

August 30, 2023

Chairperson of the Legislative and Judicial Committee of the National Assembly Kim Do-eup

CC. President Yoon Suk-yeol
Prime Minister Han Duck-soo
Foreign Minister Park Jin
Unification Minister Kim Yung-ho
Justice Minister Han Dong-hoon
National Defense Minister Lee Jong-sup

Re: The UN Enforced Disappearance Convention's domestic implementing legislation for the improvement of North Korean human rights

Dear Chairperson Kim Do-eup,

For the past 70 years, North Korea has refused to repatriate an estimated 50,000 South Korean POWs (prisoners of war) and 100,000 civilian abductees in clear violation of the 1953 Armistice Agreement as well as the 1949 Geneva Conventions relative to the Treatment of Prisoners of War and relative to the Protection of Civilian Persons in Time of War. Even after 1953, North Korea has denied the repatriation of at least 516 South Korean POWs and civilian abductees including from the Vietnam War and the 1970 seizure of the ROK Navy broadcast ship I-2, over 60 seizures of fishing vessels in 1955-1987 and the 1969 Korean Air Lines YS-11 hijacking. Recently, North Korea continues to detain at least 6 South Korean citizens (Kim Kuk-gi, Choi Chun-gil; Kim Jeong-wook; Kim Won-ho, Ko Hyon-chol and another individual whose name is not known). At the same time, tens of thousands remain disappeared in the political prison camps in North Korea including the North Korean refugees forcibly repatriated from China and other countries.

South Korea acceded to the International Convention for the Protection of All Persons from Enforced Disappearance (UN Enforced Disappearance Convention) on January 4 this year and the UN Enforced Disappearance Convention entered into force for South Korea on February 3. Although the UN Enforced Disappearance Convention's implementing legislation has not been passed yet, there are currently two bills, the Bill for the Act for the Protection of All Persons from Enforced Disappearance¹ and the Bill for the Act on Punishment of Crime of Enforced Disappearance, Prevention of Enforced Disappearance and Remedies for Victims,² pending before the National Assembly's Legislative and Judiciary Committee for the effective implementation of the UN Enforced Disappearance Convention. However, the two bills have not been examined by the Legislative and Judiciary Committee despite the passage of 1- or 2 years' time.

Today, on the International Day of the Disappeared, we urge the Legislative and Judiciary Committee's speedy examination of these bills. UN Enforced Disappearance Convention's domestic implementing legislation is necessary not only for South Korea to effectively implement its legal obligations under the UN Enforced Disappearance Convention but also to for South Korea to lead the international diplomatic efforts to resolve immediately all issues related to all POWs, abductees and detainees, in particular the realization of their immediate return and accountability, including the repatriation of the remains of the deceased persons.

Thank you.

Sincerely,

Signature organizations and individuals (as of August 30, 2023)

¹ ROK National Assembly, Bill for the Act for the Protection of All Persons from Enforced Disappearance (Bill no. 2107371) proposed by 10 members including Jeon Yong-Gi on January 14, 2021, https://likms.assembly.go.kr/bill/billDetail.do?billId=PRC_P2E1S0R1F0T8B1V6Z2W9P1X1B2Z7C7

² ROK National Assembly, Bill for the Act on Punishment of Crime of Enforced Disappearance, Prevention of Enforced Disappearance and Remedies for Victims (Bill no. 2115792) proposed by 10 members including Kim Gi-Hyeon on May 30, 2022, https://likms.assembly.go.kr/bill/billDetail.do?billId=PRC_D2B2M0R4W2K1E1J7M2S9C4O4X2T9D1

Kim Jeong-sam (elder brother of missionary Kim Jeong-wook who has been held in detention in North Korea since 2013)

Association of North Korean Defectors (NKD)

Citizens' Alliance for North Korean Human Rights (NKHR)

Committee for Human Rights in North Korea (HRNK)

HanVoice

Improving North Korean Human Rights Center

Justice For North Korea

Korean War POW Family Association

Mulmangcho

No Chain

North Korea Strategy Center (NKSC)

Save North Korea

Stepping Stone

THINK

Transitional Justice Working Group (TJWG)