**Speakers:**

*Mr. YOO Young Bok*

*(violations against prisoners of war and their descendants)*

*Mr. AHN Yong Soo, NKHR (violations against prisoners of war)*

*Korean War Abducted Family Union (KWAFU)*

***Mr. YOO Young Bok***

**Michael Kirby:**

Mr. Yoo, welcome to this session this afternoon of the Commission of Inquiry, which I now open. I thank you for coming along to assist us.

**YOO Young Bok:**

I would also like to thank you, the COI, for working to resolve the human rights violation issues in North Korea.

**Michael Kirby:**

[unclear] … your name?

**YOO Young Bok:**

Yes, can I just introduce myself? Would it [1:00] be okay for me to introduce myself?

**Michael Kirby:**

[Unclear] … period, and they have concluded that there are no relevant protection concerns in using your name.

**YOO Young Bok:**

Yes, that’s true.

**Michael Kirby:**

Yoo Young Bok, and you have come here today…

**YOO Young Bok:**

Yes my name is Yoo Young Bok

**Michael Kirby:**

… in relation to the disappearance of prisoners of war who were caught up in the Korean War of 1951-1953. Is that correct?

**YOO Young Bok:**

Yes that’s true. That’s correct.

**Interpreter:**

Can you hear me? 1,2,3, I’m speaking into the English channel [2:00]. 1,2,3, testing the mic. Can you hear me now?

**Michael Kirby:**

We’ve asked other witnesses if they are prepared to make a declaration that what they say before the Commission of Inquiry is the truth. Are you willing to make that declaration? That they declare that their testimony will be the truth.

**YOO Young Bok:**

Yes.

**Michael Kirby:**

[3:00] You were one of the prisoners of the war of whom there were a very large number in the Korean War of 1951-1953. How many in all, do you know? Prisoners of the war from both sides in the Korean War?

**YOO Young Bok:**

Well, I don’t have the exact numbers. I understand that it is more than 100,000, that is the POWs from North Korea. I understand that there is a similar number of POWs from South Korea. And in 1953, at the time of the armistice… I understand that [4:00] 75,000 North Korean POWs were returned to North Korea. Only 8,700 of the South Korean POWs were returned to South Korea. So it’s a 1 to 9 ratio. And most of the POWs… well according to the international law and common sense, the POWs should have been returned. However, North Korea has forcefully detained these POWs and that is what I would like to testify to.

**Michael Kirby:**

Did you say were forcefully retained in North Korea although they were originally soldiers from Seoul, South Korea?

**YOO Young Bok:**

Well, as I said, I don’t have the exact number. But I think it’s the same, [5:00] it should be similar. That is the number of POWs from South Korea. And I understand that about 8,700 have been returned but 75,000 North Korean POWs have been returned to North Korea. So the remaining ones have not been able to return to south Korea. So I believe, you know, tens of thousands are still remaining in North Korea. I am sorry I don’t have the exact numbers for you.

**Michael Kirby:**

And were you fighting in the army before the armistice and if so, where were you based and how did it come that you were in North Korean territory?

**YOO Young Bok:**

During the Korean War, [6:00] I think it was in June of 1953, I was at the front line of Gangwon Province. I was the 5th ROK army, division 5. Excuse me, division twen… And, about a month before the armistice, during the… I was captured by the Chinese troops. When I was captured… well actually, the lower half of my body had been buried so I was not able to move and the Chinese troops, since I was not able to [7:00] move, they let me be treated for ten days at one of their barracks. And at that time, in Sumori, [ph] (7:15) of South Pyongan Province, I was taken there. So under the control of the North Korean military, I was a POW and then soon after, there was armistice. I thought that there would be an exchange of POWs between South and North Korea. However, the North Koreans detained us and I… in 1953, I think it was August, I was sent to a mine, to a mine in Chul San Gun of North Pyongan [8:00] Province.

There were about 600 other South Korean POWs that were taken to this mine. We were forced to work in this mine and we said, ‘We are South Korean POWs, why are we not being exchanged, why are we working in the mines?’ We asked these questions. And the North Koreans said they don’t know why and they just said we should do what we are told to do. So we worked in the mine for about a year. And then, in 1954… there were about 600 of us as I said. They sent us to another mine in Hamgyeong Province. It was one of the largest mines in North Korea. So [9:00] from 1957, I worked there. So actually there were two mines in that large set of… complex. And there were about 1,000 of us working those mines.

**Michael Kirby:**

What was the mineral product? Coal?

**YOO Young Bok:**

No, no, it was not coal. What we mined is called monazite, that’s a mineral that’s not known. It’s almost like sand and it’s used… it’s called monazite. It’s used to make weaponry. It’s an important mineral to make the alloy that is used to make [10:00] weapons. And we packaged those and exported it to the Soviet Union. It’s not something that is mined in mountains. It’s a type of mineral that is accumulated on the ground. And it was one of the largest mines. And there was, of course, many different minerals that were in the mine, it’s like gold, silver, as well as of iron.

**Michael Kirby:**

Were you entitled to be treated as prisoner of war and, if so, with what effect?

**YOO Young Bok:**

[11:00] Well, as you know, in July of 1953, there was the armistice agreement, but they didn’t exchange us. But they didn’t exchange us, they took us forcefully to mines. Of course, some of my comrades or colleagues asked why they are not sending us back to our homes when we are POWs. So there were some who stood up. And they were just telling us that we should do what we were told to do. So there was a lot of peer pressure. And those who stood up against the North Koreans were publicly executed and were secretly transported. I learned later that they were taken to the political prison camps. So most of us decided to keep quiet, because we knew, if we complained, that we would only be victimized [12:00] further.

There is a saying in Korea: in 10 years, the whole landscape changes. So we thought that this wouldn’t last long. We thought the inter-Korean relations would improve. And because all the officers were alive, and because the South Korean government was there, because the president was there, we thought they would one day come looking for us, trying to save us. So we decided to be patient and wait.

**Michael Kirby:**

[unclear] … wait?

**YOO Young Bok:**

Well we thought we wouldn’t have to wait for longer than 10 years, but 5 decades have passed and nobody came looking for us and trying to save us. And North Korea just used us. And until the end of the 1950s, [13:00] they strongly controlled us and kept surveillance on us. And then I think in the latter part of 1956, there was a change, a shift… and instead of having an armed guard watching over us, North Korea, by the end of 1956, decided that rather than having an armed guard watching over us, they decided to accept us as North Korean citizens. And they said they were going to issue the identification or the citizenship to us. [14:00] I think it was the end of the 1956. They decided to give us the citizenship and have us work in the mines.

**Michael Kirby:**

[unclear] … mines in which you were working?

**YOO Young Bok:**

You know working in the mines, it’s very primitive. One of the mines that I used to work had to go as deep as 1000 meters. And the air was bad and the work itself was backbreaking. [15:00] Even the North Koreans say that that is the mine with the most intense workload. The way we worked there was very primitive. There were no tools. And it’s known even in North Korea that is the mine with the most difficult, the hardest work.

**Michael Kirby:**

[unclear] … continue protesting about your use as a prisoner of the war or did you give that away when you got citizenship and just accept the status quo?

**YOO Young Bok:**

Since they gave us this citizenship, this registration card, I thought that was better than being controlled, being watched over by the armed guards. [16:00] Because if we become a members of the society, we thought that would be better. So if we wait and live as a citizen, we thought that the relationship would improve between the two Koreas and then we would somehow have an opportunity to move to South Korea. Well that was our hope, but that was not the case. It didn’t work out that way.

Although we received this registration card or citizen card, life was still tough and they said that, ’Since now you are recognized as a North Korean citizen, why don’t you get married with a North Korean woman?’ So we actually decided to get married to North Korean women. It’s not that we really wanted to. We had no choice for us to live because they didn’t pay us until 1956. [17:00] And then as they gave us the citizenship in 1956, they said that they were going to pay us and with that money you can have housing and food. So we decided to work harder and because we got married and we had a family, we had to work harder. So actually, when we were POWs, we were controlled only within the camp. But now that we had the citizenship, we were controlled and we had surveillance from the National Security Agency as well as from the police, as well as from the neighbors, as well as from the mining company. So in fact, after we got citizenship, the discrimination got worse and also the control over us, the surveillance over us got even stricter.

**Michael Kirby:**

[unclear] … the food and the pay that you received?

**YOO Young Bok:**

[18:00] Well the pay… they didn’t give us less or more because we were a POW. They gave us the pay in accordance with the work we did. However, it was just enough to make ends meet. It was just barely enough. And the most painful thing was that… I mean, there was physical pain and there was this discrimination that was even more difficult. Because we were POWs, we were discriminated against. They were looking down on us. Although we married North Korean women, our children were controlled, our children were kept under surveillance. [19:00] They did not really give us good jobs; there were just no opportunities to make better lives for our children.

And the mine that was in Gong Duk, there’s another mine called Ah Oh Jip, and many, I understand, South Korean POWs were sent there. I have learned later when I came to South Korea, that many of the South Korean POWs had been sent to Ah Oh Jip mine. So the kind of life that the POWs had in North Korea just cannot be described here because we spent so much time there and we were so brutally abused. Many of the POWs died.

But North Korea continues to maintain that there is not one South Korean POW in North Korea. If you have a home in South Korea, if you have parents and siblings in [20:00] South Korea, why would anybody want to stay in North Korea, working in these incredibly difficult working conditions of the mine? This is just unreasonable. And still the North Koreans continue to maintain that the POWs in North Korea are there because they wanted to. Now these men have become 70, 80 and according to the North Korean press, there are about 500 of such POWs alive. And the North Korean government is not letting these 500 people to go to South Korea. And they are actually preventing them from escaping and leaving North Korea. They catch them and punish them and execute them. And they also repress the children of the POWs. [21:00] This is completely inhumane. The South Korean government, as well as the international community, should deal with this, should understand this and try to solve the human rights problem in North Korea.

**Michael Kirby:**

Were you allowed to join the Worker’s Party, which was the party of government in North Korea?

**YOO Young Bok:**

Of course, POWs were given residence and they told us that if we worked well, if we were obedient, we would be allowed to become members of the Worker’s Party and be treated equally as other North Koreans. Some South Korean POWs, therefore, because they did not wish for their children to be discriminated against… they thought that being a member of the party would help [22:00] their own children, so they committed themselves to obey, to show their allegiance to the regime. Some of these POWs, as a pilot, to set an example to other POWs, they became members of the party. But they did not have any real power. Yes, some South Korean POWs became members of the party but they did not have any power.

**Michael Kirby:**

What was the importance of becoming a member of the party?

**YOO Young Bok:**

Being a member of the party, in North Korea, it has a meaning. It’s about your family background. In North Korea, your family background is important; the father’s job, whether the father was loyal to the regime. Family background is the standard of one’s status. [23:00] Therefore, being a member of the Labor Party means that you are recognized, you are trusted in the North Korean society by the regime. So that is a prerequisite to becoming a government official in North Korea. So North Korean young people, for them, their highest aspiration is to enter the party, to be admitted to the party. You need to be a member of this party to be treated like a human being in North Korea. And being a member is a prerequisite for being successful and it is one way of preventing discrimination against your children. That’s why we endeavor [24:00] to become a member of the party. That’s why North Koreans endeavor to become a member of the party.

**Michael Kirby:**

And in your case, you didn’t succeed in that endeavor?

**YOO Young Bok:**

I also worked very very hard to become a member of the party. I did everything. I tried everything. But I was never admitted. They told me that if I was obedient, if I worked very hard, I would be admitted. I did my best but because of my condition, I was never able to become a member of the party.

**Michael Kirby:**

Did the conditions of life get better for you? Or were they arduous during the whole time that you were working in the mines?

**YOO Young Bok:**

[25:00] There was no improvement. What should I say… by the end of 1956, I was too tired, I was exhausted and I was too weak to endure the hard labor. So I went to learn skills and I got TB. My health deteriorated. I had to go in and out of the hospital. So I can’t really say that things improved for me. But I just wanted to hold on, to survive so that I could at least come to South Korea. That was my will. And that is what helped me [26:00] hold on. I waited for the help of the South Korean government, but there was none.

In the year 2000, the president Kim Dae Jung came to North Korea. I had very very high hopes because the president of South Korea was going to come and that he was going to come for us. Because POWs, we fought in the war to protect the country. At the time of the president’s visit, in 2000, I was 70 years old. I fought in the war when I was 20 years old. I was already 70 years old. And by then, not many of the POWs had survived. I thought the president of South Korea was going to tell North Korea that North Korea should stop forcing us to do hard labor. And I thought he was going to [27:00] ask to free the POWs. And because South Korea has given North Korea food, rice… And I think if the president back then would have mentioned something about returning North Koreans who have been captivated in South Korea, something might happen.

But I finally realized that the only way I was going to come back to South Korea was on my feet. I was on my own. If the president of South Korea could not raise the issue and could not get us out of the country then the only way was to come by myself. One month after the president returned to South Korea, I was 70 years old. I decided that it was time that I move on my own will, on my feet. I was 70 years old that time.

[28:00] I never forget. I would never once forget that I was a soldier of South Korea and that is what drove me to stay alive and come to South Korea. I am sure that many other POWs who died a terrible death felt the same way that I did. I may have been a little bit better off than the others because I had technical skills and so I endured to cross the Tumen River and to come to South Korea.

**Michael Kirby:**

When did that happen? Are you willing to tell us in what circumstances? Or do you prefer to keep that to yourself?

**YOO Young Bok:**

I crossed the Tumen River on July 20th 2001. I already had a [29:00] family in North Korea, but my wife died in 1994, the year Kim Il Sung passed away. In 1996, I continued to live in North Korea. And in 2000, president Kim Dae Jung visited North Korea. And I lost any expectation for the North Korean government. I followed this lady who was going in and out of China. This 36-year-old North Korean lady, who was doing business in China. I asked her to bring me with her to China. She warned me about the consequences of crossing the border. I told her that I had nothing left behind. I said that [30:00] I would not blame her if I got caught. I just asked her to bring me along.

So I followed her to China. It took us one week to get to the Tumen River. And she had someone who told us the lowest point where we could safely cross the Tumen River. The old man in the village near the Tumen River also told us that when the border guards were shifting their guard. I think it was two or three in the morning. The guards were taking a break on July 27th, that is when North [31:00] Korea says that they signed the armistice. That’s the day they celebrate. When the guards were off, we crossed the Tumen River. We were…

**Michael Kirby:**

What year was this?

**YOO Young Bok:**

In 2000, July 27th 2000.

**Michael Kirby:**

So you got [unclear] and you didn’t face any attempt to send you back to North Korea?

**YOO Young Bok:**

I had no idea about being repatriated back to North Korea as long as I was following this lady. She found three places for us to hide. So I trusted her for my safety. [32:00] When we were crossing the Tumen River, we were afraid that somebody might shoot us in the back. But I trusted that as long as I stuck with her, I would be safe. I had no idea about being repatriated or not. We were hiding in China for one month. And later, I found out that in China, I learned that I needed a passport to Korea. So that’s when we learned that we needed a passport. That was the first time we learned that we needed a passport in China. I thought it was going to be very easy to go to South Korea. I thought we were going to meet lots of South Koreans in China. We thought that we would be free, at least, to go to South Korea.

So we had to ask around [33:00]. And we met brokers. I told this broker to help me to go to South Korea. The broker asked for money in return. I said I didn’t have any money. And so I told him that I could pay him when I got to Korea. I told him that I would pay once I got to Korea. And the broker asked me where I lived in Korea. Now these brokers did research and they told me that my father was alive and that my sister was alive in Korea. And so I said, oh yes. I was told that I had a son. My father remarried and had a son. And so I asked whether I could talk to that son. But I’ve never [34:00] seen this stepbrother. And when we were talking on the phone, my stepfather heard that I was already dead during the Korean War. My stepbrother heard this from my father. And so my stepbrother was surprised and he checked with the Ministry of the Defense about me. And the Ministry said that the POWs who never returned were… remained in their records as POWs. And that stepbrother helped me come to Korea. Honestly speaking, when my stepbrother was [35:00] contacting the Ministry of the Defense, he made a false passport with the picture of my father at the age of 70. So he brought this false passport to China to get me out to South Korea. Now, about this passport, at the Shenyang Airport, the immigration officer was bribed so that we can pass, so that I could pass, get on the plane, with this false passport. On July 27th, I crossed the Tumen River, I stayed in China for one month and then came to Seoul, came to Korea.

**Michael Kirby:**

And [36:00] in terms of the work that you did in the mines in North Korea, before you left to come to China and South Korea, do you have any complaints about the conditions in which you were kept and the duties that were imposed upon you at that time and the circumstances in which you had to live?

**YOO Young Bok:**

Complaints… even if you have complaints in North Korea, if you expressed any criticism about the North Korean regime, you would disappear. I could not express any complaints. It’s not that I didn’t have any complaints. [37:00] I just couldn’t. If you criticized the regime, you would disappear. So even if we had complaints… I had a lot of complaints that I never could express.

My wife died terrible death in 1994. She told me when she was dying that I should stay alive and that I should make it to South Korea, return to my family in South Korea. That was her will. She left that will when she died. So I was determined to stay alive. And when I was crossing, before I crossed the Tumen River, people thought I was going to die of weakness and hunger. But I endured. I held on. And when I could no longer hold on, [38:00] I escaped.

What I want to say here today, Honorable Commissioners, my mandate in Korea is… before I talk about that, my mandate in Korea is to talk about the others, my colleges, the POWs who died a tragic death in North Korea. It’s a mandate but in other terms, it’s my responsibility. Somebody has to testify about the terrible, tragic death of these POWs. The international community does not know what happened. South Koreans don’t know what happened. Tens of thousands of POWs died tragic deaths in North Korea. Somebody has to testify this. Somebody has to testify about the anti-humanitarian [39:00] acts of North Korea to the entire international community.

Nicely put, it’s my mandate, but honestly, this is the first time… at first, I used a false name but 14 years later, I am now using my real name. And I’m showing my face everywhere. I didn’t do anything wrong in North Korea. I served 47 years in North Korea. I did everything they asked me to do. I was in forced labor for decades. I did nothing wrong in North Korea. I did everything. So before I die, it was my wish to return to my hometown where my family lived. And I was going to testify about what North Korea did. And that is why I am using my real name, I am showing my face, I have come [40:00] forward. I have my shortcomings, I cannot talk about the stories of everybody who suffered. But I have written things about North Korea. It was written in Korean but a Korean American translated it into English. I have brought copies to give to the commissioners. I have described the lives of the POWs in this book. The only education I received was the night schools during the Korean War. This is not sophisticated writing. But this is the fact. This collection of fact has been translated into English. And I would like to give each commissioner a copy of the book.

**Michael Kirby:**

[41:00] Actually, indeed, we received a book. And in fact the book is called “Tears of Blood”, I believe. Is that correct?

**YOO Young Bok:**

Yes, that’s correct. Well, it’s “The Two Days of Destiny” in Korean, and I think it’s been translated to “Tears of Blood”. So title is a bit different, but it’s the same book.

**Michael Kirby:**

In Korean, what is the name of the book in Korean?

**YOO Young Bok:**

It’s “The Two Days of Destiny” or “Two Days of Fate.” And the reason that I entitled the book as “Two Days of Fate” or “Two Days of Destiny” is that… because my life has been quite complicated. I [42:00] was twenty when the war broke out in Korea. I was taken by the North Korean military and I escaped. And when I was escaping and coming to South Korea, I met the South Korean army. Because I was with the North Korean army for a while, I was in the POW prison in South Korea. Because they thought I was a North Korean soldier. I didn’t want to but because I served in North Korean army, I was treated as an enemy. And I was a POW in South Korea.

So when I was again conscripted, or brought into the South Korean army, I did my very best to serve as a South Korean soldier. I wanted [43:00] to make sure that I served well so as to delete my past history of serving with the North Korean military, even though that service was not something that I intended or wanted. So now, I have met with the head of the division when I came back to South Korea. He said that… he praised me for all the difficulties that I have gone through. And he said I’m the only person from his division, the army, that has come back after being a POW in North Korea for such a long time. [44:00] I know there are many South Korean soldiers that have made more contributions and have died. But I was given a special honor, a special medal, because of my survival.

**Michael Kirby:**

I think you have some critical views about the way the Republic of Korea, South Korea, has defended the rights of the prisoners of war from South Koreas who are still in the North.

**Yoo Young Bok:**

[45:00] Well, rather than being critical with the people in the South Korean government and the politicians, those that are in the current government have not gone through the Korean War, And those who were involved in armistice agreement are no longer available or working in the Korean government. And I think that the armistice agreement, or the… it’s not fair. I know it’s late but it is my hope that the South Korean government will take a more active role that will actively ask North Koreans, in order to protect the rights of the POWs. But I think that the South Korean government will take more active steps so that [46:00] just… even if just one more POW in North Korea can be brought back to South Korea.

**Michael Kirby:**

I mark the book, “The Tears of Blood” by this witness, Yoo Young Book, as exhibit S17 in the proceedings before this Commission of Inquiry. Thank you very much Mr. Yoo for coming along today and telling us your remarkable life story. And thank you for the copies of the book. I will ask my colleagues if they have any questions.

**Yoo Young Bok:**

If there are further questions, yes I would also like to answer.

**Michael Kirby:**

One moment before you leave, [47:00] because there may be some other questions for you from the other members of the Commission.

**YOO Young Bok:**

Yes, OK, OK.

**Marzuki Darusman:**

Mr. Yoo, I don’t really have any substantive questions in respect to the clarity you’ve been able to give to the issue here. And I wouldn’t want to be questioning anything that you would be immediately able to answer. And therefore, I will go with what you have said, so far, I just wanted to be sure about one thing, looking at the future. And this is [48:00] just to get a sense of how things might proceed. Is there a veteran’s organization in Korea that might take up this matter in a more institutionalized manner so that the issue is able to be resolved in a way that is real and final and fully settled, with satisfaction?

**YOO Young Bok:**

Here in Korea, we have a veterans’ organization. [49:00] We have organizations of soldiers that participated in the Korean War. We also have an organization of the soldiers that have been injured during the Korean War. But I believe that the POW issue should be dealt with and resolved by the Ministry of Defense of the South Korean government. The Veterans’ Organizations, they have searched, they have already given their service to the Korean military and now they are civilians. Of course they should be concerned and they would be very much interested in the issue of POWs. But I think the first responsibility lies with the Ministry of the Defense.

But I think, frankly speaking, when I came to South Korea, I was 70 years old. Well the press says that there are hundreds of [50:00] South Korean POWs living in North Korea. But they are very old and the conditions do not allow them to bring them here. Even if the Ministry of Defense talks about this, the North Koreans are not going to accept it. Maybe with the active cooperation of the international community, maybe there is a possibility. But I think all the POWs in North Korea would be over 80 years old. Let’s assume there are a few that are alive in North Korea. I mean they have children, they have grandchildren in North Korea. If you just bring one old guy from North Korea to South Korea, how will they live in South Korea because they have their families back in the North? So if South Korean government wanted to resolve this issue, they should be able to bring the families of the POWs in North Korea [51:00] together to South Korea.

Would that sort of agreement be possible? Would North Korea accept that? No, North Korea is not going to accept that. If not, the POWs will have to escape alone. But they are old and up until 2011, I heard of one or two POWs escaping from North Korea and having come to South Korea. But now I don’t even hear such news. I think there should be an agreement in the international community and between the two Koreas. So there should be a legal way of allowing the POWs and their North Korean families to come to South Korea. [52:00] But you know, I don’t think it would be possible for the POWs to escape from North Korea. I believe that the media should deal with this. But North Korea has not listened to our demands. They are not going to start listening to our demands right now. I think there has to be a very active cooperation in the international community to persuade or to force North Korea to allow these POWs and their families to come to South Korea.

I hope that the international community will take up this issue so that these POWs… they are very old, so we should allow them to enjoy rest of their lives back here in their hometown, here in South Korea. And what I don’t understand is that North Korea is looking at those old guys as useless. If these guys are useless, I think that [53:00] they should just let them come to South Korea. But I think ultimately that North Korea will have to agree to this.

So there have been tens of thousands of South Korean soldiers that have been taken to North Korea. And their human rights have been violated. And many of them died and I hope that history will remember them. But the problem is that there are many in South Korea that do not know about them, and the Korean politicians and young students in Korea do not know about them. There was a Minister of Unification here in Korea, who said that the POW issue had been resolved at the time of the ceasefire or at the time of the armistice agreement in 1953. And there was the head of National Intelligence Service, Lim Dong Hoon, who said that the [54:00] POW issue had been resolved by the ceasefire agreement between the two Koreas. So these top ranking politicians, government officials, when they were in their post, there were about ten POW that had escaped to South Korea. So the reports would have been provided to these people because they were the Ministers of Unification and the head of the National Intelligence Service. So this is what makes me sad. And I don’t know what happened. The government or the people that are working in the government right now were not involved in the ceasefire agreement. So they may not be held responsible for POW treatment and the ceasefire agreement. [55:00] But I think that they should be able, they should work to help the POWs.

And there are POWs that have asked to have their remains buried in South Korea. And the South Korean government it seems is in denial… I’m trying to say that some government officials, especially high-ranking officials, are saying that there’s no POW issue. And now, there are about 50 surviving POWs that have come to South Korea. And they are not speaking out loud because they are scared that something might happen to their families in North Korea. And most of these POWs [56:00] that have returned to South Korea are not able to express their opinions because of course they are old, because they have not been educated well before they were taken as prisoners. They know the atrocities that they and their colleagues have endured, but they are still cared of the consequences that might occur for their families in North Korea.

I know that I don’t have live long… I don’t have much to live, that is why I am making these testimonies. Dead people will not be able to testify, that is why I am making these testimonies. I know I don’t have long to live and that is why I am bravely talking about the POW issue. [57:00] I am not trying to criticize the South Korean government. But I just believe that there are more that can be done by the South Korean government. The Korean War is not over. If the POWs are not protected, do you think that young Korean men would serve in the Korean military and die for the nation in time of war? The president, the commander, if they only know how to give instruction and orders and not be able to look after their people, their men, then who would pledge allegiance, who would pledge loyalty to such president and to such generals? This is related directly to national security.

I know that the POWs in North Korea are old, but the government should show that [58:00] they are going to be continuously responsible for those who have given their services to the military. In the case of North Korea, they have taken all their POWs from South Korea and gave them heroic treatments. That is why North Korean young men are more than willing to serve in the North Korean military, because they know that if something goes wrong, that the government will look after them. In North Korea, people are bribing so that they can serve in the North Korean military, but that is not the case here in Korea.

**Sonja Biserko:**

I have just one short question. Are you aware that there was another category of [59:00] Koreans in North Korea, from the South and Japan, who came there on a voluntary basis? Have you ever come across them and what was their treatment in North Korea, if you know?

**YOO Young Bok:**

In North Korea, I lived with another one thousand POWs. And in North Korea, I met a South Korean soldier who, [1:00:00] at his own will, took his entire troop to North Korea. He confessed of joining the communist North to fight in the Korean War. I’ve met all sorts of Korean soldiers in GaeJae Do camp [ph]. After I was released from GauJae Do [ph] camp, I met other South Korean POWs. And I have also met other North Korean soldiers who from South Korea took with them a lot of South Korean soldiers to North Korea. So there are soldiers, there may be soldiers who went to North Korea at their own will but I do not feel that [1:01:00] this is the time to talk about them. They are different kinds of Korean soldiers.

We talked about abductees and separated families this morning. And the POW issue maybe interrelated, if… why they went to North Korea, why these South Korean soldiers went to North Korea? Not all South Koreans soldiers who went to North Korea are POWs. You have to look into why, why these South Koreans soldiers, why some of them went to the North. You have to look into the reason. Yes we do… there are POWs. [1:02:00] But you have to look at the background, ‘why’… you have to look at the context, and I have met many many different kinds of people with different stories, people who went to North Korean on their own will but may have regretted it, but they chose to do so for a reason. You have to look at the context.

In the coal mines… the POWs in the coal mines, they could have, some of them could have come to the North on their own will. But some may have been forced to go. Cases like me, we were dragged, we were forced to go to North Korea. [1:03:00] And people like me, cases like me, we don’t deserve, we are not selected to attend those reunion meetings. I think we should end this for now. I don’t believe… do you even understand what I’m saying?

**Michael Kirby:**

Yes, we certainly don’t want to add to any divisions over the matter. Well, we are very grateful, Mr. Yoo, for coming along and helping us. Thank you very much for doing so and we will take your testimony into account. You can stand down now. Thank you very much.

***AHN Yong Soo, NKHR (Violations against prisoners of war)***

**Michael Kirby:**

You are Ahn Yong Soo? [1:04:00] And you have come to this meeting of the Commission of Inquiry on North Korea to assist us in relation to disappearance of prisoners of war during the Vietnamese War of 1967-75. Is that correct?

**AHN Yong Soo:**

Yes, 1966.

**Michael Kirby:**

1966 to 75. And you are content that we refer to you by your own name? There are no relevant security issues that you are concerned with and you’ve spoken to the secretariat of the Commission relating to that and you’re content that there is no security reason why you should use pseudonym.

**AHN Yong Soo:**

[1:05:00] Yes.

**Michael Kirby:**

You’re happy to use your own name?

**AHN Yong Soo:**

Yes.

**Michael Kirby:**

Do you declare that the testimony that you are going to give to the Commission of Inquiry will be the truth?

**AHN Yong Soo:**

Yes.

**Michael Kirby:**

Now, in the last 24 hours, you have virtually written a book. Or at least you have provided us with a compilation of materials that have come to us and we haven’t yet had time to read everything that is in the submissions that you’ve brought to us. But we congratulate you and thank you for your energy and devotion in preparing the materials. And we will read it as soon as we get the time. [1:06:00] And they’ll be of great help to us.

Would it be helpful if you were to first of all tell us in brief terms the essential message that you want to bring to our attention and then take us with a fair degree of speed through these books so that we will be able to make our own journey through them when we have time after this hearing today.

**AHN Yong Soo:**

I made it to save time because this is not full time to explain what is happening in South Korea.

**Michael Kirby:**

Yes.

**AHN Yong Soo:**

I think not only human rights in North Korea, but also in this country, the human rights.

**Michael Kirby:**

I’m not hearing Mr. Ahn on the English language channel. [1:07:00] It would help… Yes, I’m sorry Mr. Ahn. You were saying how you’re going to approach your submission.

**AHN Yong Soo:**

I think it is most important human rights, there’s no exception everywhere, every country, every condition. South Korean Government, yes we are still getting better in human rights. But still we have some problems, especially our government, they didn’t open POW and abduction during the Vietnamese War [1:08:00] for a long time. They have fabricated, concealed for some reasons. We have been struggling with that problem. But still, just they sent a paper… they don’t acknowledge about their wrong behavior. For example, Chief Commander and also cabinet meeting, 1973, they decided there is not one POW during Vietnamese War. Nobody believes… without POW, there is no war.

**Michael Kirby:**

I think you have pointed out that there were a large number of soldiers from the Republic of Korea fighting in the Vietnamese War, [1:09:00] the Vietnam War, and that it would just not be believable there wasn’t a single prisoner of war. What was the number of Republic of Korea soldiers who took part in that conflict? Do you know approximately?

**AHN Yong Soo:**

About 300,000 Korean soldiers took… fought in the Vietnam War.

**Michael Kirby:**

It is a great courtesy of you to speak to us in English. But I think, so that the Korean participants can understand, I think it might be best if you speak to us in Korean and we have an excellent translation so that will probably be more efficient for us too…

**AHN Yong Soo:**

Yes.

**Michael Kirby:**

So there were about 300,000 soldiers. That was a very large contingent [1:10:00] and the cabinet declared that there was not a single prisoner of war. Which administration was that? Was that a democratically elected administration? Or was that during the years of the dictatorship?

**Ahn Yong Soo:**

At the time it was during the administration of president Park Jung Hee. It was a military dictatorship. From 1973, the cabinet council took place on the 27th of March of 1973. It was during the days of the former president Park Jung Hee.

**Michael Kirby:**

And why do you think they would say that? Why would that position have been adopted? Why not honesty about the position of the prisoners of [1:11:00] war?

**AHN Yong Soo:**

Well in the beginning those who would be held accountable were concerned about themselves and secondly, when these leaders would return to Korea, I think they thought that if there were POWs it would work to their advantage. They were going to be awarded, given high honors and that POWs would be an impediment and also they wanted to... sort of… they were very proud and they wanted to show off that they had achieved a milestone as a country by saying that we did not have any POWs. And by not having POWs it would reflect very well on the country. [1:12:00] I think it was about the conscience of the commanders at that time.

**Michael Kirby:**

Perhaps this was something that was inherited from the colonial period, because I understand that the Japanese likewise, when a very large battalion of Australians surrendered to them in Singapore, regarded it as most shameful that they should surrender and not die on the battlefield in war against the Empire of Japan. Maybe you inherited that with the colonial period, an attitude of distaste for and disregard for prisoners of war. Do you think that is a part of perhaps a cultural norm in this part of world? Or was it just a feature of the dictatorship years of the government of the Republic of Korea?

**AHN Yong Soo:**

[1:13:00] I think it’s a combination of both. If you are a POW, being a POW could be a shame on oneself in the Asian culture and I think there was also, on the part of Korea… we wanted to show off, we wanted to show to the world that we were a brave, courageous country and that we did not have a single POW.

**Michael Kirby:**

Well now, have you any way… first of all, what did the communist backed government of Vietnam do with prisoners of war who were captured by them from [1:14:00] South Korea? What was their policy in relation to that? Was their policy to send them back to the Democratic People’s of Republic of Korea?

**AHN Yong Soo:**

In 1965, Kim Il Sung secretly visited Hanoi and signed a military treaty and so at the time North Korea sent their troops to the Vietnam War. North Korea’s GNP was higher than South Korea. In return for one Korean POW, 30 million dollar would be given to [1:15:00] Vietnam, but post-war, a small number of POWs was returned but… I have been able to find some documents related to that but I haven’t been able to verify the contents of these documents.

**Michael Kirby:**

The Vietnamese Government which ultimately prevailed during the Vietnam War, from North Vietnam, did they keep the prisoners of war from the Republic of Korea? Or did they send them or some of them to North Korea? Was that dealt with by the treaty that Kim Il Sung signed when he came to Hanoi in 1967?

**AHN Yong Soo:**

[1:16:00] The Ministry of Defense has to address that issue but they have not responded or acted on that so for the past decade I had to run around the country to find out about this. According to a secret official document, in the Ministry of Foreign Affairs, about 20 Korean POWs were abducted to North Korea and a professor at Seoul National University, after he visited Vietnam, maintained, claimed that about 100 POWs were sent to North Korea. So there is evidence that Korean POWs were sent to North Korea.

**Michael Kirby:**

[1:17:00] You realize that the Commission of Inquiry’s mandate is addressed to conduct of the violations of human rights by the Democratic People of Republic of Korea and not any wrongdoing on the part of the government of Vietnam?

**AHN Yong Soo:**

Yes I am aware, very aware, of your mandate.

**Michael Kirby:**

We have to focus on anything that you have to say complaining about violations of human rights on the part of the DPRK but in that connection we have also been looking at any ways in which the Republic [1:18:00] of Korea has exacerbated the human right conditions affected by the DPRK. But that does not extend to Vietnam.

**AHN Yong Soo:**

Yes, yes, I understood.

**Michael Kirby:**

We have to move with a fair degree of speed because we are about an hour behind time so I would like if you would tell us… you want to raise with us issues relating to forced labor in mines in North Korea, discrimination against prisoners of war and their children in North Korea and the lack of... [1:19:00] Sorry, I withdraw that. You want to tell us about the circumstances of the abduction of your brother, the treatment of the family, and the investigation by the ROK government, and your complaints about the conduct of North Korea and the Republic of Korea. That’s what you’re concerned to address…?

**AHN Yong Soo:**

Yes, thank you, I understand.

**Michael Kirby:**

What do you know about the abduction of your brother?

**AHN Yong Soo:**

It was my older brother. He was sent to Vietnam. [1:20:00] It was a small unit, about 130 of them. It was a unit with the best people from different units. I understand my older brother was a communications soldier. So he worked in Vietnam for about a year and because he was doing really well, his stay was extended by one year. And he was able to speak English and Vietnamese as well. So once a month he actually went to the US Army and brought medical supplies.

And before he came to South Korea he had one trip that he had to take to Saigon and when he went to Saigon he was captured by the Communist Vietnamese Army and I think that for 6 or 7 months he was dragged through the jungles, he was kept in the temporary [1:21:00] Viet Cong, Vietnamese jail. And then I think that he was interviewed and taken by the North Korean soldiers and then they took him through China back to North Korea.

**Michael Kirby:**

[unclear] … policy that they observed in relation to ROK soldiers generally? Or was there something special about your brother that led them to pay this particular attention to him?

**AHN Yong Soo:**

I think it was a few soldiers were taken as POWs and they have been taken to North Korea and I understand some of the captured soldiers, Korean soldiers, have been able to escape.

**Michael Kirby:**

Now he was [1:22:00] your elder brother. What were the years of your birth and of your brother’s birth? When were you born?

**AHN Yong Soo:**

My older brother, he was born 30th of September 1943, I was born in October 1952.

**Michael Kirby:**

Did you learn about the circumstances of his detention by agents of the DPRK and his being taken through the jungle and eventually sent to DPRK from the north of Vietnam? Was that in the secret file access of which you have obtained?

**AHN Yong Soo:**

[1:23:00] Some of it was in that secret file that I obtained and since my brother did not return after his last letter, my father kept inquiring about this for seven months but the military and the government just said that ‘Wait’ and ‘Wait longer’.

And then in 1967, that is March of 1967, my father was a principal of a school and once this lady who used to work at a stationary store in front of the school… and she was listening to a broadcasting radio and then she heard the name of my father and the name of school and my brothers. She thought she was listening to the Korean radio but she was actually listening to the North Korean radio. [1:24:00] So she realized that and so she came to us and she told us about that. So we turned to this channel that was a North Korean broadcasting channel and my father reported this and then there were two agents from the National Intelligence Agency then gave us the story about my brother going on a business trip to Saigon to do his last mission and then he had been captured by the Viet Cong and then had been taken forcefully to North Korea. That is how we learned.

**Michael Kirby:**

Did the broadcasting have an interview with your brother? Or was it simply told in the third person about his capture and whereabouts?

**AHN Yong Soo:**

Well my brother’s voice could be heard. His throat was really harsh. [1:25:00] It was as if he was reading from a script; he was talking about his reasons and how he came to be in North Korea. And it was not just my older brother; everyone knows that those who had been taken to North Korea forcefully at that time would have to read some script like the one that my brother had read.

**Michael Kirby:**

Is it your belief that your brother survived or did he die in North Korea and, if so, when?

**AHN Yong Soo:**

Well, I have a secret document, confidential document from the Defense Security Command of Korea. I understand that he had been executed near Pyongyang and it seems that the Korean Defense Security Command knew of this for [1:26:00] some time and did not let us know.

**Michael Kirby:**

Was he executed according to this report?

**AHN Yong Soo:**

According to that record, he was executed at the end of 1975. If you look at the document from the DSC, that is the Defense Security Command here in South Korea, in that document it says that he tried to escape at the end of 1975 and was shot to death.

**Michael Kirby:**

So the treatment of him was not as such for his status as a prisoner of war but for trying to escape from custody. Is that correct?

**AHN Yong Soo:**

[1:27:00] Yes. That’s correct.

**Michael Kirby:**

Did your brother’s removal to North Korea affect you in relation to the authorities in the Republic of Korea, South Korea?

**AHN Yong Soo:**

Well, soon after my brother had been abducted, we have gone through many difficulties. As I said my father was the principal of a school but he had to retire and since he was forcefully retired from the school, we were defined [1:28:00] as a potential spy family. And my father was sent to… he went to a factory in a mountainous region in Gangwon and our family’s human rights were violated. I have been beaten and I have been tortured as well.

**Michael Kirby:**

Was that simply because your brother had been captured by the North and therefore was associated with the North, and the suspicion of your involvement with the North as a family fell on you because of that record?

**AHN Yong Soo:**

So that’s one of the reasons. And there is another reason. There was a really bad practice by the National Intelligence Agency at that time. There were rewards that were given to the agents if [1:29:00] they were able to make somebody into spies, if they were able to discover spies. So they used to make up, fabricate these spies, and if they reported these spies, the agents were able to get rewards.

**Michael Kirby:**

Do you think somebody therefore had reported your family as unreliable people who deserved to be watched closely and who were possibly spies for the DPRK living in the ROK?

**AHN Yong Soo:**

Yes. The tension between South and North Korea was really high. Because, as you know, in 1968, Kim Shin Jo tried to invade and there was also the Pueblo [1:30:00] incident so that is one year right after my brother had been abducted.

**Michael Kirby:**

Now tell us about these documents that you provided to us yesterday. There is a very large folder in a… with a nice cover, brown color, with photographs. What is the content of this document? Is this your brother’s military file?

**AHN Yong Soo:**

Well the Ministry of Defense for past decades has been asking us for evidence. And in May 2008, a reporter called me, a reporter I did not [1:31:00] know, sent me a secret confidential document that described my brother as a POW and… the meeting minutes from the cabinet meetings so I have asked for information disclosure to the DSC and they said that those documents would become available in 30 years. Anyway, I have complied all the documents that are related to my brother and put them into a file.

**Michael Kirby:**

[unclear] … is made available under the freedom of information legislation or legislation of that kind in Korea?

**AHN Yong Soo:**

Yes they are. Unless the information has been made available through such legislation, we would not be able to [1:32:00] use the documents.

**Michael Kirby:**

What do you say the documents show? About the treatment of your brother by the ROK military.

**AHN Yong Soo:**

The most important document is the… it’s called ‘Personal records’. I think it’s recorded P1 and P2. According to those documents, when he disappeared in 1966, within 24 hours of the disappearance it has to be reported to the superiors but there was no report of his disappearance to the superiors. He is recorded as a soldier that is doing his job ordinarily. [1:33:00] So, for 7 months after his disappearance, nothing, no measure has been taken. The fact that he had disappeared, that he was no longer to be found, was kept hidden by the Korean military.

**Michael Kirby:**

What could the Korean military do if in fact as you assert, your brother had been captured and handed over to the DPRK military and taken to North Korea? What could they have done?

**AHN Yong Soo:**

I think that the Korean military should’ve asked for the return of the POWs and should’ve asked the North Korean military to stop abducting soldiers and not to use the POWs in the propaganda against South Korea.

**Michael Kirby:**

[1:34:00] Have you expressed this view to the military authorities in the Republic of Korea?

**AHN Yong Soo:**

Yes we have, on several occasions. They said that my brother went to the North voluntarily, that we should not be raising any more complaints. There was actually pressure applied to us not to talk.

**Michael Kirby:**

[unclear] … time difference between when your brother was, as you understand it, taken to North Korea and the time of his death?

**AHN Yong Soo:**

[1:35:00] He arrived in Pyongyang in 1967 and died in 75, so about 8 years’ time difference.

**Michael Kirby:**

Is it possible that your brother went to North Korea voluntarily, given that the conditions in the Vietnam War were terribly fearful and there were quite a number of people who couldn’t bear it anymore. Do you think that could be an explanation?

**AHN Yong Soo:**

[1:36:00] No. I do not. My brother’s unit was not a combat troop. He worked in the hospital. And, at the same time, my father was a headmaster and he fought against the Japanese for the independence of Korea and my brother was a strong anti-communist and he knew that if he went to North Korea… he knew what would happen to the entire family. And also geographically speaking it is inconceivable. You cannot imagine that my brother would’ve gone to North Korea at his will.

**Michael Kirby:**

Now in addition to that document which is in the closed binder, you have delivered a letter, which is addressed to the Commission of Inquiry. [1:37:00] This is a very detailed letter, which substantially deals with complaints against the independence and integrity of the investigation of your brother’s case by the governmental agencies in South Korea.

**AHN Yong Soo**

Yes. That is correct. They have recovered the name of my father, my brother only 50%. They have not revealed the entire truth. And the Korean government has passed this case to the court [1:38:00] and they have basically taken their hands off this case. If you look at the right side there is a magnified version of the confidential documents of the government and it is a list of the illegal actions taken by the Korean government and which is denied by the Korean Government and the court has also given impunity to the Korean Government.

**Michael Kirby:**

What is the essence of your complaint about? What do you say the Government of the Republic of Korea should have done in relation to your brother?

**AHN Yong Soo:**

First of all, the President and the ministers, they may not have the complete [1:39:00] knowledge because the commanders were withholding the truth. So at the government level they need to know to investigate for the truth and for the past mistakes, they have to admit them and they have to publicly apologize. But they are not doing that.

**Michael Kirby:**

You said that was the first. What were the other matters?

**AHN Yong Soo:**

As for the United States, they are still looking for soldiers who went missing in the Vietnamese War. But that’s not the case with the Ministry of Defense of the Republic of Korea and the Korean Parliament has to commit itself to find out about the truth about the POWs who went missing in the Vietnamese War. [1:40:00] They have maintained their same position that there are no single POWs in the past 40 years. They have now retreated that position, but they have not said why they did not tell the truth.

**Michael Kirby:**

I think in that second document you asked the Commission of Inquiry to send a letter to the judges suggesting that they should take certain steps. I don’t think that we could do that because that would be getting in an individual case in the internal institutions of the Republic of Korea on behalf of individual. Our duty is to look at the broad issues that are raised in our mandate and insofar as your complaints fits with the mandate, and only to that extent, [1:41:00] are we able to investigate and consider the matter that you have raised. Do you understand that?

**AHN Yong Soo:**

Yes, I do understand, but the judiciary is accountable for punishing the mistakes of the administration. They even carried out a secret hearing and the administration was given impunity. Judiciary right was used to give impunity, which is the violation of human rights.

**Michael Kirby:**

It isn’t universally true that the judiciary has the power to punish the administration for acts of maladministration. Generally, [1:42:00] they may have rights to correct or set aside administrative decisions but this would involve a knowledge of, a study of, research on and application of, the constitution and laws of the Republic of Korea. I think that would take us beyond our mandate, Mr. Ahn.

Nevertheless we have received today complaints about the lack of support given by the Republic of Korea both in respect of the Korean War of 1950-1953, and now from you in respect of the participation in the Vietnam Conflict, 1966-1975. And it’s possible that in that context we can have regard to what you have written as [1:43:00] showing a pattern of conduct of lack of support for prisoners of war. So I think that is how we would have to treat your letter. Do you understand that?

**AHN Yong Soo:**

Yes, I do. I do understand.

**Michael Kirby:**

We will take all of the matters that you’ve put before us into account. And we are grateful for all the trouble you’ve gone to. You’ve gone to an amazing amount of trouble in collecting the documents. We haven’t had the time to study those documents as yet, all of them. If we have any further questions, our secretariat will communicate with you after we have had the time to look at the documents. That may not be until after we have left Seoul but [1:44:00] thank you very much for the files that you’ve provided to us.

I don’t know if my colleagues have any questions of you.

**Marzuki Darusman:**

Yes, Mr. Chairman. Mr. Ahn, is there any similar case like this, apart from yours?

**AHN Yong Soo:**

Yes, yes. Mr. Park Seong Yeol was also kidnapped and abducted with my brother. I notified his family of this fact, but the Korean government did not investigate into this, so I did.

**Marzuki Darusman:**

And what came out from your investigations?

**AHN Yong Soo:**

[1:45:00] His family was labeled as a family of abductees and they suffered from it. Sergeant Park’s family retreated from any social contact.

**Marzuki Darusman:**

But they are not taking up this case, are they?

**Ahn Yong Soo:**

[1:46:00] Sergeant Park’s family showed tendencies of avoiding any contact. That is why I filed… I made extra effort to contact them through official lines. I convinced them to report about the disappearance of Mr. Park. But they proposed that I do not go any further into the investigation.

**Marzuki Darusman:**

Mr. Ahn, I think you may want to give us a bit of time to study this and if there’s anything we might [1:47:00] want to know further, we will be in touch with you. Is that acceptable?

**AHN Yong Soo:**

I hope you will contact me if you do have any questions.

**Sonja Biserko:**

I just want to ask, have you had any contact with the Korean Commission for Human Rights on this issue? Or any other NGO dealing with the rights of POWs in the Vietnam, Korean War? Or any other similar organizations that would be helpful to your investigation?

**AHN Yong Soo:**

Yes, I have. There is a commission that deals with the complaints of the Korean [1:48:00] public. So I went to this commission and the person at the commission was not able to deal with this issue. And so he referred this issue to the Ministry of Unification, but they didn’t really do the investigation. And I have been to the Human Rights Commission of Korea and they said they only deal with the issues that have occurred in the past two years. So I had to just leave the Human Rights Commission without any answers.

I really would like to thank you for your interest.

***Korean War Abducted Family Union***

**Ms. LEE Mi Il**

**Ms. PARK Myung Ja**

**Ms. KIM Hang Tae**

**Mr. KIM Nam Joo**

**Mr. CHOI Kwang Seok**

**Michael Kirby:**

[1:49:00] Representatives of Korean War Abducted Family Union.

**Michael Kirby:**

Just before we start the hearing again in the presence of the Korean War Abducted Family Union, KINU, I’d indicate that we will mark the file, which was delivered to us and referred to in the evidence of Mr. Ahn Yong Soo, the last witness. That will be marked as Exhibit S18, a compilation of documents concerning Staff Sergeant [1:50:00] Ahn Hyok Soo. And a letter from Mr. Ahn Hyok Soo’s brother, the witness Mr. Ahn Yong Soo, is Exhibit S19. Those documents will be received as part of the record of the Commission of Inquiry.

I now welcome the representatives of the Korean War Abducted Family Union, KINU. I think the chair of [1:51:00] KINU, Ms. Mi Il Lee, is going to make an opening statement. But perhaps she could start by introducing the other members of KINU to us so that we will know who are the witnesses before us. So if you would take the lead please, Ms. Lee.

**Ms. LEE Mi Il:**

Yes, thank you. The gentleman who is next to me, or the person who is next to me, is Park Myung Ja. She was abducted during the Korean War. She was taken as far as the Amnok River and then escaped. She was at the time a student at a nursing school. And the person next to her, her husband Kim Jae Bok, has been abducted. [1:52:00] And next to her, we have Kim Nam Ju. Her father, Kim Jung Il, was the son of a person who had been abducted. And we have Choi Sung Il as one of the members. His father Choi Hong Sil was abducted during the Korean War. So we have one escapee and three families of the abductees are here to testify before the COI. Would it be okay for me to make a statement before we answer your questions?

**Michael Kirby:**

I invite you to do that.

**Ms. LEE Mi Il:**

My name is Mi Il Lee. I’m the president of the Korean War Abducted Family Union. It is truly an honor [1:53:00] for us to be able to make statements in front of the Honorable Chairman Kirby and the Special Rapporteur Darusman and Commissioner Biserko. And it is truly an honor for us to be able to make these statements about the abduction during the Korean War. My father Lee Sung Hwa, who was a businessman, was abducted in September 1950, which was during the Korean War. He was taken by a major of the North Korean National Security Agency. I am a family of an abductee. As you know, South Korea was… the Korean Government was established on the 15th of August in 1948, with the assistance of the United Nations Temporary Commission on Korea. I am sure that you know that the Korean War broke out two years later in 1950. The United Nations helped [1:54:00] South Korea and it had decided to send troops, the allied forces to help Korea. So for us, the United Nations is an international organization that we are very grateful for, because the United Nations have made it possible for us to establish the South Korean government. And I would like to use this opportunity to thank the United Nations and the six nations that have sent their troops to protect freedom and democracy here on the Korean peninsula.

Despite the sacrifices made by the participating countries, the war on the Korean Peninsula ended without any victors or the losers. These two Koreas in 1953 agreed to an armistice or the ceasefire agreement. And it's been 60 years since the ceasefire. But some of us do not know the whereabouts or any news about the abducted families. During the ceasefire, we have discussed [1:55:00] to… there was a discussion between the United Nations, for North Korea to have an exchange of the POWs and detained civilians between the two countries. However, North Korea is well aware of the fact that if they had taken civilians then they have committed a war crime, so North Korea hid that fact. Actually, North Korea wanted us to establish a displaced person's committee to deal with displaced persons. And then North Korea said that no civilians, no South Koreans, that have taken to North Korea wanted to return. So they did not return any of the abducted South Koreans. This was the beginning of the tragedy for the abductees and their families.

After Seoul was restored, the South Korean government and South Korean people have worked very hard [1:56:00] in order to have the abductees returned in the 60s. In 1964, Choson Daily received a signature from one million people to have the abducted people returned. Our president at the time, president Park Jung Hee, and one million Korean citizens gave their signatures and sent a petition to the United States. The efforts by the Korean government and the Korean people were not enough. When there is a war, there are war crimes. That's why international society, after the Second World War, had dealt with war criminals through the trials in Nuremberg and Tokyo. However, for the Korean War… the North Koreans that started war, [1:57:00] that had taken more than 100,000 civilians to North Korea against their will… It's not being taken to the court of war crimes. There have been many witnesses, there have been many testimonies and documents about the crimes related to abductions. However, the North Korean government has denied this. They have taken away the values of these people.

The abduction crime by North Korea is still ongoing. In order to ensure the welfare of humanity, and in order to obtain justice in the international society, I think it is absolutely necessary that we ask North Koreans to be accountable for their actions. And we, our organization, has been asking for the resolution of the abduction [1:58:00] and we have been very active since 2012, especially in our activities with the United Nations. Now that we have a COI of the United Nations here to investigate or to learn about the crimes against humanity in North Korea, is quiet encouraging for all of us here. We have been living under the heavy weight of pain, of not knowing what happened to our families that have been abducted to North Korea 63 years ago. We hope that through your investigation and through your work that you will be able to find the truth about the abductions of South Korean civilians to North Korea.

I hope that North Korea will acknowledge the fact that they had taken South Korean civilians [1:59:00] and they should let us know about the whereabouts and the survival of South Koreans and if the abductees had passed away, North Korea should return at least the remains of these abductees to their families. I hope that we will be able to deal with or resolve the issue of the abduction of the civilians. And I would like to take this opportunity to thank you once again. We have four witnesses here in front of you. We have about… the visual testimonies and descriptions of 127 people who have witnessed forced abduction. We are still videotaping these witnesses. And we have been only able to invite three people. And those cases of witnesses we will be able [2:00:00] to submit to you later on. Thank you.

**Michael Kirby:**

Thank you very much, Mrs. Lee, and thank you for your colleagues coming along to speak to us today. And do any of the other colleagues at the table have any statements to make to us before we proceed to questions? Thank you, Park Myung Ja.

**Ms. PARK Myung Ja:**

Yes, I would like to make a statement. My name is Park Myung Ja. I was born in Seoul, Do Ryun Dong. When I was abducted, it was on June 25. I was on my way to school. [2:01:00] There was a nursing college in Seoul University and I was a student there. The war broke out on June 25th. A week earlier, I had my appendix taken out and in the morning of June 25th, I took out the stitches. Professor Jung San Gwon told me to get some exercise. I am a Catholic. So I was walking to get to the church to give a mass. Around 11 o'clock, there was a big sound in the street. And the sound that was coming out from the megaphone was that if there were any Korean [2:02:00] soldiers in the street who was on vacation, they should return to their troop. There was a minister, there was a priest in Mary Hall. He said that I should return home because war seems to have broken out.

My house was in Se Jong Ro, but I did not feel like going home. Instead, I went to school. I was not in a very good condition. When I got to school; there were three Nissan trucks in front of the school. And there were students who volunteered to give medical treatment. We drove over the Arirang Hill; that was when I saw for the first time, soldiers. He told me that we should go back. That we couldn't go any further from there. There were three Nissan trucks. [2:03:00] The trucks in front of us and the truck behind us flipped over and nobody made it out of those trucks. Our truck went to Dong Sung high school into the auditorium room and we saw many, a large number of soldiers, who had been injured. The paramedics came.

**Michael Kirby:**

[unclear] … date, but not the year. What was the year? It was the 25th of June. Which year?

**Ms. PARK Myung Ja:**

1950. June 25th, 1950. [2:04:00] June 25th. What I am about to tell took place from 3 pm to 10 pm. So at the Dong Sung high school, we saw injured Korean soldiers and there were American paramedics who took Korean male students with them. I told them that I wanted to go home and what they told me was to deliver those injured soldiers to the university hospital. I helped in transferring the soldiers. And once the soldiers were admitted, they had to get surgery. So I helped them in the process. There was surgery that took place all night. In the morning, the next day, we heard shotguns and we went to [2:05:00] the basement to hide. There was a basement, under the surgical rooms. And there was one of our professors; he was lighting a cigarette in the basement. We were afraid that we might be discovered by the communists because of this smoke. And the communist soldiers came and he congratulated that we were there. And I heard more shotguns. In the front gate there were two Korean soldiers, so the gunshots were fired by them.

I think he was [2:06:00] like a commander. He used to be a doctor at our hospital. He went to the North and returned as a commander, and he began the surgeries. As I have said, we had civilian patients and military patients in the Seoul National University hospital. We had also accepted communist soldiers who had been injured. The civilians who were in the back and South Korean and North Korean soldiers were in the same ward. What happened was that the communist, the North soldiers, their hair was very short, whereas the South Korean [2:07:00] soldiers wore their hair a little bit longer. So that's how we could distinguish one from another. And the communist soldiers asked soldiers with longer hair, "Where are your comrades?" And because these soldiers were not prepared to disclose their identities, they shot at their revealed South Korean soldiers. There were gunshots at each other.

Everybody died except for people who managed to get out like me. That's why we have a stone. There is a monument to honor the death of these soldiers. And I was told that there were some South Korean soldiers injured outside the hospital. She [2:08:00] was my senior. We didn't have anything to carry the soldiers. We had to come up with something to carry them. We also carried dead bodies and afterwards, we were summoned by the communist commander. He demanded where the dead bodies were. I told him that we had taken them to another room. And he said that I was lying and he slapped my cheek. I told him that it was the truth. In fact it was the truth but he kept on slapping. But I repeated the same thing and he threatened to kill me. [2:09:00] He blindfolded me and I thought I was going to die. He asked what my last wish was. I told him to please tell my family that I died a tragic death, that was it. And I was standing there still. And I heard shotguns, two shotguns. And a minute later, I heard people talking. I wasn't sure if I was alive or not. I put my hands over my ears and I was told to uncover my eyes. He shot in the hope that I tell the truth. He asked if I would act as the leader of the Women's Comrades [2:10:00] Union. I told him that I could not serve as the leader of the Women's Union. I did not know about the position.

At the night, we had lot of surgeries. At two in the morning, we prepared snacks for the surgeons. We had to pass at night where the dead bodies were piled up. I was carrying two buckets to get… for some rice. And there was a tree. There was no wind but the tree was shaking. I was scared. And somebody was in the tree. He was calling to me and two men came down. And in fact, those were one of the bodies that I had carried, he had an injury in his arm. They ran away and they hid in the tree. So these men, two of these men, I was so shocked. [2:11:00] I took those men in the cafeteria. There was Mr. Jin in the cafeteria. He was in the charge of the cafeteria that day and I think he was working that night. I told him about what had happened and Mr. Jin asked me to bring those two men to the cafeteria to feed them, and I was told to get some clothes for them. They were wearing soldier uniforms so I brought surgeon’s uniforms. They changed their clothes. They posed as surgeons. And I brought them to this corridor where we used to move surgical tables. I think they made their way out. So those men were able to escape that way.

[2:12:00] In Seoul National University Hospital… she's been told to be brief. The International Red Cross in 1991 awarded me with the Nightingale Award. And I worked at the Seoul National University Hospital. What happened when I was working was that the communist soldiers were marching north and they were going to set up a hospital in Hamhung. [2:13:00] They took 50% of our staff with them to set up that hospital and I was one of them. I was trained at Poong Mun Women's High School and Duk Sung Women's High School. And from Anguk-dong to Chung Ryang Lee we took the train at midnight and we took another train from Chulwon… to Chulwon. We were located to each compartment and were asked to give medical treatment to the injured soldiers and clothes [ph] were locked so that we could not get out.

In Chulwon we got out and transferred these soldiers to a school. We [2:14:00] went to North Korea via Ichon, Gangwon Province. We were passing through a mountainous area. We were very exhausted. Doctors, nurses and the administrative staff, our legs were exhausted. And they said anybody who was exhausted should come out. Those who held out their hands came out and they were killed. We were so scared that we had no choice but to follow them. Our legs were weak. They kept beating us up so that we would keep walking. At Ichon, Gangwon Province, we were taken to this elementary school.

There was a nunnery. [2:15:00] We were hungry and tired. At the nunnery, we were provided with lunch. I was eating and because I was Catholic, I drew a cross and the nun there asked me if I was a Catholic and I said yes. And she said that I should quickly finish my lunch and come and see her. She asked what I was doing there and I told her about what had happened. And she brought me to where the priest was. We went to this house. We went downstairs. There was this church under, below the house. I said my confessions to the priest and he said, if I really wanted to go back home, this priest said that he would have a group meet me to bring me home. There was a man, a woman, [2:16:00] and this person who was the president.

But while we were coming out, we were seen by communist soldiers. They stopped us. Everybody was shot to death. It was very painful. So my attempt to escape failed. In Pyongyang, I tried to escape again and the plan failed again. I finally reached the Amrok River, but because I kept attempting to escape, I was tied to another person, this person called Sin Gyung Eh. We went to the Amrok-gang in the dark of the night. We were at one point allowed to go to the toilet. I asked her that I wanted to go to the [2:17:00] toilet and asked to untie me. There was this field and we went into the field hiding and the communist soldier came for us. And the grass was really high that the communist soldier had to search for us. They couldn't find us. And we survived the search. And that's how I managed to escape.

We walked the entire night. We kept walking. And in the course of doing so, we saw a lot of communist soldiers armed. One of the soldiers asked us where we were going and I [2:18:00] told him that we were going to the hospital. And the soldier kept chasing us. We pushed him to this pathway near the rice field and we ran away. We went into this church and asked the reverend to save us. He asked us to leave but I thought that if we left, we would be discovered. So I went to this fireplace. We hid in the fireplace to see if the soldier came for us. The soldier came into the church and he gave orders to search every place. They lit the fireplace. And there was a lot of smoke coming out. I had to cover my nose and my eyes to stop myself from sneezing. [2:19:00] My face turned black because of the ash.

When we finally came out, we kept walking. We were very hungry and in the mountains, we saw lots and lots of dead bodies. And we found among those dead bodies, the contingency food of the soldiers. So we ate those to fill our stomach and we kept on walking. We reached as far as Pyongyang and we found this house where we found a nun. We asked the nun for help and she told us to turn our eyes to the front. And that's where the communist troop [2:20:00] was. She told us that we should not be there. The head of this nunnery agreed to accept us. We were told to wash ourselves and to eat. We were given clothes, nun clothes and we posed as nuns. During lunch, there were communist soldiers who came to the nunnery to eat. They asked about our identity. The nun told these communist soldiers that we were extra help from other nunneries because the head nun was very fragile, very weak.

Not long after that, South Koreans soldiers came to Pyongyang. The number one troop of the South Korean soldiers… one of the soldiers was Commander Hyun. He was in front of the troops. I [2:21:00] went to him. He asked me why I was there. He told me to stay with the nuns and that he would come back to get me. So Commander Hyun helped me to go to this information troop and that is how they helped me to go to Seoul. When I was going to North Korea, a lot of people died in the street, a lot of people who were in my group died in the street. They were beaten up, they were exhausted and they were hungry. From Ichon [2:22:00] to our way to the North, a lot of people died. So a lot of people died in North Korea but also a lot of people died in Ichon, because we were beaten when we couldn't walk anymore.

And that's my story. I came back to Korea. I worked as a nurse-general. And I was released in 1956, March 1956. And I managed to be alive until this day. There were a lot of people who sacrificed their lives for me. And I feel like it is my mandate to live my life on behalf of them. I do hospice service right now. I take care of the elderly who suffer from [2:23:00] dementia.

**Michael Kirby:**

[unclear] … Ms. Park, for all the kind acts that you've done and the courageous journey you’ve taken to get to this moment. Thank you for coming before us and giving your testimony.

Now Ms. Kim you are going to...

**Ms. KIM:**

Should I just talk? Well, well, I've never been to a place like this. I've never attended a place like this. I am 85 years old. I am an old woman. I got married when I was 21. And when I was 22, [2:24:00] the Korean War broke out. And when the war broke out on the Korean Peninsula, my husband asked me to go away to seek refuge. We were… we took 11 nieces and nephews with us. Our house was in Gyo Dong Dong, which was near Ganghwa Island, so it was very difficult for us to evacuate. So as we were evacuating… and when we got to Incheon, there were already North Korean soldiers being stationed. So [2:25:00] there was no place we could go to. We couldn't go back home. We couldn't move forward. So we decided to stay in Incheon until we spent all our money.

So we actually stayed in Incheon for about a month. But there was nothing more for us to do. There was no other place for us to go. The children were crying. And they were in difficult… in difficult… we had nothing to eat. And we met people from our hometown who said that since we have not committed crimes, we should just stay or that we should just go back home. So we decided to go back home. So we took a ship, we got on a boat from Incheon port. So one more stop would have taken [2:26:00] us to our house. But my husband wanted to get off one stop earlier. So I asked him why? Because he wanted to visit his older sister. So he wanted to visit his older sister. And he told me to go ahead first with the children. So he went to visit his older sister. And the sister told him that his older brother who had been there earlier had been taken by the communists. So the sister helped my husband to flee to another island.

[2:27:00] But I didn't know about that at the time. I just kept waiting for him to come back. I kept waiting but he did not return. There was a boy, about 11 years old. He came to me and said that I should go to the police with him. And I said ‘Why?’. And he said, ‘You are asked to visit the police’. I didn't know why I was asked to visit. So I went. My husband, it seems, was caught, so they had tortured [2:28:00] him. They had beaten him. His head was broken. He was bleeding in the head. Excuse me, I was asked to… So I went to this house. And that's where I saw my husband, who was badly hurt. And this person, actually, this boy, was actually asking me to take, was going to take me to clinic. This was a private clinic. So my husband was at this clinic. And he was badly [2:29:00] hurt. And I went to the clinic and saw how bad he was. And I brought him back home. We thought about where we could possibly run away.

We were all scared. Then somebody came to our house and told us the North Koreans were retreating. So we talked about what we should do. And we decided to run away into a hill. We were happy to hear that the North Koreans were retreating. [2:30:00] But, we were still scared because there could be some remaining North Korean soldiers. So we ran away to a mountain and there were some guys and these guys or these men used to work with my husband. And we were saying that since the North Koreans were retreating, that we would wait a while in the mountain and then we would go down the hill, and put up the Korean flag. We talked about how we could possibly put up the Korean flag. We said that, since it’s 9, let’s wait and [2:31:00] then put up the flag next morning.

And I decided to come home. I think we came home about 2 or 3 in the morning. There were no clocks, there were no watches. It was really… we were living in this really small rural town. So, according to the lunar calendar, on the 20th of August, which will be about 21st of September, there was the Incheon Landing operation by General McArthur. [2:32:00] So that is why I think the North Koreans retreated. But, we were told that we came out of the mountain too early. We were told to go back home. So, since we were out, we were from the mountains, so we decided to put up the Korean flag. It was September, but it was quite cold, so when my husband, when he came home, he went into the bed because he was cold. And in less than an hour, I heard shots. I was really scared; my husband was nowhere to be seen. I was all [2:33:00] alone, I closed the door and stayed still and then I heard people running around, and I heard people banging on the door. So I wondered what was happening.

I just didn’t know what to do. And then one of the intruders asked me where my husband went. They aimed a gun at me, and asked me where my husband was. And I said I didn’t know and he said… he threatened me to tell him where my husband was. Thinking back, I’m still scared. But they were not able to find my husband. I don’t even know where he went. So, since they couldn’t find my husband, they went away. [2:34:00] They left. After they left, I was really curious where my husband was and I heard a sound that… actually my husband was whispering to me that he was there. And I looked around where that sound came from. He was on top of the ceiling. The house that we were living in was a 100-year traditional house. So on the ceiling there was a spot where the person could hide. It was very dusty space, but my husband could hide in that spot, and I told him that it was very lucky that he was able to hide there.

And then we were not able to [2:35:00] run away to other places. There were 3 other ports, but there were no boats. And communists were looking around to capture people. It was… they were… because the guard, it was just impossible for us to evacuate or to flee. So we were hiding in our house, and these North Koreans came to our house about 3 times at night. Since they could not find my husband, they just left. And my husband kept saying, ‘I’m sorry, I’m sorry’. And there were airplanes flying around. [2:36:00] And my husband was always asking where is the airplane flying from or flying to, whether UN forces were on the Korean Peninsula or not. So he kept asking me all these questions.

There was another person hiding in a similar place like my husband. So the North Koreans came looking for my husband in our house and they looked up onto the ceiling and found my husband. He was taken away, and three days after he was taken, I heard from a woman in our village that [2:37:00] there were people who have been captured and that these people were standing in a line. So I ran to this place that this woman told me. I was young. I just wanted to be close to my husband. I wanted to talk to him. But North Koreans, they aimed their guns at me and told me to stay away. They would not allow me to go near my husband. So I was standing there just crying. And they were saying, ‘Why are you crying?’, and they told me to go away. So I just moved away a little, but still was standing there. And I looked up at my husband, and his eyes were looking at me. [2:38:00] And then, I was crying and they were asking me why I was crying. And they were saying that my husband would be back after he received the training and education. So I believed that. I believe when they said that my husband would go away and then receive training, and then come back.

And so it’s been 63 years since that day. I don’t know what has happened to him. A few days after my husband had been taken away, I learned that I was pregnant. I didn’t know what to do. I didn’t want to live, [2:39:00] but my grandmother said that she was still living despite the fact that her children have passed away already. And she said that I should have courage and should live on. So I felt really bad for my grandma and about a year later, I gave birth to my daughter. I gave birth to my daughter. I saw people selling ice creams on the street and I really wanted those ice creams. [2:40:00] Anyway, after I had given birth to my daughter, I knew that I had to live no matter what, that I had to live for my daughter. And I told my daughter that her father was still alive, and that he would return home one day. And I wanted to re-unite the father and the daughter. I was able to survive. And I always tell my daughter that she is the reason that I am living, that I’m alive. And now my daughter is 63 years old. Here in Korea you are regarded as old if you are over the age of 60. Her hair is now all grey. And this is just unbelievable to me.

**Interpreter:**

[2:41:00] Please help her to turn on the microphone, please help her to turn on the microphone.

**Ms. KIM:**

If at least I could find the body of my husband, I would like to lay over my husband’s body the tae geuk gi [ph] (2:41:45). And the Korean government has promised to build a monument, a memorial hall for the abductees of [2:42:00] the Korean War. I would like to bring my daughter, my granddaughter and my great granddaughter… there are 4 generations of the family surviving in the South. I would like to bring them to this memorial hall.

Whenever I see somebody holding hands with their… when I see somebody, a grandfather holding hands with his grandchildren, I wish I could do the same. Whenever I see children loved by their father… I mean, my husband didn’t do anything wrong. If he had committed a crime and if he was beaten up and killed for that, I don’t think I would feel this bad. [2:43:00] But this is just unbelievable. I cannot admit what happened to me. My husband was a good man, a decent man. This is my husband.

**Interpreter:**

Please help her turn on the microphone.

**Ms. KIM:**

[2:44:00] Half of her is gone when a wife has lost her husband. It’s like having lost an arm. I am waiting until this day. I am holding hands with my daughter waiting for the return of my husband. If you in any way consider my story important, please help us to find the whereabouts of my husband, please help me. What the Korean government could not do, I plead, I beg you, please help us. Please do what the Korean government couldn’t do (Sobbing).

**Interpreter:**

[2:45:00] Should I begin?

**Michael Kirby:**

Thank you very much Ms. Kim for sharing your story. [2:46:00] Thank you for sharing your story with us.

**Ms. KIM:**

Thank you very much for listening.

**Michael Kirby:**

[unclear] … to a wider world.

**Ms. KIM:**

Thank you very much. Thank you very much. Thank you very much. (Sobbing) Thank you very much. Thank you very much.

**Michael Kirby:**

Let us sit down and we will continue with [2:47:00] the next witness.

**Ms. KIM:**

Thank you very much. (Sobbing)

**Michael Kirby:**

Now, Mr. Kim, I think you have your story to tell us.

**Mr. KIM:**

Greetings. My father had eight sons and one daughter. He was the head of the family. He was in the electric business in Chungmu-ro, Seoul and he was a member of the Dae Han Youth Association. After the war broke out, he continued to go to his [2:48:00] office in Chungmu-ro. On August 4th, 1950, around 1pm, two men posed as civilians came to our office in Chungmu-ro. They were looking for 500 megawatt bulbs. And they requested to meet my father. And the employee went for my father. There were three communist soldiers who came into our office, shop, and took my father away. He was abducted. My cousin witnessed there… at the time we lived in Hyoja-dong. She came to our house, telling about [2:49:00] what had happened to my father.

I had eight brothers and we thought that these soldiers would come back to get… to take away our brothers. If they should come in the evening, we planned to climb over our gate and hide in In Wang San. Midnight, as we had expected, there were knocks on the door. My brothers, in order to buy time to run away, they opened the door after ten minutes. There were three communist soldiers. They beat me up for opening, for answering the door too late. There was a Jeep outside the house and I saw my father in the back seat. "Dad", I shouted. And I ran towards him. He was trying to call my name also. [2:50:00] He seemed like coming towards me. But these soldiers beat my father up and I was also beaten in the head with the gun.

Immediately, when they came into our house, they asked about my brothers.

And I told them that they had run away, they had left the house in search for food. These communist soldiers searched my house for two hours, here and there. And we had no idea what they were looking for. Later, we learned that we had in our house these prizes given by president Lee Seung Man and they were evidence that my father was a member of the Dae Han Youth Association, which to these communist soldiers meant anti-communist.

[2:51:00] And without finding anything, they left the house. And they… my brothers never made it to the In Wang Mountain, but they were on top of our roof. But a couple of houses down the road, I think somebody saw my brothers going up the roof. And they came back, searching for my brothers, saying they went up the roof. And they had taken away our property. And they had also stolen everything from our office in Chungmu-ro. We searched and searched and searched for our father, but had no idea where he went. There were rumors [2:52:00] that he might have been taken to this jail in Seo Dae Mun. We went there but we were not allowed to visit him, or visit anybody for that matter. We never learned about the whereabouts of my father. And these men kept coming back for my brother.

There was this cabinet, a secret cabinet in our house. And I hid in this cabinet with my sister. One day, my brother and my brother in-law were caught by the communist soldiers. And they were arrested to where the police department was in Seoul. There they were arresting people to turn them [2:53:00] into voluntary troops. My brother and my brother-in-law tried to escape. On the second floor of the building where they were caught, they tried to escape, jumping out of the window. They finally managed to get to our house. And ever since that day, these men kept coming back to our house in search for them. And so we had to stay hiding inside that cabinet until the 1928, when the South Korean soldiers reclaimed Seoul. When we went to Seo Dae Mun Jail, there were so many bodies. But there was no sign of my father.

One day, a friend of my father came over to our house. He was imprisoned [2:54:00] with my father and he was brought to North Korea. At the time, the North Koreans had made the South Koreans walk at night. And they were very close to reaching Pyongyang. My father went as far as Pyongyang while his friend managed to escape.

So once a happy family, we were broke. In retrospect, North Koreans are terrible. They kidnap people, they take away what belongs to us. They destroyed families. The pain that [2:55:00] I experienced in the past still persists after 60 years. We still live in that pain. I still cry from the memories. And so I take this opportunity to ask to the commissioners to raise this issue inside the UN so that we can make them pay for what they have done or at least be able to verify whether the abductees are alive or not, or at least if they are dead, we can retrieve their bodies. Thank you very much.

**Michael Kirby:**

And one last … [unclear]

**Mr. CHOI Gwang Seok:**

My name is Gwang Seok [2:56:00] Choi. I was in the 7th grade when the war broke out on the Korean Peninsula in 1950. My father was at the time working as an official at the police, as part of the Ministry of Interior. About two days after the war broke up, my father came home. And at the time, the temporary office of the Security Department of the Ministry of Interior was set up in Suwon, which is another city that was about an hour away from Seoul. [2:57:00] Seoul, as you know, was taken by the enemy in three days after the Korean War. And at that time, on the Han River, there was one bridge and that bridge has been destroyed. So it wasn't possible to cross the Han River. So my father was looking for ways to get to Suwon. That's where he had to work. And at that time, my father had a cousin who was living in Young Chun which was inside Seoul. And I companied my dad there. So we hid there. And we were still looking for ways to get to Suwon where the temporary office was. But it was quite difficult for us to stay with my father's cousin for a long time. [2:58:00] And we really didn't want to put the cousin in a difficult situation.

We were at the time living in Gongdeok-dong. We decided to go to Ah Hyun Dong. And from Ah Hyun Dong, we went to a pier on the Han River and from the pier, we were going to take a boat and then go to Suwon. So we were on our way to Ah Hyun. And then we met people on our way. And the people said that it would not be possible for us to get on a boat and go to Suwon because there were so many North Korean soldiers on the street. And so my father and I returned home because there was no way for us to get to Suwon. So we were still looking for ways to get there. [2:59:00] So on the 28th of June in 1950, Seoul was taken by the North Koreans, and I think it was the 29th or 30th that we tried to go to a pier and failed and went back home.

At the time, we were living in a very traditional Korean house. And at that time, we had a basement, just in case there was going to be an attack, a bombing attack. And my father, as you know, was a member of the Security Department, which was like a police. My father asked me to hide his police uniform and relevant documents in the basement. When I went to the basement to hide his uniform and the documents, [3:00:00] the communists in our neighborhood and also the people from… the communist people came to our house. The basement cannot be found by other people because the basement was… could be only be accessed through a garden or a yard in our house. And I was in the basement at the time. In the basement, I was able to hear the conversations that were going on in our front yard. So I was in the basement, hiding the documents and the uniform and I was able to hear the conversation that was going on between my dad and the communists who came looking for him. And they were asking my father to go with them. So they took my father away. The last [3:01:00] time that I heard my father, my father was saying good-bye to his mother, who was my grandmother. That was the last time I heard my father’s voice.

They took my father and took him to the police station under the communist rule. So they took him there. I was able to see through the window of the police station. I was able to see the profile, the side of my father’s face. I was able to see my dad receiving interrogation. So [3:02:00] I asked one of the guards if I could get inside the police station to talk to my father and of course the guard refused, so I had no choice but to return home. So that was the last time that I got a glimpse, the last glimpse of my father.

And so this… the North Korean police and the North Korean communists came to our house quite frequently. They came to my house looking for things. I think they were there to steal our property. So that lasted for about two days, and the gate of our house… there was [3:03:00] wooden writing on our gate that said that this is the property of other people. Anyway, we stayed home for few days, at home, but we thought that if we stayed longer, then something terrible would happen to us. So, one night, we decided to escape through the back door.

However, before we ran away, because my father was active in Ah Hyung Dong [ph] (3:03:37), we asked people in Ah Hyung Dong to have my father released. So we asked them to sign their names on a petition to have my father released. And it was a very [3:04:00] difficult thing to ask; however, people helped us and gave us their signatures. So I submitted the petition but I was not able to get my father released.

So it’s been about 60 years since my father had been taken away. When I first joined our organization, the union… when I first joined the Korean War Abducted Families Union, I had many personal vendettas, but now, I’m soon going to be 80 years old. I have children, I have grandchildren, I’m truly concerned about the future of Korea. If the government of the Republic of Korea does not deal with this issue in a proper manner, [3:05:00] then should there be another war that happens on the Korean Peninsula again, then nobody in Korea would fight again for the nation. And if we don’t seek accountability from North Korea, North Korea would continue to commit the crimes that they have been committing. North Koreans have abducted Japanese people, and North Koreans also have abducted civilians after the Korean War. And because they were not sanctioned, they think that they can do whatever they want.

We ask the UN COI and the Korean government [3:06:00] that we do not think it’s so important that we punish those who have personally committed a crime. But if… I think what’s important is that the North Korean government apologizes to us and lets us know whether the abductees have died or are still alive, and if they have died, the North Korean government should provide us with the remains of those abductees. And the North Korean government should extend us their apologies and should take measures to ensure that such things will not happen again in the future. Thank you.

**Michael Kirby:**

Thank you very much Mr. Kwang, and I am glad [3:07:00] that at the end of your statement you identified what you think should be done. The government of the Republic of Korea should make a more concerted effort to defend the rights of the citizens who have been members of families of citizens of the Republic of Korea who have suffered from abduction, and the government and people of North Korea should embrace accountability, they should offer apologies, they should make urgent steps to trace the whereabouts of the abductees, if they are still alive, they should identify their whereabouts and facilitate their reunion with their families and if they wish to, they return to the Republic of Korea. [3:08:00] And if they have died, they should make their remains available so that can be honored by their families, and they should make those who have committed offences accountable for the offences against the abductees, and they should take steps to make sure that such offences will never happen again.

Can I ask if the other persons who have spoken agree with the list of actions which Mr. Kwang said should be taken in order to remedy the grievous hurt that has been done to you all? Would anybody wish to add to that list? Well, I will take it that all of [3:09:00] you agree with that list of actions. And of course, you should also remember that the record of this Commission of Inquiry will go to the United Nations, with a report from the Commission of Inquiry, with conclusions and suggestions from the Commission of Inquiry, and then it would be for the United Nations of the whole world to decide what they do. One hopes that they will do more than has been done in the past. But even if they don’t do more than has been done in the past, you will not have any reason to reproach yourselves, because you have come forward, and you have asked for action, and you have stood up, you have expressed the stories of your lives as ordinary people and [3:10:00] those stories will become part of the archives and the story of the United Nations Organisation. But they will also become part of the history of Korea, both parts of the peninsula, and they will be part of the history of the Korean people. They will be recorded by us, both in written form and on video film, so that future generations, not only in Korea but elsewhere can learn of the pain that such unkindness does to ordinary people. Pain in time of war seems to be inescapable, but prolonged, unrequited pain over decades is a very great cruelty.

So thank you all very much for coming along. [3:11:00] I’d ask my colleagues if they wish to ask any questions that have not been addressed by the submissions of the witnesses. Commissioner Darusman? Commissioner Biserko? Would you please just stay there because I understand that we are now going to have a form of question and answer proceeding, which is going to be a supplement to what you have just done, if you are willing to participate in that. *(To officer)* Oh, it’s a different room. Yes, very well then. *(To witnesses)* The question and answer will be for another group, so I can ask you to stand down now, and I thank you all most sincerely. Each one of you had a very powerful story, and it has greatly affected the commissioners. Thank you.

**Ms. LEE Mi Il:**

Could you hold on a second [3:12:00] please? I would like to add one more thing. About the issue of the Korean War abductees, I think not a lot of people are aware of this. A hundred and thousand or ninety one… we have published the statistics, why they were abducted and whether we have the accurate number, [3:13:00] we get questions about this frequently, what we can say is that politicians, academia, the people in the cultural area, religious leaders in South Korea… I think 20 000 of them have been abducted and the other 80 000 were young men who were abducted as volunteer troops.

So if you think twice, if you are suspicious of the number of abductees, I assure you that we have estimates, and as you can see, we are very old, we are running out of time. So I ask you, please help us to learn about the whereabouts [3:14:00] or to verify whether our abducted families are alive or not as soon as possible. Going forward, we will work on more documents and more evidence to show about this abductee issue, and we would like to work on this to be submitted later to the COI. We have so many materials, and for you, in writing your report, we will spare no effort in helping you. Thank you very much.

**Michael Kirby:**

You have provided us this afternoon…

**Ms. LEE Mi Il:**

One more thing. If you look at the first page of the materials that I have sent you…

**Michael Kirby:**

[3:15:00] … what we have received. One is a file of papers with the Korean War Abductees Family Union [unclear] and that has a submission on the Korean War abductees issue… [multiple speakers] (3:15:15). Just a moment. I did find that compilation of the papers as exhibit S20, and you’ve also given us another document, which is a CIA report of the 19th of January 1951: a list of Seoul area residents who were arrested by North Korean authorities, marked as exhibit S21. That will become part of the record of the COI.

**Ms. LEE Mi Il:**

[3:16:00] But if you look at the first page, there is a poem that had been written on the wall of the Pyongyang Prison. I will not read out the poem, but I hope that you will keep that poem. Thank you.

**Michael Kirby:**

Would you just explain a bit more what the CIA report is? This is the Central Intelligence Agency of the United States of America, is it? This was a report of the list of residents in the Seoul area who were arrested… each of those persons, [3:17:00] did they… were they abducted? Or are they people who were killed in action of war? Or both?

**Ms. LEE Mi Il:**

These are lists of Seoul residents who had been taken to North Korea. And it says that it’s not confirmed whether these people are alive or not.

**Michael Kirby:**

There were 100 000 approximately. Abductees in, or rather, a hundred thousand prisoners of war in the hands of the Republic of Korea at the end of the war who were nationals of North Korea. And of them, 75 000 were returned home to North Korea. But only, I think we were told, 18 000 were returned to the Republic of Korea. What happened to other 25 000 [3:18:00] out of 100 000 who were not returned home, did they have a similar complaint against… would there be a similar complaint in the North that their nationals have not been returned to them? Because in war, great wrongs are done by both sides, normally.

**Ms. LEE Mi Il:**

Let me explain about them. As for the POWs or the hostages, I think that we have to distinguish between the POWs and the abductees, because when we say abductees, we are talking about civilians who were not armed at the time of the war. So, our [3:19:00] abductees were re-discussed as part of the discussion about POW between South and North Korea.

**Michael Kirby:**

North Korea, the Democratic People’s Republic of Korea, alleges that in the movement of the battlefields in 1951, first down almost at the tip of the peninsula and then following the Incheon landing, rapidly up and then almost up to the Yalu river, then back close to the Armistice Line of the 38th parallel… in those waves of battle, do the North Koreans allege that there were citizens who were abducted by the Republic of Korea, and have you ever heard that that is alleged against the Republic of Korea, and if so, is there any truth in it? Are there any people to your knowledge who are involuntarily [3:20:00] living in South Korea who had been abducted in the waves of battles who wanted to return to the North, to their families in the North?

**Ms. LEE Mi Il:**

I didn’t do the research myself, but I have learned from an advisor at the National Assembly that only one person has said that he was forcefully abducted to the South. And here in South Korea there is an organization that represents people from the five provinces in the North. And those people say that they all voluntarily came down to South Korea from North Korea.

**Michael Kirby:**

[3:21:00] Is there any organization like yours in the Democratic People’s Republic of Korea who speaks for people who were allegedly abducted? Is there an equivalent body like yours in the North or not? Or don’t you know?

**Ms. LEE Mi Il:**

As far as I know, there is no such thing as an NGO. I understand that there is council that works to promote reunification between the two Koreas. I understand that some famous South Koreans who had been taken to the North are participating in that council and that council, I understand, has been issuing statements and has been spreading words of propaganda that say that North Korea is a great country to live in. [3:22:00] But that is not even an NGO, that is an organization that simply represents the words of the North Korean government. And I understand that in North Korea, there is no organization that would be similar to ours.

**Michael Kirby:**

[unclear] … body which spreads the information that says that North Korea is a wonderful place to live that operates freely in Republic of Korea without restriction on its activities? Or is it subject to surveillance and restriction? Are you aware of this, or not?

**Ms. LEE Mi Il:**

Well, frankly speaking, I don’t know much about North Korea, but if I read the Labor Party newspaper or when we read [3:23:00] the statements from the North Korean government… but when you look at the Central News Agency broadcasting or the newspaper, North Korea has been insisting that there is nobody who had been abducted forcefully during the Korean War. And on the 28th of June there was such an article both in the Central News Agency as well as in the central Labor Party’s newspaper. Yes.

**Michael Kirby:**

Yes, you wanted to add something?

**Mr. CHOI Kwang Seok:**

If I may add, [3:24:00] in order to help you understand… during the Korean war, a lot of civilians – by civilians, we mean people who did not fight, government officials, doctors, religious people, artists, or people in the legal area, people who have no connection to POWs, civilians – 100 000 civilians were abducted to North Korea. In order to arrest those people, North Korea premeditated this abduction. And that is why in only 3 months they knew who to abduct, when [3:25:00] and where. So it was premeditated.

And as for my father, to tell his example, he was trying to formulate a plan to leave Seoul, Korea, but as soon as he set his foot in his house, he was taken away. Most of the people were taken away in this manner, which means that North Korea had planned ahead based on the information that they had gathered earlier on the potential abductees, for three reasons. One, to abduct people that they can use. In 1945, after World War II, when the communists took power, North Korea realized that they were very short of human resources, they needed a lot of intellectuals, [3:26:00] in particular, but most of the intellectuals in North Korea had gone to the South. They could not survive in a socialist regime. Doctors, educators, intellectuals – the brains – they had all gone to the South. There was a vacuum of intellectuals in North Korea. So, to replace the elite, intellectual elite, the then-premier of North Korea, Kim Il Sung, gave specific orders to bring intellectuals from the South, so that they can make up for the loss of intellectuals and make up for the brain drain.

And also, they [3:27:00] wanted to abduct people who were known to be anti-communist. Like the Korean Youth, the Seo-Buk Youth Association or the Anti-Youth were going to be abducted as a reprisal. They may have been executed or they have reached North Korea, we do not know, but that was the second reason.

And the third reason is that… this pertains to the 80 000 people, the young people abducted in order to supplement the armed forces in North Korea. These were volunteer troops, these young men were turned into volunteer troops but they, in fact, did not volunteer. Young men [3:28:00] were kidnapped and they were turned into volunteer soldiers, or they were used as forced labor. So for these three purposes, South Korean civilians were abducted. North Korea claims that, maintains that, South Korea also abducted North Koreans but that is fabricated information.

**Michael Kirby:**

We have one more set of witnesses to go, and we lose the interpreters soon if we don’t take them. I think we’ve got the essence of what you wanted to say. It was very moving and we are very grateful to you for coming and telling your stories, and we have the exhibits and we will be reading them as well. Thank you very much and you are all excused now.

**Mr. CHOI Kwang Seok:**

Thank you very much.

**Michael Kirby:**

I now call forward the Citizens Alliance NGO, [3:29:00] and Joon Ho Ahn, reporter of Chosun Daily, for a Q&A.

We have here, Lillian Lee, who is here in her capacity as an expert on abduction issues, and Joon Ho Ahn, who is here in a similar capacity to assist us on the very grueling submission we received in the last session from the families of abductees, and the terrible experience that they have. It is said that human memory is such that as one gets older, one can’t always remember things that have happened recently, but one remembers with [3:30:00] very great accuracy things that have happened long ago, especially when they are very painful. And I think most of us in our families have experiences of the way memory sticks with one in a most detailed way as we saw in that last session.

You heard at the end of the session how the last witness, Mr. Kwang, made a list of things which in an ideal world would be done to remedy the burden that they’ve carried 60 and more years. Action on the part of the government of the Republic of Korea, and action on the part of the government of the Democratic People’s Republic of Korea. Is it too much to expect that in our world [3:31:00] there can be progress on those matters? Is that simply a dream? Or is it something that we can hope to work towards? What is your opinion? First of all, you might tell us a little about your background and experience and relevance to come forward at this stage in our inquiry to assist us on the issue of abductees.

**Ms. Lillian LEE:**

So, my name is Lillian, and I work at the Citizens Alliance for North Korean Human Rights, and we have been submitting individual complaints of enforced disappearances to the Working Group on Involuntary or Enforced Disappearances since 2004 and have been really picking up speed since last year and this year. We really want to thank you, the Commission, for including enforced disappearances as a part of your ongoing investigation [3:32:00] into the human rights situation in North Korea. As you probably have surmised from today’s hearing, it is a really under-covered issue in South Korea, and a really misunderstood issue, misunderstood because the very [unclear] that many of these people could have gone to North Korea voluntarily and thus cannot be considered victims. We have submitted to the Secretariat for your benefit the general allegations that we submitted to the Working Group this past March. And I hope that you will have a chance to read it. In it…

**Michael Kirby:**

Can I just stop you and say that we have received the submission, which is made by Han Dong International Law School and Citizens Alliance for North Korean Human Rights, titled [3:33:00] ‘General Allegations to the United Nations Working group on Enforced or Involuntary Disappearances’, and we will mark that document as Seoul Document S-22. Thank you. It is part of our record now.

**Ms. Lillian LEE:**

Okay. In it, you will find the names of all 517 abductees still believed to be in North Korea, and who have been recognized by South Korean Ministry of Unification as having been abducted. You have heard today stories of people being abducted while on airplanes, on fishing boats, and during wars. So, we hope that you will be able to see that this is an on-going systematic operation by the DPRK government, where the bulk of the abductions took place during the 1960s [3:34:00] and 70s, though they did continue until the 1990s and started as early as 1955, which is when the first recorded case of abduction is.

NKHR has submitted 20 of these cases to the Working Group and we have heard back that 7 of those 20 have been transmitted to the DPRK government and we have heard back on 6 of those cases. In all of them, the response has been that this case is not worthy of the lofty humanitarian mission of the Working Group, and that there are no people living involuntarily in our country. This is very disappointing for us because we realize that they will be able to continue to answer in that manner for all of the cases that we will submit in the future and really we are hoping that the added recognition and [3:35:00] pressure from this Commission can help in producing a more adequate response from the DPRK government.

**Michael Kirby:**

Can I just ask you… you said that they started in 1955, but if the witnesses who have come before us today are to be believed, then they really began in 1951 during the course of…

**Ms. Lillian LEE:**

Yes, yes, I’m sorry. I am talking more specifically about the post-war abductions, and 1955 is the first recorded case according to the Ministry of Unification.

**Michael Kirby:**

And does the Ministry accept the cases that we heard today as cases of involuntary abductions?

**Lillian LEE:**

Yes, they do.

**Michael Kirby:**

Do you know if all of the people who came forward today are accepted as the relatives or as themselves subjected to involuntary abductions?

**Ms. Lillian Lee:**

Yes, they are all recognized by this government.

**Michael Kirby:**

[3:36:00] I supposed that the question is always difficult to answer, as to whether a person is a voluntary resident in North Korea as against an involuntary abductee, or whether whatever they began as, they are now a voluntary resident, unless some form of direct access is given to them in order to check out that assertion. Have many of the people who have been named to the Working Group on Enforced or Involuntary Disappearances, have their whereabouts in North Korea being given with sufficient specificity so that they could be checked? There was at least one case where we were told that [3:37:00], in the case of the airline abduction, that they had an address for one of the persons who was said to have been abducted. So, it wouldn’t be all that difficult if North Korea said that they are not involuntary to allow an independent authority to have access to them and to check the story.

**Ms. Lillian LEE:**

That address actually came from a 2005 Pyongyang census that was obtained by family members in South Korea, and was subsequently published in the *Chosun Ilbo*, so perhaps Reporter Ahn can speak to that. In it, in the census, there were discovered several people who have been recognized as abductees in South Korea, and all of their addresses, names, spouses, jobs, [3:38:00] birth dates and hometowns were included in that census. And the hometowns are, did state, that they were from cities in South Korea.

**Michael Kirby:**

So, in many cases, it would be a simple matter if access were granted to check out, first of all, the circumstances of their original departure for North Korea, and secondly, whether that was voluntary at the time, and thirdly, whether it remains a voluntary residence in the DPRK?

**Ms. Lillian LEE:**

Yes, for at least many of them that would be possible.

**Michael Kirby:**

Has the United Nations Working Group on Enforced and Involuntary Disappearances with whom, I might say, we had contacted in July, has it accepted some of these cases for investigation?

**Ms. Lillian LEE:**

Yes, one of the cases that was transmitted to the DPRK government, [3:39:00] he is included in that Census of Pyongyang Citizens, and we did include his known address and other personal information that was divulged when we submitted this case.

**Michael Kirby:**

Is this census material online? Is it available and can be accessed through the Internet?

**Ms. Lillian LEE:**

It is online, yes it can.

**Michael Kirby:**

And has there been any attempt by the government of ROK to match the names and addresses in the North of people who are claimed to be the subject of an abduction from the South to the North? Any overall project to try… [multiple speaker] (3:39:45)

**Ms. Lillian LEE:**

I’m not sure that the South Korean government has tried to confirm those addresses through their bilateral relations with North Korea, but all of those names that were recognized as abductees [3:40:00] were recognized by the [unclear] numbers and the South Korean government.

**Michael Kirby:**

Well, you’ve heard the statement by Mr.Kwang of the things that he would like to see done. They seem to be an agenda for a rather better world than we have at the moment, but in terms of a rational response to the type of pain that we’ve seen at the table this afternoon, could you see anything that is in principle wrong or excessive in the remedies that the witnesses are seeking? Or do you have a different set of remedies that you are urging on the Working Group and on the COI?

**Ms. Lillian LEE:**

I don’t see anything wrong with his remedies. Reflecting the most pressing desires of family members that we have interviewed, it is… we are simply [3:41:00] asking for life verification status, and if they are dead, then to let their families know the date of death and how they died. And in some cases people ask for their remains, and in a very limited number of cases, people ask to be reunited with their family members. I think that demonstrates that most people have in all seriousness given up on actually being reunited permanently with their family members in North Korea, but they still harbor a very great hope that they would be able to honor their family members’ memory in South Korea especially if they are dead. Because of the process of giving, of honoring the death through funeral rites, is still extremely important in South Korea, and in order for them to do that they need to know the date of death.

**Michael Kirby:**

Yes. [3:42:00] Well thank you very much for that Ms. Lee. Now, Mr. Ahn, what can you tell us? How does a journalist get caught up in this matter?

**Mr. AHN Joon Ho:**

I am a journalist for the *Chosun Daily*, and I have access to the Ministry of Unification. I have been researching on these abductee issues since 2005. Mr. Choi Sung Yong was here early in the morning, talked about the 36 abductees. He made the photograph of these 36 people public, and when I [3:43:00] went down to the Geo Jae Do [ph] to do this research on the 12th, and on the 13th, I understand that you went down to Geo Jae Do also. I also did the research there. In 1971, Hui Young Ho [ph] (3:43:21) and Oh Dae Ho [ph] (3:43:21) and 18 people from the same village had been abducted. I met with their families and I heard their pain and heartbreaking stories, and ever since I have been committing myself to this research.

Abductees can be classified into those abducted during the Korean War, and those abducted after the war. Today I would like to talk about post-war abductees. According to the Ministry of Unification, 3835 [3:44:00] were abducted after the armistice was signed. Within one year, 3310 were returned, within one year, and according to Mr. Lee, who gave us testimony earlier, from 2000 to 2009, 8 more were returned. These 8 were also post-war abductees. These 8 were detained in North Korea for over 30 years. And I have met 7 of these 8 abductees and I did interviews of them. Mr. Choi talked about Mr. Jun Wook Pyo [ph] (3:44:40), he sent a petition on August 11th to President Park Geun Hye, and we think, believe, that he is in China right now, but even the Korean government has not been informed about his whereabouts. He is not in [3:45:00] South Korea, but the South Korean government, we have heard, has safe custody of this man.

**Michael Kirby:**

Is that through an escape line or by a formal channel from DPRK on a bilateral basis? Do you know or is this just a speculation? I don’t want you to give us confidential information that has been given to you in confidence.

**Mr. AHN Joon Ho:**

What I am telling you are facts that I have verified with the National [3:46:00] Intelligence Service and the Ministry of Unification of Korea. Excluding Mr. Jun Yook Pyo, 8 other abductees did not return to Korea through a formal channel. They came to North Korea in their own capacity with the help of their family members. When North Korea did not participate in any of the return of the abduction.

Ever since early this morning, you asked if we had any voluntary abductees out of the 517 people. You asked us how we can be certain that all these 517 were involuntary abductees… out of 517 [3:47:00] only 8 came back. Mr. Jun Wook Pyo will be coming to Seoul. If we add him, there will be 9. I have met seven of them and I have interviewed every single of these 7 people who came back. They are fishermen, and they said, they gave testimony that they were abducted. If as maintained by North Korea, if they had gone to North Korea at their will, then I don’t think North Korea has a good excuse to deny our request to verify the existence of people, South Korean abductees, living in North Korea.

In the photograph, you saw the people of the abductees, and taking those group pictures of the abductees, you said [3:48:00] why they took those pictures. You asked the question to Mr. Choi, and to give my answer to your question, the seven abductees that I interviewed, they all said to me that when you are abducted to North Korea, at least from six months to up to one year, you receive this re-education and you are allocated to the society. Every 3-4 years you are sent to Wonsan in Gangwon Province where you receive collective training on the revolutionary ideology of Kim Il Sung and Kim Jong Il and about the ideologies of the party. And after receiving the 3 months training, you are sent to Na Jin [ph] (3:48:50) and other memorial places where you take group pictures and these pictures were given to the abductees, which means that the [3:49:00] North Korean government is using those pictures as propaganda, as a tool for propaganda. You need to understand that between the two countries, the two Koreas, there has been an intense competition about these different ideologies. Is the South Korean regime superior? Is the North Korean regime superior? There has been an intense competition, and North Korea has sent a lot of spies to the South using those abductees, and that is why the South Korean government turned their back against the families of the abductees.

**Michael Kirby:**

They have sent people who were originally involuntary abductees and who received political re-training and maybe follow up, and were then sent [3:50:00] as spies to come back here to the Republic of Korea, and that they came but they didn’t make contact with their families, they just did their work of spying. Is that what you are telling us?

**Mr. AHN Joon Ho:**

The South Korean government has not verified that, but Mr. Lee Jae Geun, he testified that he received spy training, and for example, the high school students who were abducted testified, based on the testimonies of other abductees, there were 5 high school students who were abducted. Because they were young, they were used as instructors to teach about the South Korean culture. I’m telling this based on the [3:51:00] testimonies of other abductees.

**Michael Kirby:**

[unclear] … very successful spy trainee because the minute he could, he got out of it, and he came back to South Korea. So it would be a rare… if that’s a typical pattern, it would be rare that a person who has been involuntarily abducted would cross the bridge and become an enthusiastic spy for North Korea and ignore his family and not come back here or come back here to do spying and not see the family. It could happen, of course, but I would like to know who’s actually done that to be convinced that it’s a pattern of conduct.

**Mr. AHN Joon Ho:**

[3:52:00] I have not come in contact with any case that you are describing and Mr. Lee is an exception, he is a special case. The 5 high school students who were abducted were also a special case. There are 517 post-war abductees who never returned to South Korea. 458 were fishermen and I think it’s very difficult to say at this point that they were trained to become spies.

**Michael Kirby:**

Why do you think that the DPRK will not even allow, facilitate, the [3:53:00] most rudimentary contact, perhaps a telephone contact, just to be sure if a person is alive, that the person is voluntarily remaining in the DPRK? That would be the easiest way to set at rest the concerns that most of the family members would have. If they know that the person is alive, and that they are happy and have formed a new relationship and they exist in the North, well, that at least is an understandable story.

**Mr. AHN Joon Ho:**

Because common sense does not make sense in North Korea. And some [3:54:00] abductees, they were… they met their families in the family reunion meetings, but there were a very limited number of them. Today at Panmunjeom, there is this meeting going on for another family reunion, and usually we arrange for 100 people to meet, and we used to have 10 POWs and 10 abductees come part of this meeting. We used to not be able to use the word ‘abductees’, at the time what we used as a term is ‘people whom we did not know about the whereabouts of people separated during the Korean war [3:55:00] and after the war’. This was the agreement between the two Koreas, which means that in the past the South Korean regime was very careful not to provoke the North Korean regime. Of course, the South Korean government, their aim was to try to get as many people reunited with their families at these meetings. But North Korea never once admitted to the fact that they are abductees, because if they admit to that, then it means that they have committed a crime. That’s why they prevented us from using the term ‘abductees’. So…

**Michael Kirby:**

In the case of Japan, when a delegation led by Mr. Koizumi went to Japan, and Mr. Abe was a member of that delegation, it was admitted by Kim Jong Il that there had been a state policy of abduction. [3:56:00] I may be wrong about that, we are going to Japan next week, but that was my understanding that it was admitted. It may not have been admitted in the case of Korea, but I am almost certain that it has been admitted in the case of Japan. And if it can happen in one country, then the logical mind asks why could it not happen even more frequently in another country closer to hand?

To say that the people on the flight which was diverted to the North, that that was a fictitious allegation of abduction, when the flight was going to [3:57:00] another port in South Korea, and when the great majority of those who were on the flight were returned, but a collection of people who just happened to be young, professional and able were kept behind… if that is true, an outrageous offence against international law. And I wonder why the international community, IATA and other international agencies didn’t do more to blacklist the flights of international carriers into Pyongyang.

Do you know if any international carriers fly into Pyongyang except for those from China? I see you indicating that you don’t know that.

**Mr. AHN Joon Ho:**

[3:58:00] I am not aware of the cases in other countries, but no Korean airline is going to Pyongyang. The Japanese case makes us very very ashamed as Korean nationals, and the families of the abductees decry at the fact, ‘why North Korea admitted it to Japan and not to Korea?’. As a Korean national, I am very very ashamed about this. But in the past, during the Kim Dae Jung and Roh Moo Hyun administrations… I don’t think these two administrations had the will to address the issue of abductees.

Of course, the premier Koizumi went to North Korea and they paid a lot of money to North Korea to bring back the abducted Japanese. Of course, we Korea gave a lot to North Korea unconditionally, [3:59:00] regardless we could not bring anyone back officially. And all of the 8 people who came back, they came through unofficial channels, their families were involved. Now so, it is very hard to do a one-to-one comparison with Japan. There may be a lot of Japanese abductees, but the number is very very low compared to the 517 South Koreans who were abducted.

And about the hijacked aircraft, the young, the well-educated never came back, that’s what you said. And Dr. Oh Gil Nam [ph] (3:59:43), according to the testimony of Mr. Oh Gil Nam who did come back, the young people who were on the plane at the time, they now work [4:00:00] to make programs in North Korea targeting the South Korean public. Now we believe that these people are detained to be used as propaganda. Sometimes the abductees are included in the family reunion meetings, but you need to understand that those abductees who do come out to those meetings and get to meet their families, maybe excuse my expression, but they are a little bit well off than the general public. And South Korea returned North Koreans who rejected to abandon their ideologies back to North Korea and we returned the bodies of the North Koreans [4:01:00] who died in South Korea, but we did not get anyone back.

And this person who is going to return on August 11th, he was a fisherman, and another person who was kidnapped with him, Mr. Park Doo Hyung [ph] (4:01:17), he did not come back. We received a certificate of death without the date of his death. Mrs. Yoo Woo Pong [ph] (4:01:28), his wife, heard about the death of her husband on July 15th by the lunar calendar. She was so devastated, she was depressed, that she took her own life. Two days ago, we recognize August 20th as the day that [4:02:00] this man died. It’s very important in South Korea to hold a funeral ritual to honor the dead. But we have to know the dates of their death. Without this date, traditionally we use September 9th by the lunar calendar to hold these funeral rituals to honor the death. So, abduction does not only have an impact on the life of that individual but it also impacts the life of the entire family.

**Michael Kirby:**

Yes, I think we understand that. Is there anything else that you want to tell us because the hour is getting late and we’ve had a very long day about what in practical terms we can do to add to the international and national efforts to get the [4:03:00] DPRK to respond to the painful stories we’ve heard today? Ms. Lee, did you have any suggestions?

**Ms. Lillian LEE:**

In South Korea, as we have been interviewing these family members, we have seen time and again that the burden of proof has always been on the families to show that they are not communists, that they are not spies. And it continues to this day. They have to always be questioned about the intentions of their family members. I would really like to see a progression from that and an acceptance that these are people who were taken and their family members were also victims. These family members have never received counseling or therapy besides a [4:04:00] small amount of restitution that they received from the South Korean government.

I would really encourage discussion with the Ministry of Unification and other government officials to see what exactly they have done and how many times have they brought up this issue with North Korea and their bilateral relations, do they have any plans to include them in their future bilateral relations with North Korea? And as for life status, everyone says life status, but really just more than alive or dead. Because that just raises so many more questions for the family members. Thank you.

**Michael Kirby:**

Yes, thank you very much. Do you have anything to add to that list, Mr. Ahn?

**Mr. AHN Joon Ho:**

[4:05:00] One last comment that I would like to make is that there are eight abductees that have returned, these are the post-war abductees, and it would be really nice if you could have an opportunity to meet with these 8 people, because they are the living witnesses to the crimes that the North Korean government has committed. So if you could meet with them, if you could talk to them, then I think you would be able to get more a direct submissions from the people who have been victims of the crimes of North Korea.

And if the COI applies pressure to North Korea, I hope that, by doing so, I hope that… we also need cooperation from China, because many who have [4:06:00] escaped to China are very scared that they will be caught by the Chinese security agency and sent back to North Korea. So I hope that you will make a recommendation to the Chinese government, so that the North Korean defectors are not forcefully repatriated back to North Korea. And once again, I would like to thank you for coming all the way to South Korea and trying to find about the human rights circumstances in North Korea.

**Michael Kirby:**

The recent decision of the People’s Republic of China not to return all of the family group of five to DPRK, but to return those family members who had ROK passports to the Republic of Korea, and return those who were nationals of DPRK to North Korea is a step by China in the right direction, following President Park’s visit to [4:07:00] China in June 2013. It suggested that that shows a great nuance in the Chinese approach to *refoulement* and sending people who have sought to escape to China back to the DPRK. Do you know the case I am referring to?

**Mr. Ahn Joon Ho:**

So out of the five, I think that this is the family of Kim Kwang Ho [ph] (4:07:43), his wife and daughter. I understand, it’s been confirmed that they have returned to South Korea. But his sister-in-law and brother-in-law are at the risk [4:08:00] of being returned to North Korea. The South Korean government has not confirmed this for us. So, we do not know as of now whether these two people are staying in China or have been sent back to North Korea. So, I think it’s too early to say that China is changing. There is a fisher by the name of Choi Wook Il [ph] (4:08:30). He returned to Korea in 2007, this was during the Roh Moo Hyun Administration. He had been detained in North Korea for more than 30 years. When he came to Korea… excuse me, I actually interviewed him in China and I reported about him.

**Michael Kirby:**

[Unclear] (4:08:55) the North Korea?

**Mr. AHN Joon Ho:**

[4:09:00] Mr. Choi, he was taken to North Korea in 1975, and he escaped from North Korea in December 2006, so he was in North Korea for about 30 years. So I understand other commissioners from the COI besides yourselves have already met with him and interviewed him. And since we dealt with his story in our paper, the Korean government has said that the Korean government will facilitate or accelerate his return and that the Chinese government will deal with the abductees and the defectors differently.

However, there was another person that had left North Korea afterward and I went to China to interview [4:10:00] him. First as like Mr. Yoon Jong Soo [ph] (4:10:08), I don’t remember the date, I think it was 2007 or 2008, I think when he left North Korea in 2007 or 2008, and I met with him, anyway, in China. He was handed over to Korean consulate. It took him more than 8 months to come to South Korea, but Mr. Choi Wook Il was able to come to Korea in less than 10 days. So, Mr. Choi Wook Il, and Yoon Jong Soo, they were abducted to North Korea while they were working on the same fishing boat, but Mr. Choi was able to come to Korea from China in less than 10 days, while Mr. Yoon it took more than 8 months. That I think was the case because of the Chinese government’s position. [4:11:00] So I think the Chinese government’s position changes quite frequently. And I think we need a significant change in the attitude of the Chinese government in regards to the abductees.

**Michael Kirby:**

Very well, I think this has been very useful. As to our meeting the group of eight that you said would be authentic voices of people who were abducted and who have got back… are many of them living in Seoul? Or are they out of the metropolitan area?

**Mr. AHN Joon Ho:**

These eight people, well, Mr. Lee Jae Geun who made a submission today lives in Seoul. So, Lee Jae Geun, he made a submission today, he lives in Seoul. Jin Jung Pal [ph] (4:11:57), he passed away. [4:12:00] After he came to Korea, he died of cancer. And Kim Byung Do [ph] (4:12:03), he lives in Tongyoung [ph] (4:12:05), and Oh Myung Seok [ph] (4:12:06) I think he lives in Gangwon Province. I heard he lives in Gangwon Province but I don’t know where his exact address is. And Mr. Choi Wook Il [ph] (4:12:12) lives in a city, which is in the metropolitan area. And in the case of Mr. Lee Han [ph] (4:12:19), I understand that he lives in the metropolitan area, and Mr. Yoon Neun San [ph] (4:12:24) he lives in Jeju Island. Mr. Yoon Jong Soo [ph] (4:12:28) I don’t know exactly where he lives, but if you ask the South Korean government, I’m sure that the South Korean government would cooperate and provide you with their whereabouts or their addresses.

**Michael Kirby:**

We may take our own course on that. We are working very long hours and our Secretariat likewise, we may not be able to do it. But we will ask our secretariat to investigate whether it’s feasible, because it’s not only a matter of the [4:13:00] feasibility of setting aside our time for it, it’s a matter of getting the transport arrangements in place, security arrangements in place, getting interpreters and getting a venue and having the opportunity to have a conversation with them. So it may or may not be possible, but thank you for the suggestion.

Well, I thank both of you for coming forward and adding to our record and to assist us. This has been a very sad and moving day. And we are very grateful to you for, both of you, in your different ways, keeping the light shining on this area of human unkindness. We will now adjourn the meeting of the Commission of Inquiry until tomorrow morning, the 24th of August, at 9 am [4:14:00] in this place.

**[**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.