

NORTH KOREA

Concern about the fate of Shibata Kozo and his family

Summary of concern

Amnesty International is concerned about the fate of Shibata Kozo, a prisoner whose case the organization described in its October 1993 report *North Korea: Summary of Amnesty International's Concerns (ASA 24/03/93)*. In a letter to Amnesty International of 9 June 1994 the North Korean Government said that Shibata Kozo and his entire family had been killed in a train accident in March 1990. This information appears to be inconsistent with Amnesty International's own information that Shibata Kozo was still in custody at that time. The organization is calling on the North Korean Government to provide documentary evidence about the alleged deaths.

Shibata Kozo, photographed in Japan in 1957 before his departure for North Korea

Political imprisonment in North Korea

There is very little independent information about human rights conditions in the Democratic People's Republic of Korea (DPRK, North Korea). The North Korean Government does not allow international organizations such as Amnesty International to independently investigate the human rights situation in the country. However in 1993 Amnesty International obtained independent information about a small number of people whom it believes to be detained on political charges. The case of Shibata Kozo was one of the first to be publicized by Amnesty International. Amnesty International fears that thousands of political prisoners may be held in North Korea. The organization has also expressed concern about cases of unacknowledged detention, torture and ill-treatment, and widespread use of the death penalty.

The story of Shibata's Kozo's arrest and imprisonment in North Korea

Shibata Kozo was last seen alive in late 1990 at a detention centre in Sungho Township, South Pyongan Province, where he is believed to have been held since 1984 on political charges. He was a Japanese citizen who married a Korean resident of Japan, Shin Sung Suk. In 1960 the couple moved to North Korea with their three children and settled in Pyongyang where Shibata Kozo took employment as a Japanese-language editor in a publishing unit.

Shibata Kozo was first arrested in 1962. His arrest may have been connected to a protest by Japanese spouses of former Korean residents in Japan who had resettled in North Korea, although the reason given by the authorities is different. (An estimated 1,800 Japanese women married Korean residents in Japan and moved to North Korea in the early 1960s. In 1962, according to unofficial sources, some of the Japanese women were denied permission to return to Japan to visit their relatives. Shibata Kozo reportedly encouraged them to make a public protest). Following this incident the North Korean authorities reportedly carried out an official inquiry into Shibata Kozo's activities in Japan. The inquiry reportedly alleged that he had stayed at the home of a police officer in Japan while he had worked for the Japanese Ministry of Labour in the late 1950s. This appears to have made Shibata Kozo a suspect of political collusion with the Japanese Government. Apparently on this basis alone he was arrested, convicted of spying and sentenced to 20 years' imprisonment in 1964. During his imprisonment he was reportedly made to work in a quarry or stone-cutting workshop for some years, although he was exempted from work in the later years of his imprisonment because of his deteriorating health.

Shibata Kozo's prison sentence expired in 1984 but he was not released. Unofficial sources said that his continued detention may have been related to the authorities' inability to allocate him to a work unit. The North Korean Government, however, alleges that he was given a supplementary six-year prison sentence for his involvement in an "anti-state plot" (see below). In late 1990, when he was last seen by unofficial sources at a detention centre in Sungho Township, South Pyongan Province, his health was poor. According to former detainees, he could barely walk, could not eat all of his prison food portion and appeared withdrawn and depressed. Shibata Kozo and Shin Sung Suk's relatives in Japan stopped receiving letters from them in the mid-1960s. For many years Shibata Kozo's brother attempted to contact him in North Korea, without success. In 1992 Shibata Kozo's relatives in Japan heard reports that Shibata Kozo was still alive and in detention. They tried to obtain information about his fate, without success.

The North Korean Government's response to Amnesty International

In a response to Amnesty International's Secretary General of 9 June 1994, North Korea's Permanent Representative at the United Nations in Geneva gave information about Shibata Kozo and his family.

According to the authorities, Shibata Kozo changed his name to Kim Ho Nam shortly after his arrival in North Korea. He was arrested at an unspecified date, charged with espionage and in 1964 was sentenced to 20 years' imprisonment. The authorities added that during his imprisonment Shibata "instigated other prisoners to commit [an] anti-state plot" and was consequently tried and sentenced to a further six years' imprisonment. They said he was released on 20 January 1990 and reunited with his family who then went to live in Mundok-Uhup, South Pyongan Province for several weeks. On 18 March 1990, according to the authorities, the family took a train to Ryongdae-Dong, Tanchon City, South Hamgyong Province where they "intended to reside". However, according to the authorities Shibata Kozo "and his family died [in a] train accident with other passengers" during this trip to Ryongdae-Dong.

Amnesty International's concerns regarding the fate of Shibata Kozo

The information provided by the North Korean authorities is inconsistent with information obtained by Amnesty International from other, independent sources. The most striking inconsistency concerns the dates of Shibata Kozo's alleged death. According to Amnesty International's unofficial sources, Shibata Kozo was still held in Sungho detention centre in late 1990. This conflicts with the government's claim that he was released in January 1990 and died in March 1990. Amnesty International believes that Shibata Kozo may not have died in the alleged train accident. Instead, it is concerned that he (and his family) may have died in other circumstances. Some members of his family may still be alive.

Other aspects of the government's response are unsatisfactory. It gives no explanation as to why Shibata Kozo's wife Shin Sung Suk did not contact her relatives in Japan for almost 30 years. Amnesty International is concerned that Shin Sung Suk may herself have been detained or otherwise restricted in her movements and contacts with relatives for at least some of these years. Nor is there any explanation as to why Shibata Kozo did not himself attempt to contact his relatives after his alleged release from prison in March 1990. It is also surprising that the whole family, including grown-up children, would have been moving house together and would therefore be travelling on the same train: the three children would have been aged 38, 33 and 28 at the time and some may have had families of their own. As far as Amnesty International is aware, Shibata Kozo had consistently refused to change his nationality or his name and former detainees knew him as Shibata Kozo. This appears to cast doubt on the government's claim that he had changed his name to Kim Ho Nam.

In light of these inconsistencies, Amnesty International is asking the North Korean Government to provide the following supplementary information:

- ◆ Information about Shibata Kozo's alleged six-year prison term for "instigating other prisoners to commit an anti-state plot". This should include details of the charges against the prisoner, the dates of his trial and the reason for his conviction.
- ◆ Official documentation indicating that Shibata Kozo changed his name to Kim Ho Nam.
- ◆ Documentary evidence about the train accident in which the family are said to have been killed. This should include eye-witness accounts of the incident or other reports and the results of any official investigation into the alleged accident.
- ◆ Information about other family members allegedly killed in the train accident, including details of their marital status and place of residence before the accident.
- ◆ The date, time and place of any autopsies carried out on the victims' bodies and the results obtained.
- ◆ The relatives of Shibata Kozo and Shin Sung Suk should be provided with information about the family's burial place. They should also be given the names and addresses of the victims' surviving relatives and a means of communicating with them.

This report is published at a time when North Korea remains relatively isolated and faces international criticism for some of its policies. The present report is concerned solely with human rights. Amnesty International reports on human rights violations in all countries; it regrets the selective use by governments or others of its published information.