven days, they were able to verify, check out the fact that these photos were real and these pictures were released to the media. And when these pictures came out, the family members of these abductees came forward to say that their families were actually in these pictures. The reason for taking this group picture in North Korea would probably be to use it as a propaganda to tell to the North Korea public that these South Koreans had voluntarily crossed the border to go to North Korea because they believed in the Kim Il-Sung regime and the ideology of the Kim Il-Sung regimes. And these pictures were [1:05:00] passed out, circulated to… as an instrument for propaganda. I bought this picture from a member of the North Korean government and this picture was kept by an escapee and I got a hold of this picture earlier. North Korea would never ever admit that these pictures were taken and that they have these pictures in their custody. These pictures were verified by the South Korean National Forensics Institutions that they are 100% genuine.

**Michael Kirby:**

Could we have a copy of those group photographs that you could make available to us? Or could you get copies made that would be made available to the Commission of Inquiry?

**Mr. CHOI Sung Yong:**

Yes, [1:06:00] of course.

**Michael Kirby:**

If those photographs are of use to us, they will be become Exhibit S12. Photographs, group photographs of persons in a scene allegedly in 1974 in North Korea, who are said to have been... group photographs of a scene in North Korea in 1974 who are alleged to be abductees will be Exhibit S12.

**Marzuki Darusman**: Could I just continue on that, Mr. Choi? The two escapees [unclear] and the other one was able to escape on the 11th of August, is that it? So one came in on the 11th of August and the other one, on the 21st of August. [1:07:00]

(1:07:17 Multiple speakers)

**Mr. CHOI Sung Yong:**

This is the person who came back on August 13, 2013.

**Marzuki Darusman:**

Yes we understand, now can we meet .. (multiple speakers 1:07:33)

**Michael Kirby:**

Can we meet with that person? Is he in Seoul or is he still being processed on his return to the Republic of Korea?

**Mr. CHOI Sung Yong:**

You will need to talk to the South Korean government about that because I have already handed over this person to the custody of the south Korean government. So he is in the custody [1:08:00] of the South Korean government and you will need to talk about that to the South Korean government.

**Michael Kirby:**

Could you write their names on a piece of paper, which we can convey to the South Korean government? Don’t say their name now, because there may be protection questions, but if you write the names of the persons that you say have recently arrived, who were members of the group in the group photograph, which is Exhibit S12, then we can speak to them and see what they say was the occasion and who were the people in the group photograph shown to us by you today.

**Marzuki Darusman:**

Just a final question, could anyone of those two establish where this photograph was taken in North Korea? What tourist site or where was the spot that this was taken?

**Mr. CHOI Sung Yong:**

[1:09:00] This is the original copy. This is the original picture and this is the enlarged version. The two people that you refer to, this is the same person. This is the original copy. The location and the dates are imprinted on this picture. And the abductees identified in these pictures, I will give the names and the personal information of these people and hand it over to you.

**Marzuki Darusman:**

Just one last question, what is the left, the other photograph? Just now you showed us two photographs, the little ones, the small ones. Just now, Mr. Choi, yeah. Can you show us? [1:10:00] In your left hand is the photo on the TV screen, right? What is the one on the right hand?

**Mr. CHOI Sung Yong:**

So the picture you are looking at is the picture that is on the TV. And it says Rajin-Sonbong Revolutionary Memorial Site. And it also has the date on it. And the family members of this person have confirmed that this is [1:11:00] in fact, their family member. I also have the person’s autograph, the signature here.

**Marzuki Darusman:**

What is the relationship between this photograph and the other one?

**Mr. CHOI Sung Yong:**

Well this is the picture, is the original picture, the original picture that had been taken from North Korea. And this picture is the same picture but it has been enlarged. And I will give you the original copy.

**Marzuki Darusman:**

Yes, but my question was what is the relationship between this one, the one on the screen, and the previous one that was shown on the screen?

**Michael Kirby:**

Are they the same people?

**Mr. CHOI Sung Yong:**

They are the same people.

**Michael Kirby:**

[unclear] occasion or not?

**Mr. CHOI Sung Yong:**

[1:12:00] No, no, they are not. We have 67 people there, they are different. Out of 517 abductees, these 67 would be among the 517 abductees. Two of them escaped.

**Marzuki Darusman:**

[unclear] records for the Commission.

**Mr. CHOI Sung Yong:**

Thank you very much.

**Michael Kirby:**

[unclear] both parts of Exhibit S12. Very well… [unclear]

**Sonja Biserko:**

Mr. Choi, it’s 50 years now that these people have been abducted, or most of them. Have you ever turned to any international organisations, the UN, or the International Red Cross, to help you, to [1:13:00] identify these people or do you have any information ever from any international body?

**Mr. CHOI Sung Yong:**

Yes I have; the Korean Red Cross has accepted our request and has requested to North Korea to identify, verify the identification of the abductees. I would like to also add something about Japan before you go to Japan. To Japan, North Korea sent very specific information about the abductees. Every detail about when they were abducted, the names and the age of the abductees. [1:14:00] But North Korea, they are also Koreans, but they have sent not enough information; they have not verified that there were abductees.

**Interpreter:**

Please speak into the microphone. Please speak into the microphone. Could you repeat what you have just said?

**Michael Kirby:**

[1:15:00] [unclear] … you were talking about [unclear] what were you wanting to say about that? You have a document, which is a schedule of names. What did you want to tell us about that? Is that in answer to the question of whether you complained to the Red Cross? Were they the names of the people whom you provided to the International Committee of the Red Cross?

**Mr. CHOI Sung Yong:**

The North Korean Red Cross gave this list via the South Korean Red Cross to be delivered to the families of the abductees. This document was sent from the North Korean Red Cross to the South Korean Red Cross [1:16:00] to be delivered to the families of the abductees. This is the original copy.

**Michael Kirby:**

Does that affirm that they are alive or dead but doesn’t concede that they were abducted? Is that the position?

**Mr. CHOI Sung Yong:**

Literally, in Korean, it says not able to verify, not able to contact. This is what it literally says in these documents in Korean. If it’s possible, I would like to ask to North [1:17:00] Korea why, when they consider themselves brothers to us, whether it’s voluntary or involuntary abduction, they are accountable to verify the identification of these people, of the people in this list. So if it’s necessary, I am willing to hand this document to you so that you can use this in your inquiry.

**Michael Kirby:**

You can make it available to us and we will decide what use we can make of it. We cannot, I think, get involved in the exploration of individual cases unless it is relevant to the mandate that we have been given but we will treat it with confidence and we will decide what use we make it. Do [1:18:00] you wish to make that document available? And did the authorities of the Red Cross in North Korea accept that there were any who could be verified or none?

**Mr. CHOI Sung Yong:**

If you see here, you can also see the number of the official document. This is evidence that this document was sent by the North Korean Red Cross to the South Korean Red Cross.

**Michael Kirby:**

Did they agree that any were able to be verified or confirmed or did they not acknowledge that any could be confirmed?

**Mr. CHOI Sung Yong:**

Yes, yes, some of them, yes.

**Michael Kirby:**

[1:19:00] Did that lead to family members having contact with them or making contact with those whose whereabouts were known and their existence confirmed?

**Mr. CHOI Sung Yong:**

North Korea gives identification only for those that they deem useful to the government. These people would be sent to the family reunion meetings or their pictures would be released. The North Korean government does not admit to the existence of these people, but those abductees that they deem useful to be used as propaganda, they will disclose their identification to a certain extent. [1:20:00] In this separated family reunion, I am sure that that’s what North Korea is going to do.

**Michael Kirby:**

The schedule of the names of separated family members, when it is made available to us, will be exhibit S13. Have you now told us everything, the main points that you wish to put before the Commission of Inquiry, Mr. Choi?

**Mr. CHOI Sung Yong:**

If time allows, I would like to add…

**Michael Kirby:**

[unclear] … brief, because we have already gone half an hour over your time.

**Marzuki Darusman:**

Just before you answer Mr. Choi, coming back to those two escapees, they are both in the photographs that you showed us.

**Michael Kirby:**

Only one.

**Marzuki Darusman:**

[1:21:00] Only one... and the other one is where? How is the other one related to this group?

**Mr. Choi Sung Yong:**

This is the person who just escaped. And one of the persons in this group, escaped in 2009. So there was one person from these two different photos who escaped.

**Marzuki Darusman:**

[unclear] … different groups?

**Mr. CHOI Sung Yong.**

[1:22:00] Combine these two pictures and you have 517 abductees and…

**Michael Kirby:**

Really? Because I counted and I think only 59 in photograph number 2 and the numbers in photograph number 1 won’t add up to 519. It will be lucky if it adds up to 100.

**Mr. CHOI Sung Yong:**

Out of the 517… there are not 517 people in these pictures. The people in these pictures are some of the abductees, some of the 517 abductees. So yes, you are right; add these pictures and you will not get 517 abductees.

**Michael Kirby:**

[1:23:00] I still find it very curious and doubtful that people who you allege are involuntarily abductees in the type of society you describe in North Korea, would voluntarily come together in the presence of authorities of the Democratic People’s Republic of Korea to be photographed on a reunion… that they would do this voluntarily because the only link they have, as you say, is that they are involuntarily abductees and their getting together would be, on the face of things, a very dangerous thing for them to do.

**Mr. CHOI Sung Yong:**

As I have said, these [1:24:00] people in these pictures are being used for political interests to propaganda, as propaganda. The North Korea government is saying that these South Koreans left South Korea because life was difficult in the South. The people in these pictures were brainwashed, were trained, instructed by the North Korean government and these pictures were taken afterwards. The policy, the position of the South Korea government, in relation to these pictures will need to be further verified.

**Michael Kirby:**

[unclear] … photographs, one by one, to see if your [1:25:00] father is in the photographs?

**Mr. CHOI Sung Yong:**

This picture was taken in 1974 and my father was abducted in 1967. So there is a time gap.

**Michael Kirby:**

He was born in 1910. In 1974, he would be 64, so he could very well still be alive. Anyway, you don’t identify any of them as your father.

**Mr. CHOI Sung Yong:**

No, he is not in one of the pictures.

**Michael Kirby:**

You will speak to the secretariat before you leave this morning. Give the names of the two abductees as you claim and their identity and where the Commission of Inquiry can contact them so that, if we can, [1:26:00] before we leave, we can make arrangements to speak to them and get their identification of the circumstances of these photographs. You will do that, is that correct?

**Mr. CHOI Sung Yong:**

Yes, thank you. And lastly, my truth is this: I hope that what I have just said to you, that you will check with the Korean government, that what I have just said is the truth. Thank you.

**Michael Kirby:**

[unclear] … thank you for what you have said and for your steps in establishing the Korean Family Reunion Organization, Abducted Family Union Organization [1:27:00] to bring comfort to people whose family member is thought to have been abducted.

***Mr. LEE Jae Geun (Abductions & freedom of expression)***

**Michael Kirby:**

[1:28:00] We will now begin the presentation and questioning of Mr. Lee. I understand that you do not have protection reasons for not disclosing your name. Is that the case, or do you wish to be given a pseudonym during the course of your evidence? Or are you accepting that there is no risk to you from a protection point of view of using your name?

**Mr. LEE Jae Geun:**

No problem for my protection using my real name.

**Michael Kirby:**

[unclear] ... willing to declare that the testimony which you will give to the Commission of Inquiry of the United Nations will be the truth?

**Mr. LEE Jae Geun:**

Yes, I can.

**Michael Kirby:**

[1:29:00] You are now 76 years of age, is that correct? And you were living in South Korea and working as a fisher when you were taken at sea and brought to North Korea. Is all of that correct?

**Mr. LEE Jae Geun:**

Yes, that is true.

**Michael Kirby:**

When did this actually happen?

**Mr. LEE Jae Geun:**

That was 2 am, 29th of April 1970.

**Michael Kirby:**

I believe you have a statement which you want to present to us, after which we can ask you some questions, is that correct? Is that the procedure you would like to follow?

**Mr. LEE Jae Geun:**

[1:30:00] So let me make my statement first. On the 29th of April 1970, two gunboats from North Korea came to our boat. Our boat was about 50 miles away from the border. Anyway, these two gunboats approached us. At that time, I was not sleeping because I was having a nightmare and I had a problem with my child so I was thinking about my child. So I was not able to go to bed. But I was about to fall asleep. I heard or I felt, these guns approaching us. [1:31:00] And there were these two guns… with guns, and they were coming up to our ship. And I thought maybe that the Korean navy was coming to us. But these ten armed people, North Koreans, were shooting at us. And they were yelling at us, come down or we’ll kill you. So the captains, all of us, we didn’t know what was happening. We had just woken up. Anyway, our captain, at that time, was about to rise. He was about to sit. They shot a gun at him. They just said one instruction: if we don’t follow, they shot the guns right away. That was so scary, we were not even able to ask why they were doing what they were doing. So they asked us to step down [1:32:00] so we did. And if we didn’t do what they asked us to do, they said that they would kill us right away. So, we did what we were told to do.

So we went into this dining room. And then they closed the door. Anyway, these two gunboats from North Korea pulled our boat for about an hour, I think, and right about when we were about to cross the border, I think the Korean navy discovered us and started attacking us. However, our boat had already crossed the 38th line, so we were already in the territory of North Korea. So we were not saved by the Korean navy and [1:33:00] the next day, we arrived on this island. So we had breakfast on our ship. And I think there was one military official, an officer from North Korea, who told us to get ready. And I said, ‘What, get ready for what?’ And they said, ‘Ready to get off the boat’. So when I got off the boat, they were having this propaganda and they were telling us that North Korea is really well off, everything is really technical, everyone is quite well off in North Korea. Anyway they took us to Haeju and we stayed there for one week and then they transferred us to the Labour Party. So, the 37 of us were spies and the boat was a [1:34:00] spy boat. So therefore, this was a state matter. And we said, ‘What does that mean?’ Because we knew that we were not spies. So we thought that was really strange. So we thought that as long as we were not spies, we thought this would be okay.

And then they took us to Pyongyang. And then they investigated us for 5 months. And we protested; we wanted to go home, but that did not work. And they were going to take us somewhere; they were only going to take 6 of us and, excuse me, there were 27 of us and only 6 would be taken. And those 6 would be taken at the special consideration of the great leader. So we were taken to the 5th People’s Assembly. [1:35:00] So when we came back to Pyongyang, the rest of the fishermen had been returned to South Korea. And so, only 2 of the fishermen separated again. And in October, we joined this political school and this political school of the Labour Party was a school to develop spies to be sent to South Korea. So we were sent to this spy school. We didn’t know why we needed this school. And they said to us, if you graduate from this school, you will receive far more privileges or benefits than graduating from other schools. [1:36:00] And they were threatening us even, so we had no choice but to go to this spy school. So, we received education at that school for 3 years and 8 months.

And after that, they told us, ‘If you go into the society of North Korea, and tell people that you have been abducted to North Korea, then you would no longer have any good relations with us’. So we asked, ‘What should we do?’ So we were supposed to put our fingerprints as stamps and that is to promise, to pledge, that we would not talk about our abduction to North Korea. There is such a sentence on those documents. So we signed with our fingerprints. If we told anybody in [1:37:00] society that we had been abducted, we would have been taken to the political prison camps.

Anyway we graduated and we joined the North Korean society and we told… we did whatever we were told to do. We said that we loved Kim Il-sung and Kim Jong-il, so that is why we voluntarily came to North Korea. When we said that, they applauded us. But if we did not talk, they would put that into a document and report to the Central Party. So we had no choice, we always had to say that we voluntarily came to North Korea because we love the great leader. However… the people in North Korea, they had been abducted forcefully. Why would we choose to live in North Korea when South Korea [1:38:00] is a much better country to live in? So they make us, they force us. They make sure that we are not able to tell the truth. And if we tell the truth, they would take us secretly. So we cried and we knew this wasn’t true, but we just said whatever we were told to say just to survive in the North Korean society. If I had refused, then I would have been taken to a political prison camp or elsewhere. Because in North Korea it is quite easy to kill people.

When I was in this school, I did not really study. I was not very attentive for a few days. Then one day, they took me and they said they would just take me for a walk, and then they took me in this car. I only had a jacket. I think they drove for about two hours. We went [1:39:00] deep into a mountain. There was nobody in the mountain. They stopped the car. And this driver showed me two guns that he had with him. And he said, ’Will you continue to be defiant? If you have to… kneel or you will have to eat the bullets’. So I asked, ‘Do you have to kill me?’ And he said, ‘If you don’t listen to us, why should I let you live?’ So I said, ‘Okay, I will kneel, I will be subservient’. So that is why I was able to survive, I was able to live.

There are… I understand that there are like 300,000 people that had been taken to the North. And, all these scholars, the Korean scholars that they had [1:40:00] been taken, they would use their knowledge and their know-how and then send them to the countryside. Only those who are loyal to Kim Il-sung, Kim Jong-il and the family are able to stay in Pyongyang. And other people, if you go to Pyongyang, you will never see anybody with disabilities. If you are born with a disability or if you have disabilities later, you will be sent away from Pyongyang. So that’s why family members, when they have a child with disabilities, they will send the child with the disability to the countryside. And Kim Il Sung does that. Kim Il Sung had said in Pyongyang, the capital of revolution, there will [1:41:00] not be anybody with disabilities; there will not be anybody against the regime. So, if somebody is born with disabilities, or becomes a disabled person, they will be sent away from the capital city of North Korea, Pyongyang. What that means is that they want to have Pyongyang only as a city of revolution.

So the people who had been taken from South Korea forcefully to North Korea have to do whatever they are told to do. I had been beaten by the Bowibu and others. There are so many difficulties or painful experiences [1:42:00] I had, but I am not going to go into them today at this moment.

So they just take out their guns at the smallest provocation and threaten to kill us. To them, killing a person is almost like killing a fly. That’s what the Bowibu, or the National Security Agents, are like. So since I was caught in 1970, I lived in North Korea. And then in July 2000, that is 30 years after the abduction, I was able to return to South Korea and since then I have been living in South Korea. When I think back to my life in North Korea, I have so many regrets. Thinking back now, some of the things that I said or I did back in North Korea, I have a lot of regrets about them. [1:43:00] So if you have any questions I would be more than happy to answer your questions.

**Michael Kirby:**

Thank you very much for your testimony, Mr. Lee. Just a few questions. You were told when you arrived, that you 8 had been chosen by the consideration of the great leader. Why do you think you were one of the eight of the twenty-seven? Did you know of the great leader Kim Il-Sung? Did you have much knowledge of his writings and beliefs? Why do you think he looked on you personally with such favor?

**Mr. Lee Jae Geun:**

Well, in general, everyone who was [1:44:00] abducted from South Korea was relatively highly educated. We graduated from elementary school, middle school, and some of them were high school dropouts but we were relatively highly educated. And the North Koreans, they monitored us, they observed us, they looked at our physical fitness and tried to see if we could function afterwards, and see if we could serve to protect Kim Il-Sung and the leaders.

What I’m trying to say is that, I did not do anything particularly good to those people. I was just physically fit and I was a high school drop-out and I think that made them think that they could use me as a spy. And I think that is why they [1:45:00] made me get the training for 3 years and 8 months. I kept a diary everyday. And I wrote in my diary that I was going to meet my son pretty soon. I wrote briefly in my diary that I would be able to see my son and hold him in my arms again. But later, I was sent to South Hamgyeong Province and to a factory and worked as a factory worker right before I came to South Korea.

**Michael Kirby:**

What was the education that you received to prepare you for a life as a spy? Give us an idea of the type of courses that you undertook, the detail… did they include instruction [1:46:00] in the Juche beliefs of Kim Il-Sung?

**Mr. Lee Jae Geun:**

As for training, they brought professors from the Kim Il-Sung University and the teacher’s college and we were given lectures, we were trained in Taekwondo. We were trained to learn how to drive, or, for example, it also included abducting, kidnapping people. Everything, everything, for example, breaking into houses, killing people, or how to abduct people alive. Endless, endless things, they made us learn. From one to ten, if they deemed the skill was necessary, if we were found to be useful, [1:47:00] they would teach us everything. For example, from driving and so forth. Anything, that is inconceivable in our society, for example stealing, robbing or sneaking into houses to find out the number of how many spoons they have. And sometimes… and how to prevent from being found, caught in the act, everything you can think of as a spy.

**Michael Kirby:**

And did they make arrangements for you to make or keep in contact with your son in South Korea or was that link totally severed? Did you have any connection, once you were detained in North Korea with your family in South Korea at that time after [1:48:00] 1970?

**Mr. Lee Jae Geun:**

When I was in North Korea, my older brother was in a fishermen village in South Gyeongsang region, I told that to my wife in North Korea. My wife, when the Cultural Revolution driven by Mao Zedong took place in China, my wife left China to go to North Korea, thinking that she would have the freedom to get education. At the time of the Cultural Revolution, my wife had graduated from high school and she went to North Korea, so my wife’s family lives in [1:49:00] China and because her brother was a loyal soldier to the North Korean Army, she was able to get a passport to North Korea, to China.

When my wife went to China, she met a lot of people from South Korea and she asked South Koreans to help find my family in Ulsan. And that’s how we got hold of the phone number of my brother and that is when I decided to come to South Korea. There was such heavy surveillance that I was put under the foremen [ph] at the level of the Bowibu, at the level of the party secretary. There was so many different levels; 7 levels of surveillance above me. [1:50:00] And in Hamju-gun, everybody was watching every single word I spoke, every single action I took, and anything that was deemed suspicious was to be reported to the Bowibu. There was nothing I could do in North Korea. Therefore my wife, when she went to China to her family, talked to the South Koreans who were there working, got a hold of the phone number of my brother and contributed to me coming to South Korea.

**Michael Kirby:**

But that was 30 years after the abduction you told us of. What did you actually do in the intervening 30 years after you received the spy training? What sorts of activities were you expected to do?

**Mr. LEE Jae Geun:**

[1:51:00] I was expelled from the political school of the Central Party because they found out about my diary. I had written letters to my son and they thought that I was going commit treason because I felt still attached to my son. That is why I was expelled from the political school. Excuse me. Could you repeat your question please?

**Michael Kirby**

I was asking what work you did between the period from 1970 when you received the training and before you were expelled from the school and the year 2000 when you ultimately went back to South Korea. What sort of work did you do and what was your [1:52:00] life like in North Korea during those years?

**Mr. LEE Jae Geun:**

Yes, yes, I understand. I was expelled to the South Hamgyeong Province to work at a factory. Under the second economic commission, it was a ship factory where we made motors that were going to be sent to the submarine building base. We built motors of 100 kg, .5 kg… motors. It was a huge motor building factory. [1:53:00] I cried a lot. I stayed in one position for 30 years. I was, my skills improved as a technician, as an engineer, but they did not recognize it. Ultimately, I told my foreman why I was there, why I was allocated to the factory and why I did not get any higher rewards and why they did not recognize my dignity as a human being and as a good factory worker. I used to complain about this to the foreman. In 30 years, I was put in this one factory to work on this metal to make parts. I did a lot of things for that factory.

**Michael Kirby:**

[1:54:00] And I think that your son in North Korea was unable to get access to university. Is that correct and why was that so?

**Mr. LEE Jae Geun:**

Because I came from South Korea. The son, the child of a South Korean, is prevented from getting higher education. The descendants of those who are loyal to the government, who did service for the North Korean government, are only permitted to go to university. Even if we try to apply to go to university, we would be rejected. I tried for 7years. I asked why; my son was smart and his academic achievements were very good. I asked why he would never [1:55:00] get a chance to enter the university.

Even if you are a member of the party, depending on where you are from, like I was from South Korea… I was South Korean, but I never committed any offence, but I was a different class of member of the party. So my son was rejected admission to university but for example, the only universities that my son could go to was the Coal University. I went back to ask my son if he was willing to go to this coal or mining college. I told my son that I had no wish to send him to such universities. I had worked so hard to put him through education; I asked what the plan of my son was. I told him that I would do, even [1:56:00] give my life for him to get higher education. In South Korea, my son graduated from Korea University. He studied electric engineering and he is doing very well. But in North Korea, just because I came from South Korea, my kids, my son, did not have access to higher education, good education. Anybody who has experienced life in North Korea is aware of this, of such fact.

**Michael Kirby:**

And I believe that you were in the North when the Great Famine struck in the middle of the 1990s. Tell us about that.

**Mr. LEE Jae Geun:**

In the late 1980s, [1:57:00] during the Arduous March… in the Arduous March, you had to work very hard. It was hard forced labor, for 20 days straight, without being able to go home. If you die in the middle of that Arduous March, they say that you have done loyal service to the party and that’s the end. Nobody, no one can live a decent life in North Korea. I think that the fact that I am alive is a miracle. In general, an Arduous March can go on up to 6-7 months. You almost die in the Arduous March. [1:58:00] They don’t feed you; they just make you work and work and work. I can’t talk about everything right now, but that I just want to let you know that I just had to work and work and work.

**Michael Kirby:**

And then when the food supply began to drop in the 1990’s, how did that affect you and your family?

**Mr. LEE Jae Geun:**

We were a very lower-class people. Some people would go over to their relative’s house to get some food. But as for me and my wife, because my wife came from China, and because I came from South Korea, there was nobody we could turn to. We just had to get everything on our own, [1:59:00] otherwise we would just have to choose to die. My sight got deteriorated and I told somebody from the Central Party that I felt like I was dying and I asked for a relocation. So I got relocated, and because I was a fisherman, I was able to produce nets, fishing nets. I used those fishing nets to catch fish in the river, big and small. We cooked that fish and the rest… we fed the fish to the pigs.

And three months after feeding these pigs, the pigs became so large that they weighed 100 kg and so we were able to get food from these pigs. [2:00:00] Otherwise we would have just ended up dead. So in my last post, I should have brought that fishing net with me when I came to South Korea. I was very proud of that fishing net but I lost that fishing net and I regret not having it today. But that’s how I kept myself alive.

And at the time, there was the currency reform. I thought that with 1000 won… they gave me about 100 won and told us to save the rest, which means that the money had lost its value so much so that some people burned all of the money. If we gave 1500 to the party, they gave us 150 won [2:01:00] back and told us that the rest was going to be saved. And our money was not compensated adequately, not in any way, so whether I dig the ground or whether I find food for myself, you would end up dead. In front of the train station, you would see 5 of 6 dead bodies. We would jump over those bodies and nobody would even care to look. We would put those bodies in a truck and without any coffin, we would dig a hole and just put all of the bodies together, bury all of the bodies together. But I am fortunate that I had that fishing net; that’s what kept me alive until I came to South Korea.

**Michael Kirby:**

How did you get access to a boat to go out [2:02:00] fishing?

**Mr. LEE Jae Geun:**

You don’t need a ship, a boat, because there is a spot on the coast that I could just go in and use the fishing net to catch a fish. So I didn’t need a boat to fish. And I would be able to catch a basket full of fish. And we would eat the fish that I caught and the remaining fish, I was able to feed to pigs. So that’s what helped me to survive.

**Michael Kirby:**

And was there any aspect of living in North Korea, that looking back, you think was a redeeming feature of [2:03:00] the society of North Korea? They say that they are a society built on collective and community values, not so much individual values as exists in the West. Did you see evidence of that in North Korea? Do you regard some aspects of your life there and of their society as good aspects?

**Mr. Lee Jae Geun:**

I was abducted in 1970, as you know, and I was in a political school, spy school, for about 3 years and 8 months. So it was 1974 that I joined the North Korean society. And when I went to the stores, there were candies, there were shoes, there was clothing. But after 5-6 years, they just disappeared. So [2:04:00] I think in 1974, it was some of the best days of North Korea. When I first went to Haeju in North Korea, that was 1970, the way people were dressed… and they were having blouses, and they were wearing nice pants. Because we were fishermen, because we were really well off, because we had flesh in our face, people came to us and greeted us. Anyway, so in 1974, they took us outside and I looked around in the stores. There were candies and there was alcohol that we could buy. But after 2-3 years, or 5-6 years, there were no shoes in the stores. Even if you had money, you had [2:05:00] nothing to buy.

And the people who came from Japan, they used Japanese yen to buy food and to buy clothing, so they were able to live. But the people who were living in North Korea, even if we had money, there was nothing that we could buy. But after that, the marketplace appeared and so we could buy things from China. But anyways, in 1974, after my… I didn’t actually graduate, I was expelled. Anyway, there was some food and things were quite OK. But as I said, after 3-4 years, things were not good. People had to lick their fingers. In the past, they gave soy sauce and salt as rations. But without salt, you can’t make traditional Korean condiments. That ration was not given for 4-5 months. [2:06:00] Some say salt is bad for people, but in North Korea, I heard from the street kids, the street children, they used the salt to… they would put the salt in a handkerchief, so they eat the rice and they would lick on the handkerchief with the salt. So anyway, we didn’t have much salt in North Korea. And then once they started importing salt from China, things got better.

North Korea is really bad in terms of the economy because nothing really moves, nothing is really done, without any decision from Kim Il-sung or Kim Jong-il. If you do something wrong, and anything that is deemed against the Juche ideology, you will be arrested. [2:07:00] You can’t do anything with any freedom. And even if you have good skills, if you don’t use the skills well, then they would say that you are too individual; that you would not be able... that you would be punished. So anything, the skills or knowledge, or whatever, can only be utilized with approval from Kim Il-sung and Kim Jong-il.

So if there were like a collective agreement, a collective consensus of the people, helped to develop the economy and the politics, it would have been really nice, but that’s not the case in North Korea. That is why so many people are starving to death. So I think that within the next ten years or twenty years, I think that the situation in North Korea will get worse. If I become a leader, [2:08:00] hypothetically, I think I’m going to dismantle the collective farms and give people lots to do farming, so that people can keep half of the production and give half of the production to the government. But now everything is a collective farm, so that people have to have their own private lots to farm in order to make their ends meet. But if you give the collective farms to people, people will work even more hard so they will be able to grow more produce, more farm… they will be able to farm, there will be more food.

**Michael Kirby:**

I think you, on two occasions, witnessed public executions. Is that so? And if so, tell us about those executions.

**Mr. LEE Jae Geun:**

[2:09:00] Well actually, I saw more it than ten times. I think it was in the city of Pyongyang, no excuse me, there was a person by the name Kim Pyung Dae [ph] (2:09:34) who had been expelled from Pyongyang, not in Pyongyang. Anyway, he was living in Pyongyang. He was sent to another town. He… I think he said some bad things about the party leaders. And, I think it was about 6 months after he said something bad about the party leaders, he was taken from his home. Nobody knew exactly what he had done. However, I think he just said bad [2:10:00] things about the party leader, that he was taken and then killed. I mean, I thought what he did, he didn’t really deserve to be executed. The party leader was not doing his job properly. I think he should have been able to say that that person was not doing his job well. And so, I saw such public executions twice.

And there was this foreman I used to know; he was also publically executed. He had this tape, he was gagged with a tape on his mouth and he was really frail. He was against the state, I think. And he was shot to death. I think he was killed because he asked for food. No, no, excuse me, [2:11:00] I think the party, the people from the party asked him to provide them with food and then I think he was collecting food to give to the party leaders. And that’s why he was executed. So it was not his fault. He had no choice but to appease the party leaders when they asked for food, so he gathered the food to give to them. And then he was caught with this food and he was executed.

And there were also other people that I met. Some of them were expelled from Pyongyang because they were... let me give you an example of this person. This person was… went out on a trip and somebody gave him alcohol, a drink. So he drank. So he stopped the car. [2:12:00] Anyway, when he stopped this car, there was a car that was in front of him and in that car was Kim Jong-il. And he should have just said good-bye, he was just sitting in his car, not being able to do anything. And I think because he was driving his car and then he had stopped his car behind Kim Jong il’s car and then afterwards he was not able to move right away, drive away quickly… I think that was why he was caught. I think he was sent to a camp that housed landlords and others. So think the title of his crime [2:13:00] was hindering the so-called ‘event of first rate’, because anything that has to do with Kim Jong-il… He was quite well off, this person. Anyway the whole family, I understand, had been sent to a camp. And I think that this ...

**Michael Kirby:**

What was his offence? What did he actually do that was wrong? That led to retaliation.

**Mr. LEE Jae Geun:**

He was driving, I think, drunk. He, oh excuse me, he stopped the car because he wanted to get a car to go home because he was drinking. Anyway the car, in the car, was Kim Jong Il. So… and the driver said, this car has Kim Jong Il inside. So this person was really surprised, so he was not able to [2:14:00] say anything. He just stood there aghast. And then after Kim Jong Il’s car left, the bodyguards’ cars came later and then took him away. So what happened was that he stopped a car to take him home because he was drunk, but the car that he had stopped had Kim Jong-il inside, I think that’s what got him killed.

**Michael Kirby:**

What made you decide ultimately to leave North Korea in 2000?

**Mr. LEE Jae Geun:**

[2:15:00] I left North Korea because they would not allow my son to go to university. If you don’t educate your children, the children will not be able to succeed. I was not educated and therefore I had a tough life. So I wanted my children to be educated, but they would not allow my son to go to university. So I decided to come to South Korea. Of course at that time, there was a food shortage, but the main reason that I decided to leave North Korea was that they would not allow my son to go to school, to go to university and to become a smart person.

**Michael Kirby:**

[unclear] … persuade your son to accompany you even though that would be a risky undertaking? Did he go with you when you left North Korea?

**Mr. LEE Jae Geun:**

[2:16:00] No. I received training even if I was an old man. Until today, I am still old, but despite my age, I have the skills and the strength to, at least, deal with two people. I told my wife and told her to go to China with my son first. And as soon as I heard about their safe arrivals in China, I told her that I would leave to South Korea. But at the time of the Great Famine and the food crisis, all of the personnel, surveillance personnel that had monitored me, left, because the life was getting too tough for them too. In the past, [2:17:00] there was a very heavy surveillance around me, but because of the food crisis, the surveillance became very relaxed; six to seven of them left, and so I had room to move. And I told my wife that maybe we had a chance, so I told my wife to go to China with my son.

After one month they departed, the Bowibu summoned me. And they interrogated me, they asked me where my wife was. They… I told them that my wife had left for food and money, and the Bowibu told me that my wife and son had left to China. And I told them, “Well, then you can arrest them back and execute them” and then the Bowibu person told me that I was a bad man because I told them to arrest them and execute them. And they released me. [2:18:00] I left, I thought that I would never see him again, thinking that I would never see him again.

And I… in the past, when I received the spy training, I learned how to make shoes, and that skill was very useful, very useful for me when the time would come for me to make contacts with people who could help me to come to South Korea. So I did shoe repairing. It did not… I did not earn enough to feed myself, but… And so I went to the train station. And they asked me where I was going. I told them that I was going [2:19:00] to this place to do shoe repairing, and they let me go. So I took the train to Onsong, and between Sinpo and Yanghwa, they were setting up a nuclear plant, and on the top of the mountain, there were a lot of people gathered. They summoned these people, and I was able to get to the front of the train. And the driver of the train took me safely, they hid me in the train in the very last compartment, it took me one [2:20:00] week.

After, when I got to China, I asked my wife how she got to China. She told me that the train was full, it was so full that she had to cling, literally cling, to the train with her steps right on top of the wheels of the train. When she was on her way to China, she clung on the train for 15 days through her way to Namsan [ph 2:20:34]. So sometimes the train, when it was speeding up, up the hill, it would stop, and sometimes it would not have enough power, so it retracted back. And it would repeat this, going up the hill and slipping back, a couple of times a day. That was reality when my wife was clinging [2:21:00] on the train trying to escape to China.

**Michael Kirby:**

[unclear] China, and did you get to follow her in China? We have to move forward because we have a lot...

**Mr. LEE Jae Geun:**

Yes, yes, that is correct. My wife was waiting in China. And I posed as a shoe repairer to go to China. Because I was posing as a shoe repairer, they allowed me to pass the Chongjin River. They investigated, searched my belongings and myself, but they found all of these materials that a shoe repairer would carry. So they believed in me, and made me pass. Otherwise, they would have arrested me, and I would have been arrested. But fortunately, I was able to pass all of these posts. [2:22:00] And so thank God I was a shoe repairer and that is why I was able to make it to South Korea. I when to China, I met my wife and son there. And the South Korean government, through the national intelligence service, helped me to come to South Korea.

**Michael Kirby:**

What is your feeling about the conduct of the government and officials of North Korea between 1970 and 2000? What is your feeling today about them?

**Mr. Lee Jae Geun:**

How many of them do you think are serving the people? Nobody. But everybody is just obsessed to serve General Kim Il Sung and [2:23:00] Kim Jung Il. How many of them do you think are willing to serve the people? Sometimes they have these signs saying that they serve the people but that doesn’t make sense. Under the total dictatorship, the only reason they put up those signs is to survive, to stay alive. But you can’t blame them for putting up the signs, it’s just saying empty promises that they serve the people. If anybody would have said something else, if anybody would have been against the regime, they would have been arrested by the Bowibu, so you can’t really blame them.

**Michael Kirby:**

Yes, thank you very much Mr. Lee. There may be some other questions.

**Marzuki Darusman:**

Mr. Lee, thank you. Just to go back quickly, we don’t have much time. But [2:24:00] would you tell us of the nine of the crew, were all nine together with you at the educational facility, the spy training center, whatever they call it? How many of the original nine of the crew were with you?

**Mr. LEE Jae Geun:**

When you go to the political school, or when you receive the training, there is one lecture room and they… [2:25:00] and four of us were assigned to one classroom. And you have bricks that separated one class from another and you wouldn’t be able to see the other side of that brick wall. All we were told to do was to listen to the instructor, take our notes, and so we were not able to see each other over the brick wall. And when we were going in and out, we were blindfolded and our faces were covered with masks, so we had no idea who was in the same room with us. If we saw the face of other people who were receiving the training, we would be punished, [2:26:00] so there was no way that we could see the faces. We were given glasses, masks and umbrellas to cover our identities. So our identities were completely covered.

**Marzuki Darusman:**

We have a note here, that on days off, the spy academy would sometimes also rent a hotel, exclusively for the cadets… Did you not socialize?

**Mr. LEE Jae Geun:**

It wasn’t a hotel. On January the 1st, we didn’t have a place to go. Because other people, some of them had homes to return to in North Korea… but I remember, two of us, three, three of us were fishermen from South Korea, so on January the 1st, [2:27:00] the leader of our group would take us to stay with them. And we were given one week to stay in a hotel because we didn’t have a place to go. And that’s when we saw Japanese or other foreigners in that hotel.

**Marzuki Darusman:**

So you just said that there were three members of the crew that originally came with you?

**Mr. LEE Jae Geun:**

Yes. There were three who stayed in the hotel. Our ship was number one. Ship number two and three, the crew were mixed and Choi Jong Yu [ph 2:27:51], and Young Cheol [ph 2:27:55], these people were on ship number two. We were all fishing in the same region, [2:28:00] and I think we were being trained in the same area. You could guess who we had, we could detect who is in which classroom, but we didn’t actually… wasn’t able to see any faces.

**Marzuki Darusman:**

Did you make any photographs?

**Mr. LEE Jae Geun:**

When we first went there, we were given, we were taken to this exhibition museum, where they exhibited, where Kim Il Sung exhibited gifts from the international community. We were taken there, and after the tour of this exhibition, we took a group picture, but the picture was not given to us. We did not have a place to live. So there was no way we could’ve framed [2:29:00] those photos in our house. But they took a lot of pictures of us when we were working in the factory. But, some of the pictures that I had for my personal record were all taken away by the National Intelligence Service of South Korea.

**Marzuki Darusman:**

So you brought along some photographs with you, and these photographs have pictures of your colleagues?

**Mr. LEE Jae Geun:**

Yes, yes, yes. I have brought some pictures with me, about eight of them, when I came to Korea. I think the National Intelligence Service has the picture right now. In North Korea, when we were sent to the mountains or streams to sort of relax, they took pictures of us. But they took away the pictures that they took because they were of no use to us. They took [2:30:00] a lot of pictures of us in North Korea. If I knew that I would be able to use them for this purpose, I would have kept them and brought them with me, but I was not able to bring everything.

**Marzuki Darusman:**

When you said that you were trained to abduct people as a spy, did they tell you why there was a need to abduct people?

**Mr. LEE Jae Geun:**

No, no, no. Even without an explanation, by common sense, you would guess that you would need all sorts of skills for spying. For example, we… at one point, they heard that a premier went to Seogwipo [ph 2:30:53] and we were instructed to… [2:31:00] The premier had returned from Seogwipo to Seoul. But if the premier had stayed longer in Seogwipo, I think he would have been kidnapped by us, or by the North Korean spies.

So, if you have received this spy training, you would be built, you would be equipped with every skill necessary to do spying activities. I was young when I received this training. And I, even with all these weights that were hung or tied around my body, I would be able to swim or travel a long distance and do a lot of running. I had a backpack behind, I was carrying a backpack, but I was [2:32:00] very strong and fit to carry such a heavy weight. So they trained us like a machine. A machine, a robot that would do anything, that would move upon their instructions. When we received swimming training, we received swimming training in the Chongjin Sea, we were put on a torpedo boat, and we were put into the sea and we had to stay floating without any equipment to support us. Now, if I die there, I thought I would die like a dog. So I was determined to stay alive and make it back to the land. Now this swimming training went on for 24 [2:33:00] hours. We had to stay floating in the water for 24 hours when it was windy, when it was cold in the winter. Unless you were there, you will never believe what it was like. Now, I managed to stay alive, and I made it to South Korea, at …

**Marzuki Darusman:**

Let’s speed up this. When did you first know about the prison camps?

There are two questions, when did you first know about the prison camps, and where did you witness the public executions?

**Mr. LEE Jae Geun:**

[2:34:00] About the political person camps, we heard about them while we were talking to each other. I heard about them.

**Marzuki Darusman:**

Where did you talk to each other? Where were you talking to each other? In the school? Or where?

**Mr. Lee Jae Geun:**

No, no. Not at the school. When outside. In the society. It’s not a secret. The existence of the political camps is not a secret. We don’t have telephones, but by word of mouth… or we can just feel it. If somebody disappears for 4 or 5 months after, you would sort of guess that this person has been taken away to a political camp. As for public executions, [2:35:00] in 1974, South Hamgyeong Province… in the June of 1974, one year after 1974, it was in 1975, there was a public execution of one person, and the foreman of a Dangjung [ph 2:35:18] factory. I’ve seen a lot of public executions, about 10, I saw 10 public executions. 10 people being publicly executed.

**Marzuki Darusman**:

Where did you see this happening? Where were these public executions held? In the town square? In a camp?

**Mr. LEE Jae Geun:**

Public execution is carried out in such a manner… there is a stream, a little stream. And the width of the stream is about one hundred meters. When the water is not there, they would set up all these wooden poles [2:36:00], and they tied inmates to the poles and fired at them. And that’s how the public execution is done.

**Marzuki Darusman:**

How were you there? Did you happen to be there? Or were you asked to be present there?

**Mr. LEE Jae Geun:**

No. We are notified when and where a public execution is being carried out. So they take us to the sight for the purpose of training.

**Marzuki Darusman:**

They?

**Mr. LEE Jae Geun:**

When... the [2:37:00] public execution takes a place at a smaller administrative region, and they notify us of the date and the location, and we are instructed to witness that for the purpose of training, mental training. It’s like a field trip. They take us to these public executions like a field trip. So that nobody dares think about disobeying the party and disobeying the ideology of Kim Il Sung. So there is no choice but to go and witness these public executions, it’s like a field trip in order to make people to fear the regime.

**Marzuki Darusman:**

Were other people there?

**Mr. LEE Jae Geun:**

So in a work group, there would be people and we would all be taken together to witness the [2:38:00] public execution or the gun shot. Well, it doesn’t take long to shoot, but it takes time to gather people, it takes about an hour. So we liked it because we didn’t have to work. We just had to stand and watch the execution. So people liked that. Rather than working really hard, you can go outside and you get to see something, you get some fresh air. So we like that actually.

**Marzuki Darusman:**

How many people were normally at public executions? You saw twice? At least twice?

**Michael Kirby:**

Ten times.

**Marzuki Darusman:**

You saw ten public executions. How many people are normally present at these public executions?

**Mr. LEE Jae Geun:**

From what I know about 1000, more than 1000. Because that would include the people who are just passing by. If people are [2:39:00] just passing by, the police officers would just grab them, and ask them to watch. So it doesn’t take much just to get 1000 people to come and watch. So, you get people from the party, and from the different organizations… would, you know, work to gather people to watch. So the execution sight, easily 1000.

**Marzuki Darusman:**

Did you know what was happening in those prison camps, the political camps? Apart from knowing that those camps existed, did you know what was happening in the camps?

**Mr. LEE Jae Geun:**

No. Not really. I have this friend, this friend has a… his father was in Daegu, and he was in Japan. He came from Japan [2:40:00] to North Korea. And if… he brought a letter to South Korea, and then, the letter had to be sent to South Korea through a very complicated process. Anyway, he once brought me this drink, this alcohol. And we were saying that it would be nice to be able to drink such alcohol. Anyway, I think he was a well-learned man. He studied quite a lot. He used to have a lot of books. But if the party came for the inspection, the party took away his books. So once his room was full of books, but his books were taken away [2:41:00] gradually by the party.

And he told me that when he came from Japan, he brought a lot of books and his room was full of the books, but now the books were taken by the party. So I asked for a small book, and he gave me this book and I gave the book to somebody else. And then, 10 days later, I visited this friend again, and his wife told me not to come visit his house anymore, because few days the Bowibu took him away, and he went missing. So he was sent to a political prison camp. He was quite talkative, and I think because he was talkative, I think he talked about the fact that his father was living in South Korea quite well. [2:42:00] Oh, so this lady was not his wife, anyway, my friend said something to the lady of the house. Anyway, he never came back. So I asked around. I heard that sometimes that you could be away to some place or would a person like me also be taken away? And I asked, and he said yes, so why would I be taken away? What things would I have to do in order to be taken away? And he said if you don’t work well, if you make mistakes, you may be taken away. I was almost taken away to a political camp. I think I was working, and I wasn’t very accurate in cutting a wooden shelf, but it’s difficult to be truly accurate...

**Marzuki Darusman:**

Could you get to the point? My question, did you know what was happening in the camps? [2:43:00] Did you hear anything about happenings in the camps? Please.

**Mr. LEE Jae Geun:**

I don’t know. We don’t know about those.

**Sonja Biserko:**

Mr. Lee, while you were in a spy school, did you ever come across any Japanese who were, as it is said, mostly used for training in the spy schools? The abducted persons from Japan.

**Mr. LEE Jae Geun:**

No, not in that school. About once a year, they would give us a holiday. So I was on a vacation, on a holiday, I was playing pool, and one of the [2:44:00] teachers, the instructors told us to come downstairs because we were playing pool on 5th floor. So we came down the stairs, and then I saw these people who were speaking Japanese. So I saw, I think, four Japanese. I think they seemed like students who were receiving training or education, political at spy school. I remember saying something bad about them because we were not able to finish our pool game because they were coming upstairs. So I think I saw our school instructors with these four Japanese and I think there were some Japanese in our school. And I also saw Japanese at some international hotels.

**Sonja Biserko:**

Thank you.

**Michael Kirby:**

[2:45:00] Thank you very much, Mr. Lee. Thank you for coming along to help us today. You may stand down now.

**Mr. LEE Jae Geun:**

Thank you.

***Mr. NAM Jang Ho (Abductions)***

**Michael Kirby:**

I will repeat, I understand that you are happy for the use of your name and you are not concerned that using your name would cause any protection issues for you or your family. The use of your name.

**Mr. NAM Jang Ho**:

Yes, that is correct.

**Michael Kirby:**

Do you declare that the testimony you are about to give us will be the truth?

**Mr. NAM Jang Ho**:

Yes.

**Michael Kirby:**

Unfortunately, we do not have a lot of time with you because some of the earlier witnesses [2:46:00] had a lot to say, but I think your testimony overlaps a little the evidence of the last witness, because when you were a young boy, your father Nam Jong Yul [ph 2:46:14] was a fisherman and his boat was seized by the agents of the North Koreans, and he was taken to North Korea in 1972, and he was detained there. Is all of that correct?

**Mr. NAM Jang Ho**:

Yes, that is correct.

**Michael Kirby**:

At that time, you were just a child, and one day you discovered that your father had disappeared.

**Mr. NAM Jang Ho**:

Yes, that is correct.

**Michael Kirby**:

Would there have been any [2:47:00] reason why your father would’ve wanted to go voluntarily to North Korea? Did he have issues with your mother? Or with his family in South Korea? Was his business going wrong? Or had he committed any offence here that would explain why he went to North Korea?

**Mr. NAM Jang Ho**:

No. He got on the last ship, and when he returned, he said that he was going to work on the field, farm. So there is no reason why he would voluntarily go to North Korea.

**Michael Kirby**:

Did you have brothers and sisters? And was your mother at that time still alive?

**Mr. NAM Jang Ho**:

Yes, [2:48:00] my mother was alive. And there are three, I had three brothers and two sisters.

**Michael Kirby**:

And how did you hear about your father’s disappearance? You are showing us, I think, a photograph of your father.

**Mr. NAM Jang Ho**:

In 1972, I was still very young, I had no idea that he had been abducted. My mother took me and my brother to the coast guard toward the sea. She was crying a lot, but even at that time, I had no idea he had been abducted to the North. I realized [2:49:00] that he had been abducted only after time had passed.

**Michael Kirby**:

And who informed you of the circumstances of his abduction? Was there somebody who witnessed it or saw what happened? Or did you just infer it because he didn’t come home?

**Mr. NAM Jang Ho**:

We were very little at that time. But we were frequently visited by the police. And I was in the elementary school at that time. My teacher came to my house and my teacher was talking to my mother. That is when I learned about the abduction of my father. And I thought that he had passed away, because there were [2:50:00] gun shots in the course of his abduction, so we had these rituals to remember my father.

**Michael Kirby:**

What were those rituals?

**Mr. NAM Jang Ho**:

Well, we thought that my father was dead. We thought that he had died in the course of being abducted because there were gun shots. And we heard that there were explosions. So we believed that he was dead and that’s why we had these ceremonies in our house. It’s a traditional Korean ritual, where we have this little ceremony in our [2:51:00] house in the honor of the deceased.

**Michael Kirby**:

And I think at a certain point, you heard that your father had survived the abduction. When was that?

**Mr. NAM Jang Ho**:

I think it was around 2000. There was a list of the people abducted in the newspaper. And that’s when we thought that he may be alive. In 2001, we received a letter from China about my father. And upon receiving that letter, I went to China and met the daughter, another [2:52:00] daughter, my step sister, and that’s when I learned about… that my father was alive.

**Michael Kirby**:

How old was your father when he was abducted and how old were you at that time in 1972?

**Mr. NAM Jang Ho**:

I was 6 years old in 1972 when my father was abducted, and my brothers were also very young. According to my mother, my father was going to switch his job, he was not a fisherman from the very beginning, he had no choice but to get on, no choice but to [2:53:00] do fishing. And he was going to the sea for the last time. He was going to come back home and quit fishing. He was going into farming.

**Michael Kirby**

Do you think that there’s any possibility that he thought there might be more opportunities for him in farming in North Korea? That he decided to make the switch and go to North Korea for a completely new life?

**Mr. NAM Jang Ho**:

I’m not sure. But I would like to deny to that. He had five children, I don’t think he had any reason to think of such.

**Michael Kirby**:

Did you hear that anybody else was abducted on the same ship when he was [2:54:00] abducted? Or was he alone?

**Mr. NAM Jang Ho**:

There were nine crew on that ship. According to the letter, my father’s letter, four out of the nine crewmen died and five of the crewmen… so four died, and five of the crewmen were still alive according to the letter sent by my father.

**Michael Kirby**:

They were alive in North Korea, is that what you understand the letter to say?

**Mr. NAM Jang Ho**:

Yes, that is right. Alive in North Korea.

**Michael Kirby**:

Was your mother alive when the letter arrived? And did she accept that the [2:55:00] letter was from your father?

**Mr. Nam Jang Ho**:

We received a picture of the five men first. My dad was in the picture. He was kidnapped on the 9th of June 1972. The picture was taken in December 1972. My mother, when she took a look at the picture, she recognized my father. So, there was a photograph sent before the letter.

**Michael Kirby**:

Was the photograph in the letter? Or was it sent separately?

**Mr. NAM Jang Ho**:

The broker sent us the picture first. [2:56:00] And they asked me if I could identify my father and other men in the picture. So, the broker sent this picture… so the broker sent me a letter the broker wrote if I could identify the people in the picture, and if I could recognize my father in the picture.

**Michael Kirby:**

You are showing us a photograph, which has been folded many times, but displays five men in the photograph. Is one of the men your father?

**Mr. NAM Jang Ho**:

The men in the left in the right row, that is my father. [2:57:00] Yes, in the back row.

**Michael Kirby**

Did you recognize him? Or did you have to reply on your mother because… [Multiple Speakers 2:57:11] We are getting a wrong interpretation, I’m getting the Korean, and Mr. Nam is getting English. So, I’ll repeat it. Did you recognize your father? Or did you have to rely on your mother to recognize him?

**Mr. NAM Jang Ho**:

No. My mother. I relied on my mother to verify, [2:58:00] but I was six when he was abducted, so I could recognize him from the picture.

**Michael Kirby:**

Were any steps then taken through the broker to bring your father out of North Korea? Was that possible?

**Mr. NAM Jang Ho**:

I went to China… in July 2001, I was in China for four days. I went to China with the intention of meeting my father, but two days before we were supposed to meet, I was told that my father was too weak to travel. [2:59:00]. He was too sick, and I was told that if I would be willing to meet my stepsister instead of meeting my father, because she was still the daughter of my father. And that is why I went to China. I met my stepsister who was younger, but she was in a very terrible condition too at that time. The fact that she had crossed the border was not looking good for her, and it was in December. The river had to be frozen so that she could cross the river. So I had to wait until the river would freeze. But suddenly, our communication stopped. There were various reasons, [3:00:00] but I think money was the big issue.

**Michael Kirby**:

Did you ever in the end meet your stepsister? Or the woman who said she was your stepsister?

**Mr. NAM Jang Ho**:

Yes, I did.

**Michael Kirby**:

And did you accept from things that she told you that she was the daughter of your father?

**Mr. NAM Jang Ho**:

Honestly, in the beginning, I could not accept it, I did not accept it. For a day or two, I had mixed feelings, and I couldn’t believe her, I couldn’t trust her. Because [3:01:00] the brokers were in an advantageous position. They were taking advantage over South Korean people who had abducted family members. The name of my father, the date of birth and the name of my grandfather… if I asked, when I asked about this information to my stepsister, she could respond very quickly, and she looked similar to my father.

**Michael Kirby**:

In the end did you accept that she was your father’s daughter? Or are you still doubtful?

**Mr. NAM Jang Ho**:

Yes. We talked a lot, and I came to [3:02:00] trust that she was in fact the daughter of my father.

**Michael Kirby**:

Were you able to get a telephone number to telephone him or speak to him from China? Or that was not possible?

**Mr. NAM Jang Ho**:

Well, from what I understand, there was no telephone in North Korea. And my sister told me that the woman that is living with my father was keeping very close watch of my father. So my father was not really free, he was not able to move around freely. Actually it was his wife that was keeping tabs on him, keeping surveillance on him, so I was not able to really send any information to my father. From what I understand, there was no telephone at my father’s house.

**Michael Kirby**:

I think that you then parted from your stepsister. Have you [3:03:00] seen her since then?

**Mr. NAM Jang Ho**:

No. After that, I’ve never met her. Well, because the broker at that time was asking for too much money… I thought I gave them sufficient money, but they were asking for an amount that I could not come up with. So since I was not able to pay, we were not able to make any calls or any contact afterwards. As was the case then and is now, I’m not really that well off. And there was nobody helping us. It just was not possible for me to come up with the money that the brokers asked me to.

**Michael Kirby**:

[3:04:00] [unclear] … then to South Korea and tell your mother about this experience and your siblings?

**Mr. NAM Jang Ho**:

I didn’t. I just couldn’t tell that to my mom. My siblings and my mom were against me going to China. I was going to China to meet with my father, but my family was against me going to China. So, it was difficult for me to talk about my stepsister to my mom.

**Michael Kirby**:

[unclear] … suffered a great hardship, bringing up the five children of her marriage to your father. She had great economic hardship as the main breadwinner [3:05:00] of the family, after he was removed. Is that correct?

**Mr. NAM Jang Ho**:

Of course. I think my mom did everything she could. She held different jobs. And our siblings did not get enough education. We were only able to graduate from elementary school. I didn’t even get to graduate from elementary school because things were so bad at home. Since there was no father at home, my mom used to steal sweet potatoes and potatoes from the fields of other people to feed us. And I wanted to lessen her burden. So that is why I left home. I thought that would be better [3:06:00] for her. It was difficult for us, the children, but I think it was even more difficult for my mom.

**Michael Kirby:**

I think your half-sister told you that she was unaware that your father was from South Korea.

**Mr. NAM Jang Ho**:

Yes, that’s what she told me.

**Michael Kirby**:

[unclear] saw him crying?

**Mr. NAM Jang Ho**:

Yes, my father… I think when I met my sister, she was about 26 or 27. So when she became an adult, that’s when she learned that her father was from South Korea. She told me [3:07:00] that my father used to cry at night.

**Michael Kirby**:

He had a family in South Korea.

**Mr. NAM Jang Ho**:

Yes. He did.

**Michael Kirby**:

[unclear] … your attitude towards the authorities in North Korea for inflicting this pain on you and your mother, siblings, and causing you not to have a continuing contact with your father over so many years since 1972?

**Mr. NAM Jang Ho**:

But the North Korean government, I hope, [3:08:00] should let us know whether my father is alive or not, if they have any sympathy for us. They abducted my father. So I want to be able to punish them.

**Michael Kirby**:

Do you expect that they will have sympathy for you given that they have not had any sympathy for you and your mother and siblings since 1972?

**Mr. NAM Jang Ho**:

I don’t think the North Korean government would think like that, that [3:09:00] they would sympathize with us. And the people who were taken to North Korea, the North Korean government says that they are there because they wanted to. So I don’t think that the North Korean government has any sympathy for us. However, I haven’t seen my dad for about 42 years. I think this is a humanitarian issue. I think the least they can do is to let us know whether he is alive or not. And if he died, I think they should at least let us to take his remains back to South Korea.

**Michael Kirby**:

Thank you very much Mr. Nam.

**Marzuki Darusman**:

[3:10:00] Mr. Nam, you are not happy with the way the abduction issue is being addressed by both the North Korean government and ROK. What do you think should be done more? Apart from this being a humanitarian issue, what would you like to see happen?

**Mr. NAM Jang Ho**:

There are so many abductees. And many have been able to return. I understand that about [3:11:00] 517 of the abductees have not been able to return to South Korea. The South Korean government… the 517 abductees… actually there was a minister in the South Korean government who dared to say that some of the abductees went to North Korea voluntarily. I think their mindset needs to change, their perception needs to change first. They are not trying to understand the feelings of the families of the abductees. I mean, even some people in the South Korean government are saying that some of these 517 people went to North Korea voluntarily. And I think that the North Korean government would welcome such remarks from the South Korean government. [3:12:00] A long time has passed. And those who are remaining in North Korea are quite old. It’s not certain when they would pass away. So I think that the two governments, in both Koreas, not just for my father, but also other abductees, I think they should work together to have these abductees returned to their families.

**Michael Kirby**:

Why do you think the South Korean government is not taking sufficiently vigorous steps in relation to people in the position of your father? What is the explanation in your opinion?

**Mr. NAM Jang Ho**:

Actually, [3:13:00] as you know, today the meeting is going on between the two Koreas to discuss the separated families. But it seems that our issue is a sensitive issue even for the South Korean government because the North Korean government takes this as a sensitive issue. And there are of course, us, the abductees’ families, but the number of separated families is even larger. So it’s not easy for the Korean government to broach, to take up the issue of us. So I understand that there could be some problems for the Korean government, but I hope that, at least for those who have been confirmed alive, I think the South Korean government should ask the North Korean government to confirm whether some people are alive or not, and let us know if they are.

**Michael Kirby**:

[3:14:00] It’s true that it is rather ironical, isn’t it? That today is the very day that discussions are taking place between North and South Korea about family reunions and that by coincidence, we had this day set aside to look at the abductions and prisoner of war issues. There is a strange meaning in it all, I suspect.

Thank you very much, Mr. Nam. You’ve been very helpful. Would you be able to make available to us a photo of, or even a photocopy of, the photograph which you have displayed to us of your father? Would that be feasible for you to give us a copy of the photograph?

**Mr. NAM Jang Ho**:

Yes, of course.

**Michael Kirby**:

[unclear] … photograph [3:15:00] there of your father, which you are showing us now?

**Mr. NAM Jang Ho**:

So, I have two pictures now. Yes.

**Michael Kirby**:

We can get a copy. If you would speak to the secretariat, they would be able to take a copy and return the originals to you so that we can get a copy on our record. And I’m sure they are very precious, because they are really… are they the only photographs that you and your family have of your father?

**Mr. NAM Jang Ho**:

Yes, they are all we have.

**Michael Kirby**:

When the copied photographs are made available for us, we will mark those as exhibit S14... two photographs of the father of Mr. Nam. And you also provided with us a letter, I think. [3:16:00] Or you told us about the letter. Is there a copy of a letter that you received? Would you be willing to make that available to us? Or are you concerned about making that available because of possible risks to the broker line? Would you be willing to make that available, perhaps deleting anything that you don’t wish to have on the record?

**Mr. NAM Jang Ho**:

Yes, that’s okay. That’s fine.

**Michael Kirby**:

I will ask members of the secretariat to speak to you before you leave. And when the letter is received, it will become exhibit S15. Thank you very much, Mr. Nam. You may stand down. And my respects to your mother and your siblings.

**Mr. NAM Jang Ho**:

Yes, Thank you.

***Mr. HWANG In Chul/ Mr. JUNG Hyun Soo (Abductions)***

**Michael Kirby**:

[3:17:00] Before us, in the Commission of Inquiry of the United Nations, a group of witnesses whose testimony will relate to the abduction of Korean nationals who were travelling on Korean Air flight YS11, on the 11th of December 1969. And I would first ask whether any of those persons who has come forward as a witness has any objection to the use of their name on the record, and if so, we will use an anonymous expression. But my understanding is that they do not object to the use of the name. [3:18:00] Is that the case? Or do you wish to be known by an identifier rather than your name? May I ask you two each to indicate that, because we will comply with your wishes in that respect? [unclear] to use you name.

**Mr. HWANG In Chul / Mr. JUNG Hyun Soo:**

Yes, I agree to the use of my real name.

**Mr. HWANG In Chul**:

My name is Hwang In Chul. [3:19:00] I am here with other family members.

**Michael Kirby**:

Would you introduce the other family members to the Commission?

**Mr. HWANG In Chul**:

Yes, I can. This man sitting next to me is the brother of… is Mr. Jung Hyun Soo, the brother of a stewardess, and the lady sitting next to Mr. Jung Hyun Soo is Mr. Jung Hyun Soo’s wife.

**Michael Kirby**:

So we can call her Mrs. Jung, is that correct? Or does she go by her own name, original name? I want to show respect to her and call her by the correct name. [3:20:00] How would she like to be called?

**Interpreter:**

Please help her to use the microphone.

**Michael Kirby**:

Is it correct to call you Mrs. Jung?

**Mrs. Jung**

Yes you may, please call me Mrs. Jung.

**Michael Kirby**:

[3:21:00] I would like to thank all of you for coming along. And I am grateful to you assisting the Commission of Inquiry although it means that you have to revisit a very painful time in your life and a very painful event, which I am sure is still very vivid even though it happened on the 11th of December, 1969. Mr. Hwang, is it convenient for you to tell us the broad outlines of how you first came to know about the event? And what the broad contours of the event were?

**Mr. HWANG**:

[3:22:00] Yes I can. On the 10th of December 1969 from Gangneung, in the air of Daekwanryung [ph 3:22:23]…

**Michael Kirby**:

I’m sorry, I apologize for this. It is normal for us to ask that the witnesses make a declaration that what they are saying to the Commission of Inquiry is the truth. Are you all happy to make that declaration that what you will say to us is the truth?

**Mr. HWANG In Chul**:

Yes I can. What I am about to say is the truth.

**Michael Kirby**:

All of the members, all of the witnesses [3:23:00] have indicated that they are so content, so we will proceed upon that footing. Sorry, Mr. Hwang, you will proceed.

**Mr. HWANG In Chul**:

1969, on the 10th of December, from Gangneung to Gimpo, local plane YS11 25 after 12, in the air of Deakwangryung [ph 3:23:28], was kidnapped by a North Korean spy, Cho Kwan Jung [ph 3:23:31]. 4 staffs and 47 passengers were abducted… excluding one spy among them, a total of 50 people were abducted. The international community continued to decry the event. On February 4, 1970, they promised to return these people, but only 60 days after the case, they forcefully detained 11 people, [3:24:00] and afterwards, not everybody was returned. 39 came back and testified why the rest never made it back.

At the time, the International Red Cross demanded to North Korea… North Korea claimed and maintained that the rest who didn’t make it back, voluntarily went to North Korea. The International Red Cross said that, through a third country, we should ask whether they wanted to be returned or not, but North Korea rejected this proposal with a letter. In December 1970, in the 25th UN General Assembly, there was a unanimous passing of the resolution that deplored [3:25:00] the kidnapping of the Korean Air. Continuous requests have been made since to North Korea, but never once have they replied back. The families endeavored continuously… in 1979, the first president of this organization passed away and their activities have been discontinued here after. This is what happened after the incident broke out.

**Michael Kirby**:

Do you have a copy of the resolution of the United Nations deploring the act? Do you have it available to you? I see you have some papers in front of you. Do they include the resolution of the General Assembly of the United Nations?

**Mr. HWANG In Chul**:

I have not been able to find it. But it was covered in the media, and I have the copy of the script, [3:26:00] and that is how I found out that the resolution was passed.

**Michael Kirby**:

And your father, Hwang Hong [ph 3:26:07] who was aged 32 at the time of the abduction, and your sister, Yoon Kyung Sook [ph 3:26:16], then aged 25, were passengers on the plane.

**Mr. HWANG In Chul**:

Yes, that is correct.

**Michael Kirby**:

And they were amongst the crew and seven passengers who were retained in North Korea, and not amongst the 39 passengers who were allowed to return?

**Mr. HWANG In Chul**:

Yes, that is correct.

**Michael Kirby**:

And how long after the hijacking of the aircraft [3:27:00] were the 39 passengers returned?

**Mr. HWANG In Chul**:

It was exactly 66 days after the kidnapping of the aircraft that these people came back.

**Michael Kirby**:

Was there anything in common amongst the crew and the 7 passengers who were retained that might explain why they were retained and not returned with the other passengers? Any feature of those who were kept in North Korea?

**Mr. HWANG In Chul**:

The 39 people who came back testified. At that time, my father was a producer in Gangneung MBC broadcasting station, he was on that plane [3:28:00] on a business trip to Seoul. And the aircraft was kidnapped and during the mental training in North Korea, my father criticized the North Korean ideology and the instructor threatened to kill him during the lecture. And in the following two weeks, my father has been sent and nobody learned about his whereabouts, but he came back. In 1971, January 1st, my father sang this song expressing his wish to come back home, and the rest followed him singing the same thing. The North Korean instructor took my father away, and the 39 people and the 11 other people never met again.

**Michael Kirby**:

[3:29:00] All of the 11 who were retained were, I think, young and ostensibly well-educated people. Is that the common factor of the 11 who were kept by North Korea?

**Mr. HWANG In Chul**:

Yes, yes, that is correct. There were 2 crew, 2 stewardesses, 2 operators. My father was a producer, there was a cameraman, and the representative of a publishing house in Gangneung. So, at that time, we thought that North Korea had detained people that they thought that they could use.

**Michael Kirby**:

Have you [3:30:00] heard from your father or your sister since that day in December 1969? Have you had any message direct or indirect from them?

**Mr. HWANG In Chul**:

In 2001, at the third separated family reunion, Sung Kyung Hee [ph 3:30:28], one of the stewardesses, testified that the stewardess Jung Kyung Sook [ph 3:30:34] was alive in North Korea. Oh Gil Nam [ph 3:30:38] in 1989 testified that he saw my father in a liaison office and he testified that my father was under special surveillance. In 2010, June 17, [3:31:00] I submitted my appeal to the UN Human Rights Council, and that is how I got, indirectly, news about my father and last year I learned that my father was still alive in North Korea.

**Michael Kirby**:

Who did you learn that from? Was that from the government or authorities of North Korea? Or from another source? [unclear 3:31:37] wish to ask questions about anything that would cause any embarrassment or difficulty of further contacts, so if you would prefer not to answer that question, you can just say so, and I will not pursue it.

**Mr. HWANG In Chul**:

[3:32:00] Circumstances are not certain right now. In 2001, at the third family reunion meeting, Sung Kyung Hyun [ph 3:32:21] met her mother. That is what motivated me to try to find my mother. In 2010, June 17, I submitted my request to the Working Group on Arbitrary Detention and I believed I could finally meet my father.

But… and in the course of doing so, I heard news that my father was still alive, and that [3:33:00] he was 200 km away from Sinuiju, that the people who had been abducted are living together in this location. I heard that my father was living in this location and that my father had this will, had expressed his will to come to South Korea, but it breaks my heart to say that I asked the Korean government to help me but my request was rejected. Currently, as of today, I am not sure if my father has been sent to a political camp or whether he is alive. I express my regrets about not being able to tell you every detail about [3:34:00] what I have learned so far to this day.

**Michael Kirby**:

I want to ask you about the impact that this event and the loss of your family members had on personally as of 11th of December 1969. Just tell the Commission of Inquiry how it has affected your life.

**Mr. HWANG In Chul**:

Well, first of all, when the government rejected to help me, I stopped believing in the South Korean government, and these days, I have come this far and the fact that things didn’t go through, it hit me.

**Michael Kirby**:

Go back please before the [3:35:00] events with the South Korean government, to how the sudden disappearance of family members affected your life. What was your age at the time and how did it impact on you? Because you lost your father and your sister. How old were you at the time?

**Mr. HWANG In Chul**:

It wasn’t my sister. The sister that I am referring to is the daughter of the man sitting next to me. I have a picture last taken with my father. This is me, this is my father, and this is my cousin. At the time, I was two years old… when I was two in the winter, he got on that plane [3:36:00] on a business trip and that is how he was abducted.

**Michael Kirby**:

Who brought you up after he disappeared as a result of this incident? Who raised you when you were still a young child?

**Mr. HWANG In Chul**:

I was two at the time, and my sister was only 100 days old. So my mother had to raise us all on her own. I repeatedly asked my mother the whereabouts of my father. I had no memory of my father, but I remember that he loved me very much, and I missed him. So the memory is very clear. I have very clear memory of my father. I asked my mother, and every time I asked my mother about the [3:37:00] whereabouts of my father, she said that he was on a business trip in the United States. That was her answer and I kept asking her and I kept waiting for my father. When I was in the third grade in elementary school, my uncle, the younger brother of my father, told me that my father had been abducted when he got on that plane and ever since I have missed my father so much until this day.

**Michael Kirby**:

You were told that by your uncle.

**Mr. HWANG In Chul**:

I think that was in the third grade, so Korean age 11.

**Michael Kirby**:

What is your attitude toward the North Korean government [3:36:00] for condoning this event and keeping the pilots and stewardesses and the small number of passengers including your father?

**Mr. HWANG In Chul**:

Well, the North Korean government, I think in accordance with international law and international common law, should have returned them. In accordance with the procedure, I believe that the North Korean government should take up steps in order to resolve this issue. It’s not too late. If it’s through a third country or third party, they [3:39:00] should let the issue or the whole circumstances be known, and they should let the families meet.

I’m sure you flew here. And you had a goal when you were coming to Korea. But if you were taken by somebody else, and were never able to see your family again, I think that’s the one of the saddest things that could ever happen on Earth.

**Michael Kirby**:

You know the young woman who conducted the hijacking, was she punished by the North Korean government as you understand? Do you know?

**Mr. HWANG In Chul**:

It was not a she. It was actually a he, by the name of Cho Chang Hee [ph 3:39:49]. I think he was a spy for the North Korean government. And so from the 8th of December 1969, [3:40:00] he actually bought an air ticket under the name of Han Chang Kee [ph 3:40:04], and then he returned the ticket and he bought the ticket again. And on the 11th of December, he got on the plane and then he hijacked the plane. And after that, the spy Cho Chang Hee… I think his whereabouts and what happened to him, we do not know.

**Michael Kirby**:

Do you have a spare copy of that magazine which has the photograph of you, your father and your cousin?

**Mr. HWANG In Chul**:

Yes, I do have a copy.

**Michael Kirby**:

Could we have a copy of that for the record of the Commission? And we will mark that magazine with the photograph of Mr. Hwang’s father and his cousin as [3:41:00] Exhibit S16, Seoul 16, S16. Are you able to give us a copy of that today?

**Mr. HWANG In Chul**:

Yes, I can do that for you today.

**Michael Kirby**:

Now, you also were telling us how with the passage of time you have become very upset about the South Korean government as well. Why do you think they have not been more supportive in what is, on the face of it, a very serious breach of international law? What is the explanation?

**Mr. HWANG In Chul**:

I think it was in 2000. Let me think back to 2000. [3:42:00] Because in 2001, when there was a reunion of the separated families, the stewardess Sung kyung Hee met with her mom, and we learned that the stewardess Jung Kyung Sook [ph 3:42:11], and the pilot Yoo Byung Hwa [ph 3:42:13] and the copilot Choi Sung Man [ph 3:42:15]… we learned that they were alive. And after that, in 2006, I think it was June 2006, through the Korean Red Cross, North Korea sent us a notification that they were not able to confirm whether these people are alive or not. Although Sung Kyung Hee has not met others, she had heard that seven people were alive. But the North Korean government was saying that they were not able to confirm whether these people were alive or not. So, this did not make sense to us.

So we went to the South Korean government, we met with South Korean government and urged [3:43:00] them to come up with a follow-up measure. And we asked them to tell us what they were going to do. But the South Korean government, at the time, said that abductees are categorized as separated families. And since there are large numbers of separated families, everything has to be in accordance with the order, with the sequence. But I think that just showed a lack of the commitment on the part of the South Korean government.

So North Korea gave us an answer. The North Koreans said that the hijacking of the plane was a made-up story. So the South Korean government was saying that it [3:44:00] was going to be deal with the abductee issue as a part of separated family issue. It seems that the Korean government is not really taking up this issue – the hijacking of the Korean Air is an international crime that many people know about. And it’s a very complicated issue but we can still deal with this one by one. But it seems as though the South Korean government is simply implying or saying they are doing certain things but not doing anything. There are many family members of abductees. North Korea is [3:45:00] saying that the Korean Air hijacking incident is a made-up issue, that it’s fake. But nobody has been able to tell North Korea that that’s not true. So I hope that the United Nations, if you ask this question to North Korea strongly, I think that the North Korean government will respond, and that way, the families may be reunited. I think it’s because nobody is really raising this issue strongly with the North Korean government. That is why, I believe, that this incident or this issue remained unresolved.

**Michael Kirby**:

Can you explain to me why there is in South Korea what appears to be a great degree of acceptance and resignation about the offences of North Korea and [3:46:00] an unwillingness to speak constantly and boldly and for citizens to take a very active part in these matters?

**Mr. HWANG In Chul**:

I think it’s because everyone is too focused on obtaining reunification. And they are only looking at this from a political point of view. It seems that the powerful people are just looking at this from a political point of view, and people like us, who are powerless, we are not able to make any progress.

**Michael Kirby**:

Now, I would like to ask Mr. Jung Hyun Soo, and Mrs. Jung, what impact this event had [3:47:00] on their lives.

[Multiple speakers]

I’m getting the Korean translation.

**Mr. JUNG Hyun Soo**:

First of all, I would like to ask for your understanding, I’m not well. So I may not be very clear, and I [3:48:00] have some difficulty understanding and talking, so I hope you that you understand that in advance, I wanted to say that first.

Jung Kyung Hee [ph 3:48:19], she was a stewardess, a flight attendant. Jung Kyung Hee and my sister Jung Kyung Sook [ph 3:48:28], younger sister, they went to the same high school. And Sung Kyung Hee [ph 3:48:52] and her mother Kim Soo Deok [ph 3:48:57] met [3:49:00] at the family reunion. So she went to North Korea and met with Sung Kyung Hee during the family reunion. This was broadcasted widely here in South Korea.

Sung Kyung Hee said that my younger sister Jung Kyung Sook was living in a place that was not far from hers. And Sung Kyung Hee’s mom, when she came back to South Korea, we met with her and we were able to get some information. And my younger sister, Jung Kyung Sook… [3:50:00] she actually brought the address of my younger sister, and she told us that my sister was doing quite well. So Sung Kyung Hee’s mom, she was thinking that my sister was doing fine, but I could not agree with that. I think that was just talk. I think if… we applied to the reunion too, but our application was [3:51:00] rejected because they could not confirm the whereabouts of Jung Kyung Sook that came through the Korean Red Cross. So at this point, I cannot accept or believe any stories that are told to us. Until we actually meet, until I actually meet with my sister and talk, I’m not able to believe any other stories. That is it for me.

**Michael Kirby**:

What is your attitude to what happened in December 1969, and what has happened ever since? What do you feel about what has happened to [3:52:00] your sister and you and your family?

**Mr. JUNG Hyun Soo:**

At that time, you have to understand the political situation in Korea. It was very rigid. The police was watching the families of the abductees, they were watching who was coming and who was going, and if we moved… that is, if we relocated, they would come visit us and ask us questions. Well it didn’t last for a long time, but [3:53:00] for some time that was the case. Well, keeping surveillance on us did not last all that long.

**Michael Kirby**

[unclear] … South Korean government has done enough to assist you to reunite with your sister?

**Mr. JUNG Hyun Soo**:

Well, I don’t think they took specific steps. But, at one time, they tried to [3:54:00] bring back the abducted people through the United Nations. I can’t remember the name of this organization. Anyway, through many organizations and the United Nations, I understand that the Korean government attempted to bring back the abducted people. But from the point of the view of the abductees’ families, it just doesn’t seem enough the effort that the Korean government has put in.

**Michael Kirby**:

[unclear] … Mrs. Jung what her feelings are about what happened, and about the response that both the government of North Korea and South Korea have made to this event, which was a breach [3:55:00] of international law?

**Mrs. JUNG:**

It’s been quite a long time since the abduction. Some things I remember clearly, as if it has happened yesterday, but some details were forgotten. But for our family, that incident was just truly sad. I mean, we were so happy because she graduated from a good school, she got a great job, everyone was happy, she was happy. And then she was abducted. And we were also taken to the National Intelligence Service to be questioned. The whole family was questions. But it was [3:56:00] found out that, two days later after the abduction, that the plane… the perpetrator was identified for the abduction, the questioning stopped.

However, whenever we moved, whenever we changed our residences, we had to make a special report. I think one time, I don’t remember what year it was… I am quite old, so I can’t remember what year it was. I think it was seven or eight years ago, in the city of Daejeon, somebody came to visit us with fruit. He or she heard the information that there was Jung Kyung Sook living in [3:57:00] China and there was a telephone call. But that was not the case. Actually they thought that we had talked to Jung Kyung Sook in China, but that was not the case. But anyway, our family, we are a separated family. Our hometown is in North Korea and Jung Kyung Sook was born in North Korea. When she was few months old, she had come to South Korea. We, my husband and I, are members of separated families. At home, that is in my hometown, my mom and my siblings… Because my mom and my siblings remained in North Korea. Because of the Korean War, I had to come down to South Korea when I was twenty years old. [3:58:00] My husband is also from North Korea and came to South Korea and went to school. So we are separated families. So there are relatives in North Korea. My grandparents were there, my siblings were there, and out of the 6 siblings, 3 siblings came to South Korea, and three siblings remained in North Korea. I don’t know what had happened to them. My father, I understand, was captured, I don’t know what happened to him.

Anyway, when Jung Kyung Sook was taken to North Korea, there was a North Korean broadcast, and according to that North Korean broadcast, Jung Kyung Sook had met with father. We know that was not true. We [3:59:00] really could not believe that because we knew that the father had been taken away, and Sung Kyung Hee’s mother told us that Sung Kyung Hee told her that Jung Kyung Sook was well off, but we didn’t see with our own eyes. We just heard it through other people. So we couldn’t really accept everything that we heard. So Sung Kyung Hee… the Ministry of Unification allowed Sung Kyung Hee and her mother to meet, but they didn’t allow us to meet with my sister-in-law. And they are saying that they can’t confirm whether my sister-in-law is alive or not. I don’t know what they came up with that.

Actually the Ministry of Unification said that we would be able to meet. That’s why we bought the presents, because we thought we were going to meet with my younger sister. And then we were told again that we would not [4:00:00] be able to meet with Jung Kyung Sook because it wasn’t possible to confirm whether she was alive or not. So we had many doubts. And I think it’s a lie that she is well off in North Korea. And we were very close to giving up until we heard about the COI and the hearings. This happened 44 years ago, and in trying to remember what happened then, we are not articulate anymore and our memories are very shaded. We are old now. We don’t trust what we hear right now. If she is alive, I think we deserve to meet. [4:01:00] But the fact that they cannot verify whether she is alive or not, I think we don’t believe it. I think it doesn’t make sense.

**Michael Kirby**:

Yes, thank you all for your testimony.

**Marzuki Darusman:**

Yes, just one for the family, Mr. Jung and Mrs. Jung. Are you both part of the family reunion program or efforts? And this is to… to answer this question, it’s perhaps [4:02:00] more urgent to know whether the family in North Korea still alive or not. You have random information about that. But, if you are a part of the family reunion program, then it would be possible to establish the fact that the family may be still alive. Although, it might take a while until you meet with them. So, what would be your sense about that? I understand that the South Korean government would have to go through a policy of securing [4:03:00] the communication or contact between the families separated for whatever reason. What would be your view about that?

**Mrs. JUNG**:

As of right now, we are just waiting to hear about anything about our family. We are not doing anything to talk to the Ministry of Unification. We understand that the Ministry of Unification is doing something to get information about our family members. But if North Korea says no, we will never be able to meet them. [4:04:00] The people in the Ministry of Unification, and in North Korea… I don’t know how, but Sung Kyung Hee was able to meet with her mother, but why it didn’t happen to Jung Kyung Sook we don’t understand. So we never know how North Korea is going to respond to our request. According to people who were once in North Korea, we heard that Jung Kyung Sook said something that criticized the North Korean regime, so we think that maybe that got her into trouble, I’m not sure. But, we heard that another reunion meeting is happening, and if our request is admitted, our request is admitted to meet Jung Kyung Sook, I think we would be very grateful.

**Mr. HWANG**:

[4:05:00] As for me, in 1999, I applied to meet my father, and in 2001 I saw Jung Sung Kyung meet her mother. In 2006, through the Red Cross, I was notified that they couldn’t verify whether my father was alive or not. Based on their notification, I requested for help from the South Korean government, but that did not go through. And that’s why I contacted the Working Group on Arbitrary Detention and Abduction, and although it’s long overdue, this case has no statute of limitation. That is why I am still trying to resolve this case. [4:06:00] North Korea said that the event itself is fabricated and I can’t believe that the South Korean government has not expressed any position about the response from North Korea. All we get is a lip service from the South Korean government.

But what is certain is that at the time it was an issue in the international community, it is still an issue in the international community. Therefore, I ask you once again to raise this issue with the North Korean government, and ask them why this is a fabricated event. When you do that, I believe that North Korea will feel accountable to say something about this event. Because North Korea is the only country that is saying that it fabricated when in fact it is a reality, it is a history for other countries in the world. It has to be addressed, it has to be resolved, and the international media has to [4:07:00] move. You can’t just talk about this, it needs more than lip service and words. We need to come up with concrete ways to address this before the family members of the abducted people die.

**Marzuki Darusman**:

A question to you, Mr. Hwang. We have a note that in January 2013, there was some information about the whereabouts of your father. Is there anything that could come out of that? What’s the situation now?

**Mr. HWANG**:

I cannot disclose the real name, but [4:08:00] my source is someone whom I can trust. This person is involved in helping abducted people to leave North Korea. I cannot disclose this person’s name, but beginning in October last year, I began to get news about my father and I know that my father has expressed his wish to come back to South Korea. And that is…

**Michael Kirby**:

Sorry to interrupt you there. This is going to be a public record, and it may be best if any such matter be conveyed to us privately, so that it isn’t part of the public record. I think that would be safer for you and for your father. So perhaps you should just tell us that privately after we adjourn for lunch. Would you be happy with that procedure?

**Mr. HWANG In Chul**:

[4:09:00] Yes, yes, I understand.

**Sonja Biserko**:

Just one short question. When you say that you approached the Red Cross, the Korean Red Cross, does it mean it also implies the involvement of the International Red Cross?

**Mr. HWANG In Chul**:

Yes, yes. When the aircraft was hijacked, only 39 people came back. Based on the testimonies of the 39 people, we found out that there was no valid reason why the 11 other people would not, could not come back, whereas North Korean said that those 11 people [4:10:00] voluntarily decided to stay in North Korea. The International Red Cross then proposed to ask those people who allegedly decided to stay behind whether they would want to come back via a third country. But we only got a letter from North Korea. They said that the 11 people expressed that they wanted to stay in North Korea, but they really never got a chance to voice their wish. And that is why, regardless of the passing of the resolution of the UN General Assembly, we were not able to get any response from North Korea, and this issue was no longer raised by the South Korean government and the international community. And I believe that has led to lesser interest [4:11:00] in this issue.

**Michael Kirby**:

But, it’s one thing to say that the incident and the hijacking is a fabrication, but it’s another one, as it seems to me, to say well, 39 people were not a fabrication, but they have been returned and 11 people have elected to stay in North Korea. That tends to show that it was not fabrication at all, and that what happened was an irregular departure from the itinerary of the plane, which led to having to send back at least the majority of the passengers on the plane.

**Mr. HWANG In Chul:**

Yes, at the time when the aircraft was hijacked, the broadcasting station in North Korea, based on the testimonies of the 39 people, put together this television drama. I [4:12:00] believe at the time, they were going to use this as an anti-communist propaganda in South Korea, I’m not sure. But in the drama, my father was portrayed as dead because he criticized the communist ideology during the revolutionary training, and because he sang this song that expressed his wish to come back, and he was portrayed as having been arrested... because 39 people testified that after that nobody saw my father.

After seeing that program, my grandmother, she fell back, and I heard that my families, my aunties, went to the broadcasting station to submit their complaint. So, why the rest never came back, [4:13:00] we do not know. And when we raised this issue through the UN, we learned that in pursuance of the international standards and law, we were sure that my father deserved to come back home, and I believe that it is why he expressed his wish to come back. But his wish has been denied, and I think the denial, the rejection of his will is an anti-humanity action. I still believe that I deserve… my father deserves to meet me.

**Sonja Biserko**:

These 11 people who didn’t return, they were all well-educated. What was the profession of your father? Maybe the decision of North Korea not to return them was maybe connected with the fact that they had a lack of such professionals.

**Mr. HWANG In Chul:**

[4:14:00] My father was at that time a producer at the Youngdong MBC broadcasting station. And there was a camera man, and he has not returned too.

**Michael Kirby**:

[unclear] Mr. Hwang, and Mr. Jung Hyun Soo, and also Mrs. Jung, thank you for coming along and giving us your assistance. I regret the pain that you have been subjected to, and we will consider what can be done by the United Nations in the circumstances [4:15:00] of the evidence as it stands at the end of our inquiry. Thank you very much.

If you would not mind leaving behind a copy of the magazine, and when we adjourn, we will have a word with you about the matter that I interrupted you on. Very well, you can stand down now, thank you very much, and the Commission of Inquiry will adjourn now until a quarter past two this afternoon when we will resume.

[ph]: indicates transcribed text that has been typed as it sounds (phonetic).

[Unclear]: indicates parts that were inaudible.

[Multiple Speakers]: more than one speaker is speaking at once and no exact transcription is possible.