

DECISION No. 2/1995 (DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA)

Communication addressed to the Government of the Democratic People's Republic of Korea on 12 November 1993.

Concerning Mrs. Shin Sook Ja and her two daughters, Oh Hae Won and Oh Kyu Won, on the one hand, and the Democratic People's Republic of Korea, on the other.

1. The Working Group on Arbitrary Detention, in accordance with the methods of work adopted by it and in order to carry out its task with discretion, objectivity and independence, forwarded to the Government concerned the above-mentioned communication, received by it and found to be admissible, in respect of allegations of arbitrary detention reported to have occurred.
2. The Working Group notes with appreciation the information forwarded by the Government concerned in respect of the cases in question within 90 days of the transmittal of the letter by the Working Group.
3. (Same text as para. 3 of Decision No. 35/1994.)
4. In the light of the allegations made, the Working Group welcomes the cooperation of the Government of the Democratic People's Republic of Korea. The Working Group transmitted the reply provided by the Government to the source and the latter has provided the Working Group with its comments. The Working Group believes that it is in a position to take a decision on the facts and circumstances of the case, in the context of the allegations made and the response of the Government thereto.
5. According to the information received from the source, a summary of which was transmitted to the Government, Mrs. Shin Sook Ja, aged 50, a radio announcer, and her two daughters, Oh Hae Won, aged 17, and Oh Kyu Won, aged 14, were detained in November 1986, after Shin Sook Ja's husband, Oh Kil Nam, an economist from the Republic of Korea whom she married in Germany in 1972, requested political asylum in Denmark. In December 1985, the family had travelled to the Democratic People's Republic of Korea and in June 1986 the couple had started working at a radio station broadcasting to the Republic of Korea. In November 1986, Oh Kil Nam was asked to travel to Germany in order to encourage South Korean students there to resettle in North Korea. But before reaching Germany, Oh Kil Nam requested political asylum in Denmark. Reportedly, Shin Sook Ja and her two daughters, who were requested to remain in the country during Oh Kil Nam's travel to Germany, were taken in November 1987 to a "re-education through labour" detention centre in Yodok district, where they were believed to be still held without charge or trial.
6. In its reply, the Government flatly denied that Mrs. Shin Sook Ja and her two daughters had ever been placed in detention. It provided the Working Group with the address of Mrs. Shin's residence, indicated the hospital where she was being employed as a nurse and provided details about the school in Pyongyang in which the two daughters were registered.
7. The source, in its observations on the information provided by the Government, could not give any details about the alleged detention, since the

only direct source having affirmed that the three persons had been detained in 1987 was a defector whose identity was unknown, who allegedly gave that information to the husband, Oh Kil Nam. The source nevertheless continued to claim that no one was able to contact Mrs. Shin at the address indicated by the Government.

8. The Working Group, despite its efforts to establish the facts, could not reach a conclusion that Mrs. Shin Sook Ja and her daughters Oh Hae Won and Oh Kyu Won had been, or were still, under detention.

9. In the light of the above, the Working Group decides to file the cases of Shin Sook Ja, Oh Hae Won and Oh Kyu Won, in conformity with paragraph 14 (b) of its methods of work.

Adopted on 30 May 1995.