



General Assembly

Distr.
GENERALA/39/456/Add.1
27 September 1984

ORIGINAL: ENGLISH

Thirty-ninth session
Agenda item 128CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY
AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVESReport of the Secretary-GeneralAddendum

CONTENTS

	<u>Page</u>
REPORTS AND VIEWS RECEIVED FROM STATES	2
Reports received from States pursuant to paragraph 8 of General Assembly resolution 38/136	2
Note verbale from the Permanent Representative of Burma to the United Nations addressed to the Secretary-General	2

REPORTS AND VIEWS RECEIVED FROM STATES

Reports received from States pursuant to paragraph 8 of
General Assembly resolution 38/136

Note verbale from the Permanent Representative of Burma to the
United Nations addressed to the Secretary-General*

[Original: English]

[10 September 1984]

... In response to the request contained in the last paragraph of the note under reference and pursuant to paragraph 8 (b) of General Assembly resolution 38/136, the Permanent Representative has further the honour to transmit herewith to the Secretary-General for his information and for such use as he may deem appropriate, the report [reproduced below].

* Being circulated to all States under cover of a note verbale from the Secretary-General.

THE BOMB ATTACK AT THE MARTYRS' MAUSOLEUM IN RANGOON

Report on the findings by the Enquiry Committee and the measures
taken by the Burmese Government

CONTENTS

<u>Section No.</u>	<u>Subject</u>	<u>Paragraphs</u>
I.	INTRODUCTION	1 - 7
II.	GOODWILL STATE VISIT OF PRESIDENT CHUN DOO HWAN TO BURMA	8 - 22
	Formal preliminaries	8 - 11
	Protocol and security co-ordination	12 - 15
	Certain changes in programme	16 - 17
	Additional security arrangements	18
	Presidential arrival in Rangoon	19 - 22
III.	BOMB ATTACK AT MARTYRS' MAUSOLEUM	23 - 36
	Departure for the Mausoleum	23 - 24
	Bomb attack	25 - 27
	Casualties	28 - 33
	Ending of Presidential itinerary	34 - 36
IV.	ACTION TAKEN BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF THE UNION OF BURMA	37 - 50
	Immediate measures	37 - 38
	Investigation by Enquiry Committee	39 - 40
	Special Investigation Team from the Republic of Korea	41 - 44
	Capture of Korean suspects	45 - 50
V.	FINDINGS OF THE ENQUIRY COMMITTEE	51 - 79
	Interim report	51 - 53
	Evidence material	54 - 60
	Confession by Kang Min Chul	61 - 69
	North Korean Ship M. V. Tong Gonae Gukho	70 - 74
	Gun evidence	75
	Diplomatic action	76 - 79
VI.	LEGAL ACTION: TRIAL OF ZIN MO AND KANG MIN CHUL	80 - 87
VII.	CONCLUSION	88 - 93

I. INTRODUCTION

1. The bomb attack at the Martyrs' Mausoleum in Rangoon at 10.25 hours on 9 October 1983 took place while Korean officials accompanying President Chun Doo Hwan of the Republic of Korea on his goodwill state visit to Burma and Burmese officials were waiting at the Martyrs' Mausoleum for the arrival of President Chun Doo Hwan for the wreath-laying ceremony scheduled for 10.30 hours. The bomb attack cost the lives of seventeen Korean officials, including four cabinet ministers, and injured fifteen others. Four Burmese officials also lost their lives and thirty-two others were injured.
2. On 10 October 1983, the Council of Ministers of the Socialist Republic of the Union of Burma formed an enquiry committee under Notification No.19/83 to conduct a thorough investigation into the bomb attack. The Committee was headed by the Minister for Home and Religious Affairs as Chairman, with four others as members. The Committee met eight times between 13 October and 2 November 1983 and formed six sub-committees to expedite its task.
3. The Burmese authorities at once placed the public on the alert and launched an extensive and thorough investigation. Within one week of the bomb attack, two Korean suspects were captured alive and one other Korean suspect was captured dead by Burmese security forces with the cooperation of the public.
4. The findings of the Enquiry Committee were officially made known by the Burmese authorities in an announcement on 4 November 1983. From details of the confession of one of the two Koreans captured alive, which confession was corroborated by concrete evidence, and from the equipment and other articles seized from the Korean suspects and other relevant evidence, it was fully established that the bomb attack was the work of the three North Koreans acting pursuant to the order of the Democratic People's Republic of Korea.

5. As a consequence, the Government of the Socialist Republic of the Union of Burma severed diplomatic relations with the Democratic People's Republic of Korea and de-recognized its government as of 4 November 1983.

6. The two North Koreans captured alive were sent up for trial before the Rangoon Division Judicial Body No.8 on charges of murder, attempted murder and illegal possession of weapons. After a fair trial lasting from 22 November to 9 December 1983, the two North Koreans were found guilty, and penalties were imposed upon them in accordance with Burma's internal law.

7. This document deals with the swift and determined effort made by the Burmese authorities to apprehend the perpetrators of the bomb attack. It places on record the findings of the official Enquiry Committee in connection with the bomb attack at the Martyrs' Mausoleum and the measures taken thereon by the Government of the Socialist Republic of the Union of Burma.

II. GOODWILL STATE VISIT OF PRESIDENT CHUN DOO HWAN TO BURMA

Formal preliminaries

8. On 28 May 1983, the Ministry of Foreign Affairs received a confidential enquiry from the Embassy of the Republic of Korea in Rangoon whether a visit by President Chun Doo Hwan to Burma immediately before 11 October 1983 for about three to four days would be convenient to the Burmese Government. A reply that the Burmese authorities welcomed the proposed visit of President Chun Doo Hwan was given to the Embassy on 31 May 1983. Thereupon, the Embassy sent to the Ministry of Foreign Affairs a formal note dated 3 June 1983 containing a proposal for the visit of President Chun Doo Hwan to Burma. A formal invitation from the President of the Socialist Republic of the Union of Burma to President Chun Doo Hwan contained in a note dated 5 July 1983 was transmitted through the Embassy of the Republic of Korea.

9. In reply to its enquiry, the Embassy of the Republic of Korea was informed that it was technically possible for the Presidential plane Boeing 747 SP to land at the Mingaladon Airport in Rangoon. Relevant particulars of the airport itself were provided to the Embassy.

10. An official announcement of President Chun Doo Hwan's proposed state visits to Burma, India, Sri Lanka, Australia and New Zealand was made by the Government of the Republic of Korea on 5 August 1983. A later announcement included Brunei in the Presidential itinerary. The Government of the Socialist Republic of the Union of Burma made an official announcement of President Chun Doo Hwan's proposed visit to Burma on 29 September 1983.

11. President Chun Doo Hwan's proposed state visit to Burma was scheduled for four days from 8 to 11 October 1983.

Protocol and security co-ordination

12. In preparation for the Presidential visit, the officials from both the countries worked together on matters relating to the official programme and the accommodation plan as well as on the protocol and security aspects involved. The Republic of Korea sent two advance teams to Burma in this connection, the first in September and the second in October 1983.

13. The first 13-member advance team led by the Chief of Protocol of the Ministry of Foreign Affairs in Seoul was in Burma from 4 to 8 September. The members of the team and Burmese officials held a meeting on 5 September and discussed the official programme and other arrangements to be made for the Presidential visit. They also visited and inspected places included in the official programme, such as the Green Bank State Guest House, the Martyrs' Mausoleum and the Shwe Dagon Pagoda. On 6 September the members of the advance team, accompanied by the Deputy Director of Protocol of the Ministry of Foreign Affairs in Rangoon and other Burmese officials, also made a day trip to Pagan by air, which was included in the original programme.

14. The first advance team left Rangoon on 8 September, leaving behind one security officer, the Chief of the Security Measures Division of the Presidential Security Force for further co-ordination work with Burmese officials concerned. The Korean security officer thus left behind held a meeting on 13 September with Burmese security officials led by the Deputy Commander of the Rangoon Command on security arrangements.

15. The second 22-member advance team led by the Director of the Protection Bureau of the Presidential Security Force (later led by the Consul-General of the Republic of Korea in Islamabad) came to Rangoon on 3 October and stayed on to join the Presidential party on its arrival. In co-ordinating security work with Burmese officials, the second advance team took primary responsibility in drawing up the accommodation plan for the Presidential party.

Certain changes in programme

16. The original programme drawn up in consultation by the two sides included, among others, a ceremony at the Martyrs' Mausoleum, a visit to the Shwe Dagon Pagoda, a day trip to Pagan by air and a cruise on the Rangoon river.

17. In compliance with a request made by the Embassy of the Republic of Korea in its Note No. KRG 292 of 30 September 1983, the trip to Pagan for 9 October was omitted from the programme, as well as the riverine cruise. The wreath-laying ceremony at the Martyrs' Mausoleum was changed from 15.30 hours on 8 October to 10.30 hours on 9 October.

Additional security arrangements

18. Apart from the security co-ordination work with the two advance teams from the Republic of Korea, Burmese security authorities made all other security arrangements normally made on an occasion of this nature. Security

/...

officials held a meeting at 13.00 hours on 4 October at the Rangoon Command Control Office. Under instructions issued by the Office of the Chief of Staff (Army) on 4 October, a security plan was drawn up and finalized by the representatives of the following offices and subsequently issued to the battalions and units under their commands for implementation:

- (a) Office of the Director of Military Intelligence, Ministry of Defence;
- (b) Office of the Director of Military Engineers, Ministry of Defence;
- (c) Office of the Provost-Marshal, Ministry of Defence;
- (d) The Rangoon Command;
- (e) The Rangoon Division People's Police Force.

Presidential Arrival in Rangoon

19. The President of the Republic of Korea and Madame Chun Doo Hwan arrived in Rangoon by special aircraft at 16.30 hours on 8 October 1983 on their goodwill state visit to Burma, the first leg of their goodwill tour.

20. The Presidential entourage consisted of 196 members. The official party comprised the following:-

- (1) His Excellency President of the Republic
 Mr. Chun Doo Hwan of Korea
- (2) Madame Chun Doo Hwan Wife of the President
- (3) His Excellency Deputy Prime Minister
 Mr. Suh Suk Joon and Minister of Economic
 Planning Board
- (4) His Excellency Minister of Foreign
 Mr. Lee Bum Suk Affairs
- (5) His Excellency Minister of Commerce
 Mr. Kim Dong Whie and Industry
- (6) His Excellency Minister of Energy and
 Mr. Suh Sang Chul Resources
- (7) His Excellency Ambassador of the ROK
 Mr. Lee Kae Chul to Burma

/...

- | | |
|--|---|
| (8) His Excellency
Dr. Hahn Pyong Choon | Secretary-General to the
President |
| (9) His Excellency
Mr. Shim Sang Woo | Chief Secretary to the
President of the Democratic
Justice Party |
| (10) General Lee Ki Baek | Chairman of the Joint
Chiefs of Staff |
| (11) Major-General
Chang Se Dong | Director-General,
the Presidential Security
Force |
| (12) Mr. Lee Kie Wook | Vice-Minister of Finance |
| (13) Mr. Kang In Hee | Vice Minister of Agriculture
and Fisheries |
| (14) Mr. Kim Yong Han | Vice Minister of Science
and Technology |
| (15) Mr. Kim Byoung Hoon | Senior Protocol Secretary
to the President |
| (16) Dr. Kim Jae Ik | Senior Secretary to the
President for Economic
Affairs |
| (17) Mr. Hwang Sun Pil | Senior Press Secretary
and Spokesman for the
President |
| (18) Mr. Ha Tong Sheon | Administrator, Overseas
Cooperation Council |
| (19) Mr. Min Byong Sok | Presidential Physician |
| (20) Mr. Lo Young Chan | Chief of Protocol,
Ministry of Foreign Affairs |
| (21) Mr. Choi Jae Wook | Press Secretary to the
President |
| (22) Mr. Kim Byung Yeon | Director-General,
Asian Affairs Bureau,
Ministry of Foreign Affairs |
| (23) Mr. Hong Soon Young | Secretary to the President
for Political Affairs |

21. The unofficial party consisted of 51 officials from the Office of the President, Ministry of Foreign Affairs and other ministries and departments. Additionally, there were 52 pressmen, 41 security men and 29 businessmen.

22. The President and Madame Chun Doo Hwan and immediate members of the household staff, personal aides and security men were accommodated at the Green Bank State

Guest House. All other guests, including those of ministerial rank, were accommodated at the Inya Lake Hotel.

III. BOMB ATTACK AT MARTYRS' MAUSOLEUM

Departure for the Mausoleum

23. The programme on 9 October 1983 began with the wreath-laying ceremony at the Martyrs' Mausoleum at 10.30 hours. According to plan, the visiting state guests left for the Martyrs' Mausoleum in three separate groups. The first group to leave in advance comprised the guests from Inya Lake Hotel. The group was led by Deputy Prime Minister and Minister for Economic Planning Mr. Suh Suk Joon and arrived at the Martyrs' Mausoleum around 10.00 hours. Next to leave was an advance group from the Green Bank State Guest House, which left together with Ambassador Lee Kae Chul of the Republic of Korea and arrived at the Martyrs' Mausoleum at about 10.15 hours.

24. The main Presidential party was the last to leave. President Chun Doo Hwan and party left the Green Bank State Guest House at 10.22 hours. They were accompanied by the Burmese Minister for Foreign Affairs, U Chit Hlaing, and the Burmese Ambassador to the Republic of Korea, U Kyi Maung, and some other guests.

Bomb attack

25. The high-ranking dignitaries of the Republic of Korea, who had arrived in advance, took up their positions in front of General Aung San's tomb. While they were awaiting the arrival of the Presidential Party, a bomb exploded at the Martyrs' Mausoleum at 10.25 hours, just before the expected arrival of President Chun Doo Hwan. The blast killed seventeen officials from the Republic of Korea, including four key cabinet ministers, and injured fifteen others. On the Burmese side, four officials lost their lives and 32 others were injured.

26. The bomb explosion occurred while the Presidential motorcade was on its way to the Martyrs' Mausoleum. Having received a wireless communication about the bomb explosion, the Presidential motorcade turned back and returned to the Green Bank State Guest House. President Chun Doo Hwan, thereby, narrowly escaped the bomb blast, which apparently was designed to kill him.

27. The very same day, President U San Yu of the Socialist Republic of the Union of Burma issued the following statement: -

"At the Martyrs' Mausoleum in Rangoon moments prior to the ceremony where President Mr. Chun Doo Hwan was to have laid a wreath, an explosion occurred causing the demise of His Excellency Mr. Suh Suk Joon, Deputy Prime Minister and Minister of Economic Planning Board, His Excellency Mr. Lee Bum Suk, Minister of Foreign Affairs, His Excellency Mr. Kim Dong Whie, Minister of Commerce and Industry, His Excellency Mr. Suh Sang Chul, Minister of Energy and Resources, His Excellency Mr. Lee Kae Chul, Ambassador of the Republic of Korea to the Socialist Republic of the Union of Burma, among others.

President U San Yu, on behalf of the Government and people of the Socialist Republic of the Union of Burma and on his own, expressed his deepest condolences to President Mr. Chun Doo Hwan and through him to the Government and people of the Republic of Korea and to the bereaved families of those officials who lost their lives in the cowardly act of terrorism carried out against the Goodwill Delegation of the Republic of Korea presently in the Socialist Republic of the Union of Burma on a State Visit.

President U San Yu strongly condemned the premeditated and dastardly act of the terrorists who attempted to discredit and disrupt the harmonious and cordial relations existing between

the Socialist Republic of the Union of Burma and the Republic of Korea. President U San Yu assured President Mr. Chun Doo Hwan that all those responsible for committing this despicable and cowardly act of terrorism shall not go unpunished.

President U San Yu reaffirmed his conviction that this cowardly act of terrorism will in no way hinder the mutual desire of the two countries to further enhance the existing ties of friendship and cooperation."

Casualties

28. The guests from the Republic of Korea who lost their lives were as follows: -

- | | |
|--------------------------|---|
| (1) Mr. Suh Suk Joon | Deputy Prime Minister and Minister of Economic Planning Board |
| (2) Mr. Lee Bum Suk | Minister of Foreign Affairs |
| (3) Mr. Kim Dong Whie | Minister of Commerce and Industry |
| (4) Mr. Suh Sang Chul | Minister of Energy and Resources |
| (5) Mr. Lee Kie Wook | Vice Minister of Finance |
| (6) Mr. Lee Kae Chul | The Ambassador of the Republic of Korea to Burma |
| (7) Dr. Hahm Pyong Choon | Secretary-General to the President |
| (8) Mr. Shim Sang Woo | Chief Secretary to President of the Democratic Justice Party |
| (9) Mr. Kang In Hee | Vice Minister of Agriculture and Fisheries |
| (10) Mr. Kim Yong Han | Vice Minister of Science and Technology |
| (11) Dr. Kim Jae Ik | Senior Secretary to President for Economic Affairs |
| (12) Mr. Ha Tong Sheon | Administrator, Overseas Cooperation Council |
| (13) Dr. Min Byong Sok | Presidential Physician |
| (14) Mr. Lee Jai Kwan | Press Secretary |
| (15) Mr. Jung Tae Jin | Security |
| (16) Mr. Lee Joong Hyun | Newsman |
| (17) Mr. Han Kyung Hee | Advance Party Security |

29. Twelve died instantaneously. Three succumbed to their injuries on arrival at No. 2 Military Hospital. One died while receiving treatment the same day.

30. Vice Minister of Finance Mr. Lee Kie Wook died on 12 October, while receiving treatment at the United States Clark Air Force Base Hospital in the Philippines, bringing the death total to seventeen from the Republic of Korea. The deceased dignitaries were accorded full military honours at the Mingaladon Defence Services General Hospital and at the airport when their bodies were flown back to Seoul by special aircraft on 11 October 1983.

31. The Burmese officials who lost their lives were as follows:-

- | | |
|------------------|--|
| (1) U Tin Kyaing | Senior Reporter of Botataung Newspaper,
News and Periodicals Corporation; |
| (2) U Ohn Kyaw | News Director,
Motion Picture Corporation; |
| (3) U Aung Naing | Production crew,
Motion Picture Corporation; |
| (4) U Soe Myint | Deputy Assistant Director,
Documentary Films Division . |

32. The first three were killed on the scene. U Soe Myint died on 13 October 1983, while receiving treatment for injuries at the Rangoon General Hospital. Among the 32 Burmese officials who sustained injuries were Minister for Culture and Information U Aung Kyaw Myint and Deputy Minister for Culture U Than Maung.

33. The injured were warded at No.(2) Military Hospital as well as at the Rangoon General Hospital and given treatment under the direct care and personal supervision of physicians and surgeons. Injured officials from the Republic of Korea were later repatriated to Seoul and the United States Clark Air Force Base Hospital in the Philippines on 10 October 1983.

/...

Ending of Presidential itinerary

34. Following the Martyrs' Mausoleum bombing incident, President Chun Doo Hwan immediately cancelled his original itinerary and left Mangoon for the Republic of Korea at 16.35 hours by special aircraft on 9 October. Before his departure, President Chun Doo Hwan together with President U San Yu visited the injured at No.(2) Military Hospital.

35. President U San Yu personally handed over a letter of condolences to President Chun Doo Hwan just before the latter boarded the plane.

36. The Burmese Government declared three days of official mourning throughout the country from 10 to 12 October 1983. Flags were flown half-mast at all Government and public offices in solemn mourning for the fallen state guests from the Republic of Korea.

IV. ACTION TAKEN BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF THE UNION OF BURMA

Immediate measures

37. The Minister for Home and Religious Affairs, Major-General Min Gaung, and the Director-General of the People's Police Force arrived on the scene of the bomb attack soon after it took place. A security team from the Fourth Battalion of the Burma Rifles was immediately posted around the damaged Mausoleum to prevent unwarranted persons from entering the area and to keep all evidence intact. Casualties were sent over to hospitals; sketches of the damaged building were made; and the scene of incident was covered with tarpaulin roofing to ensure that all evidence remained intact in case of rain. Concurrently, road blocks were set up at all exit points of the city. With the co-operation of the public and personnel of Township People's Councils, searches were made townshipwise to ensure that those responsible for the bomb explosion

did not escape. The public were urged to be on the alert and to report to their respective People's Council headquarters and Police Stations should they observe anything suspicious.

38. On the same day criminal proceedings were initiated at the Police Station concerned.

Investigation by Enquiry Committee

39. The Council of Ministers of the Socialist Republic of the Union of Burma issued Notification No.19/83 on 10 October 1983 establishing an enquiry committee to investigate all matters connected with the Martyrs' Mausoleum bomb explosion.

40. The 5-member Enquiry Committee comprised:-

- | | |
|--|-----------|
| (1) Major-General Min Gaung,
Minister for Home and
Religious Affairs, | Chairman |
| (2) Major-General Saw Maung,
Vice Chief of Staff of the
Defence Services (Army); | Member |
| (3) U Kyaw Khaing,
Director-General,
Ministry of Foreign Affairs; | Member |
| (4) Col. Aung Koe,
Director,
Directorate of Defence
Services Intelligence of the
Ministry of Defence; | Member |
| (5) U Thein Aung,
Director-General of the
People's Police Force,
Ministry of Home and
Religious Affairs. | Secretary |

Special Investigation Team from the
Republic of Korea

41. A 14-member special investigation team from the Republic of Korea arrived in Rangoon on 11 October. The Team was later enlarged to 16 members with the arrival of

two more members on 18 October. The Special Investigation Team was led by Mr. Park Sae Jik, Deputy Chief of the National Planning Agency.

42. When the Special Investigation Team and some members of the Burmese Enquiry Committee met together at 09.50 hours on 11 October, the former proposed to form a joint investigation team between Burma and the Republic of Korea. The Burmese side assured the Special Investigation Team from the Republic of Korea that extensive investigation was already underway following the formation of the Enquiry Committee and reasoned that it would not be necessary to conduct a joint probe.

43. The same position was emphasized when Minister of Foreign Affairs of the Republic of Korea Mr. Lee Won-kyung sent a Special Envoy to facilitate communication between the two governments. The Special Envoy was in the person of Ambassador to Malaysia Mr. Shim Ki-chul. When the Special Envoy had talks with the Burmese Foreign Minister U Chit Hlaing on 19 October 1983, the latter apprised him of the action being taken and gave assurance that no efforts would be spared to find out and punish the perpetrators of the crime. The Burmese Foreign Minister also expressed his view that it was premature to pinpoint the culprits at that stage and that the Burmese Government would take appropriate action only when conclusive evidence was found and positive identification of the culprits could be made. The Special Envoy's offer to form a joint investigation team was declined.

44. In all other respects, the Special Investigation Team from the Republic of Korea was provided with all necessary facilities and assistance throughout its stay in Burma from 11 October to 8 November 1983. The Burmese authorities conducted their own independent investigation and kept the Special Investigation Team informed of developments and progress made.

Capture of Korean suspects

45. Within one week of the Martyrs' Mausoleum bombing incident, Burmese security forces captured three Korean suspects, one dead and two wounded.

46. The first suspect was captured alive at Nyaungdan Jetty. At 21.30 hours on 10 October 1983, night duty foreshore workers noticed a suspicious person floating down the Pazundaung Creek from the direction of Thaketa bridge with only his head above water. The foreshore workers, together with officials from the Ward Party and People's Council and working people from the locality, descended into the water to capture the suspect, who resisted and tried to hurl a hand grenade at those apprehending him. The grenade exploded in his hands, severely wounding himself and two workers. The suspect was captured alive together with 21 items of equipment, including a booby trap fountain pen mine. The suspect was later identified as a Korean national.

47. The First Information Report No.1499/83 was lodged at the Port Township People's Police Force Station and a case was opened against the captive under section 307 of the Penal Code.

48. A second suspect was captured dead at Thakhutpin Village, Kawhmu Township, at about 07.45 hours on 11 October 1983. Early that morning, fisherman Maung Soe Nyein of Thakhutpin Village reported to the Thakhutpin Village Police Outpost, about the presence of two suspicious alien-looking men in the village. Thereupon, a search was launched by the members of the People's Police Force of the Outpost and Secretary U Soe Nyunt of the People's Council. The two suspects were found at a food stall in the centre of the village and brought to the Police Outpost. While undergoing search and interrogation, one of the suspects suddenly attacked his captors by throwing a hand grenade. The police were compelled to open fire, causing the death of the attacker, while the other managed to make his escape. The dead suspect had on his person 49 items

of equipment. He too was later identified as a Korean national. In this connection, the First Information Report No.266/83 was lodged at Kawhmu Township People's Police Force Station on 12 October under Section 302 of the Penal Code.

49. The fugitive suspect who escaped from the Thakhutpin Village Police Outpost, was subsequently captured alive at 09.20 hours on 12 October. Thakhutpin villager Maung Aye Lwin reported to the police that morning of the presence of the fugitive suspect on the bank of the Rangoon River between Thakhutpin and Kwinwaing Villages. A combined search was made by Burma Army soldiers (Tatmadaw men) of the 90th Burma Regiment, and the local People's Police Force and workers. Finding the fugitive suspect hiding under a pile of flotsam, four soldiers rushed to overpower and capture him alive. The fugitive exploded a hand grenade, killing three soldiers and wounding one. The fugitive himself was wounded and captured alive together with a .25 calibre pistol and five cartridges. He too was later identified as a Korean national.

50. The First Information Report was lodged on this incident at the Kawhmu Township People's Police Force Station on 12 October under Section 302 of the Penal Code.

V. FINDINGS OF THE ENQUIRY COMMITTEE

Interim report

51. The Enquiry Committee issued an interim announcement on 17 October 1983 on the outcome of its investigations. It said that investigators had made a thorough search of the site of the bombing incident with the assistance of competent experts and had discovered an unexploded bomb measuring 9" x 6 1/4" x 4" and a cylindrical bomb measuring 8 inches in length, 4 inches in diameter and containing TNT explosives and

/...

liquid fuel. Also found were damaged batteries, fragments of printed circuits and condensers, metal pellets and small horseshoe-shaped magnets.

52. Investigators added that the food, medicine, fountain pen mines, metal pellets, safety pins and levers of hand grenades seized from the two Korean suspects, (arrested dead and alive on 11 and 12 October respectively near Thakhutpin village) were proved identical with those seized from the Korean suspect captured alive at Nyaungdan Jetty on the Pazundaung Creek on 10 October.

53. From the receiver and transmitter seized from the captured Korean suspects and fragments of printed circuits and type of condenser found at the bombing site, investigators concluded that the explosion at the Martyrs' Mausoleum was detonated by remote control. They stated that all evidence clearly indicated that the two Korean suspects in custody and the one captured dead belonged to the same group and were responsible for exploding the bomb at the Martyrs' Mausoleum.

Evidence material

54. There were other supporting evidence. Experts found that a torn piece of yellow Adona (AC-17) medicine 10 mg. packet, containing four capsules, seized from the Korean suspect captured at Nyaungdan Jetty and an identical torn packet with 10 capsules found on the Korean suspect killed at Thakhutpin village, came from one original piece. The folds of the torn pieces fitted evenly and the lettering together formed the word ADONA.

55. Explosive experts submitted that the hand grenade fragments and pellets seized at Nyaungdan Jetty and from Thakhutpin village were not only of the same type but were also parts of anti-personnel hand grenades produced by the same factory. Unlike hand grenades used by the Burma Armed Forces or local insurgents, splinters of which hit objects on explosion, those used by the Korean suspects had pellets inside the

grenade, which hit objects on explosion. These grenades were of the type similar to the striker release delay fuse hand grenade produced by North Korea as mentioned on page 638 of the 1975 edition of Jane's Infantry Weapons. The striker release seized from the Korean suspect captured at Nyaungdan Jetty and that seized from the Korean suspect killed at Thakhutpin village bore the same secret marks on production lot, year of manufacture and mark of factory. Both striker levers bore the numerals 141-69-101. Explosive experts pointed out that 141 represented the lot number, 69 the year of manufacture and 101 the secret mark of the factory.

56. Explosives and communications equipment found at the Martyrs' Mausoleum included the shell of the exploded bomb, one unexploded bomb (9" x 6 1/4" x 4"), one banana-bud shaped liquid incendiary bomb (8 inches long with a diameter of 4 inches), filled with TNT powder and liquid fuel, damaged battery cells, printed circuit fragments, metal pellets and small horseshoe magnets.

57. Communications equipment seized from the Korean suspects included one small transmitter, one telegraphic key, one set of aerial and earth wires, one set of two pairs of 12 volt batteries attached together, one five-band receiver (medium wave, short wave 1, 2, 3 and FM), one small earphone and UM-3 size batteries. The transmitter crystal-type measuring 3" x 2" x 0.9" with 4 crystals attached. Experts' opinion was that transmission could be for a distance of about 50 miles or even longer depending on wave frequencies and type of aerial wires used. The transmitter was equipped with a push button for transmitting signals for activating a remote control device or for locating the place of transmission through the use of a radio detecting device.

58. The wireless receiver and transmitter seized from the Korean suspects and fragments of the printed circuit and receiver condenser found at the Martyrs' Mausoleum showed that the bomb explosion was detonated by the remote control device. Parts of communication

equipment seized from the Korean suspects and those found at the Martyrs' Mausoleum were interlinked transmitter and receiver for activating the remote control device.

59. The weight of all evidence firmly pointed to the fact that the three Korean suspects were the perpetrators of the outrageous bombing incident at the Martyrs' Mausoleum and that the explosion was triggered by remote control.

60. Arrangements were later made for the Special Envoy of the Foreign Minister of the Republic of Korea Mr. Shim Ki Chul to see and interview the two Korean suspects being treated at the Mingaladon Defence Services General Hospital at 11.35 hours on 25 October. Also present were the Dean of the Diplomatic Corps in Rangoon, Philippines Ambassador Mr. Constante Ma Cruz, Indonesian Ambassador Mr. Mangku Alam and Sri Lankan Ambassador Mr. Wijenarayana. The diplomatic envoys left the hospital before Special Envoy Mr. Shim Ki Chul.

Confession by Kang Min Chul

61. The Korean suspect captured alive at Thakhutpin village volunteered to make a confession while being hospitalized. His confession was heard and recorded on 3 November 1983 by Lt. Col. Maung Hlaing, Chairman of the Rangoon Division Judicial Body No.(7). The Korean identified himself as Kang Min Chul, 28 years of age, and a Captain from the North Korean Army. His father was Kang Suk Zun and his mother Kim Oak Sun.

62. Kang Min Chul said he was from the Reconnaissance Company at Kaesong in North Korea. He revealed that a team headed by Major Zin Mo (captured at Nyaungdan Jetty on 10 October) and comprising two others with the rank of Captains, himself and Sin Ki Chol (killed at Thakhutpin village on 11 October), set out by ship from Ongyin, North Korea, on 9 September under instructions from Major-General Kang Chang Su of the North Korean Army. They disembarked at Rangoon port on 22 September 1983

with the help of two North Koreans, posing as sailors. Three of them were kept in hiding at the house of two North Korean diplomats. Two days later equipment and bombing devices arrived in their room. On 6 October, all three slept the night under a tree at Myepadetha Park. On 7 October at 02.00 hours the three were at the Martyrs' Mausoleum. They climbed on to the roof of the Mausoleum from near the southern portico and installed two remote control bombs between the ceiling and the roof. They stayed for the night on a hill nearby. On the night of 8 October, the three slept in bushes near an old petrol station on U Wisara Road, west of the Shwe Dagon Pagoda. On the morning of 9 October all three were in the vicinity of the Wizaya Cinema on U Wisara Road. When a motorcade of the state guests from the Republic of Korea passed by on its way to the Martyrs' Mausoleum, group leader Major Zin Mo assumed it was the Presidential party. He detonated the bomb explosion by remote control device at 10.25 hours.

63. After the attack, Zin Mo went off on his own. Kang Min Chul and Sin Ki Chol made their way to the opposite bank of the Rangoon river by hired sampan.

64. On 11 October, while both were being arrested and searched by the Police, Sin Ki Chol resisted and threw a grenade at the police and was killed in doing so. Kang Min Chul said that he made his escape but was subsequently arrested the next day while hiding in a nearby place.

65. In making his confession, Kang Min Chul pointed out on a map of Rangoon the location of the house where their group had stayed in hiding. The place proved to be in Ahlone Township. He personally drew a sketch plan of the house, showing a garage attached to the left side of the building which allowed for direct entry from inside the garage. On the upper floor of the house was their bedroom having an attached bathroom with a shower. Adjoining the bedroom was a spacious room with a ceiling fan. Kang Min Chul also spoke about the food they had and the brand of beer they drank.

/...

66. The house described by Kang Min Chul turned out to be No.154/A Second Thiri Avenue in Ahlone Township. The lay-out and plan of the building corresponded in all details to the account given by Kang Min Chul. The house was the residence of Counsellor Chon Chang Hui of the Embassy of the Democratic People's Republic of Korea and two other diplomatic staff members.

67. On 10 November, Kang Min Chul and Members of the Rangoon Division Judicial Body No.(7) went together to the house at No.154/A, Second Thiri Avenue, where the former showed the rooms he had stayed in and the remnant beer bottles of the brand he described. By that time, the members of the Embassy of the Democratic People's Republic of Korea had left Rangoon on 6 November at the request of the Burmese Government.

68. Again in the course of his court trial on 25 November, Kang Min Chul conducted the Chairman and the Members of the Rangoon Division Judicial Body No.(8) to the house at No.154/A Second Thiri Avenue. Also present were the counsel for prosecution and the counsel for defence. He also took the party to places where their group had slept in hiding from 6 to 8 October and explained how the bomb was detonated.

69. In all aspects, the Burmese authorities found that the confession of Kang Min Chul was corroborated by an overwhelming weight of evidence.

North Korean Ship M.V. Tong Gonae Gukho

70. The confession of Kang Min Chul mentioned that their group had disembarked from a ship in Rangoon on 22 September 1983. The account coincided with the fact that North Korean freighter M.V. Tong Gonae Gukho was berthed in Rangoon Harbour from 17 to 24 September. From witness accounts given at the subsequent court trial by Burmese port officials on duty on the freighter, it is clear that the three North Korean sailors who left the ship with two men on 22 September, were never seen to have returned.

71. The freighter M.V. Tong Gonae Gukho, belonging to Daehung Shipping Co. in Pyongyang, was berthed at Sule Wharf No.6 in the Rangoon Harbour at 16.00 hours on 17 September. The freighter brought 909 tons of cargo including 1375 packages of ceramics for the Ceramics Industries Corporation and 7 packages of tin smelting equipment for No.(2) Mining Corporation. The freighter completed unloading at 00.15 hours on 21 September. Although scheduled to leave Rangoon Harbour on 21 September, the freighter moved out to anchor at the New Explosive Anchorage near Thilawa at 09.30 hours on 21 September on the pretext that it had developed engine trouble. The plea was that time was needed for engine repairs as the freighter would be going to the port of Alexandria which was of great distance.

72. The freighter left harbour at about 12.30 hours on 24 September, giving its destination as Alexandria. From the record of the people leaving and boarding the freighter while at anchor at Sule Wharf No.6 and the New Explosive Anchorage from 17 to 24 September, and from statements made by Burmese officials on duty, it can be seen that the three North Koreans who left the freighter with luggage on a motorized sampan with two sampan men at about 13.00 hours on 22 September failed to return. U Tin Maung Tun, Deputy Traffic Manager, Ports Corporation Agency Department Line 1 and U Tin Myint, Sub-Inspector of Police, Ports Township Police Station, made these statements in their testimonies as prosecution witnesses before the court trial on 24 November 1983.

73. The North Korean freighter M.V. Tong Gonae Gukho sailed to Sri Lanka and was berthed at Colombo on 29 September. The freighter crew was reported to have requested for about 10 days berth to carry out repair work. Sri Lankan authorities however asked the freighter to leave Colombo for reasons of security related to the impending visit to Sri Lanka of President Chun Doo Hwan of the Republic of Korea. The freighter left Colombo on 6 October. It was sighted in Sri Lankan territorial waters by a Sri Lankan tanker off the coast of Panadura

about 25 kilometres from Colombo two days later. When a Sri Lankan patrol boat searched for the freighter in the same place on 11 October, the freighter was no longer there. It had apparently left Sri Lankan territorial waters earlier. Upon checking by Burmese authorities, port officials in Alexandria disclaimed any knowledge of the freighter having docked in their waters. The freighter apparently turned back from Sri Lanka.

74. Action was taken against 9 Burmese servicemen for dereliction of duty while the freighter was in Rangoon port. The First Information Report was lodged against those servicemen, who were arrested by the Port Township People's Police Force under Section 5 (j) of Emergency Provisions Act of 1950 on 20 October 1983. Out of the nine servicemen, Customs Officer U Tha Tun Aung and Sub-Inspector of Police U Tin Myint were released on 17 November 1983. They appeared as witnesses at the trial of the two North Korean suspects. The remaining seven were made to serve prison terms for additional 60 days from 18 November 1983 to 16 January 1984 under Section 10 (a) of the Law Safeguarding the State Against Disruptive and Destructive Elements.

Gun evidence

75. A .25 Browning pistol made in Belgium bearing serial number 459771 was seized from Kang Min Chul. Branches of INTERPOL (International Criminal Police) in Brussels and Wiesbaden verified and confirmed that the Zoyang Corporation, at 100 Pyonyang in North Korea, purchased 100 numbers of the same pistol type, (inclusive of serial No. 459771) and 15,000 rounds of ammunition on 8 January 1975. The transaction had been made through Swedish weapon dealer Hans Rudolf Jocheim of Hanover, Federal Republic of Germany.

Diplomatic action

76. After a thorough investigation into the bomb attack the Enquiry Committee announced on 4 November 1983 that it was fully established from the confession

of a captured Korean, seized equipment and other supporting evidence that the bomb attack was the work of the three Korean saboteurs, who were acting under the instructions of the Democratic People's Republic of Korea.

77. The Enquiry Committee identified the three Koreans as a Major and two Captains from the Democratic People's Republic of Korea.

78. Consequent on the announcement of the Enquiry Committee, the Government of the Socialist Republic of the Union of Burma decided to sever diplomatic relations with the Democratic People's Republic of Korea and to de-recognize its Government. The Diplomatic Mission of the Democratic People's Republic of Korea was asked to leave the Socialist Republic of the Union of Burma within 48 hours, beginning from 13.00 hours of 4 November 1983.

79. The members of the mission and their families, comprising a total of 34 men, women and children, left Rangoon by special aircraft at 09.35 hours on 6 November 1983.

VI. LEGAL ACTION: TRIAL OF ZIN MO AND KANG MIN CHUL

80. Zin Mo and Kang Min Chul were sent up for trial on six counts before the Rangoon Division Judicial Body No.(8) sitting at Mingaladon from 22 November to 9 December 1983.

81. The Rangoon Division Judicial Body No.(8) was composed as follows:

- (1) Lt. Colonel Maung Maung Aye, Chairman
Chairman of the
Rangoon Division
Judges Committee ;
- (2) U Myat Toe, Member
Member of the Divisional
Judges Committee ;

82. The following cases were filed against Zin Mo and Kang Min Chul:

- (a) Criminal case No.10/83: Case was filed against Zin Mo and Kang Min Chul under Section 302 (1) (b)/34 of the Penal Code for the bomb attack at the Martyrs' Mausoleum on 9 October 1983;
- (b) Criminal case No.11/83: Case was filed against Zin Mo under Section 307 of the Penal Code for attempting to kill and causing injuries to 3 local people at Nyaungdan Jetty on 10 October 1983;
- (c) Criminal case No.12/83: Case was filed against Kang Min Chul under Section 307/114 of the Penal Code for causing injuries to 3 members of the People's Police Force by grenade explosion at Thakhutpin Village Police Outpost on 11 October 1983;
- (d) Criminal case No.13/83: Case was filed against Kang Min Chul under Section 302/307 of the Penal Code for causing the death of 3 Burma Army soldiers (Tatmadawmen) by grenade explosion between Thakhutpin and Kwinwaing Villages on 12 October 1983;
- (e) Criminal case No.14/83: Case was filed against Kang Min Chul under Section 19(f) of the Arms Act for keeping in hand .25 calibre pistol fitted with a silencer and five rounds of ammunition;
- (f) Criminal case No.15/83: Case was filed against Zin Mo under Section 19(f) of the Arms Act for keeping in hand a booby trap bomb.

- (b) Criminal case No. 11/83: Case was filed against Zin Mo under Section 307 of the Penal Code for attempting to kill and causing injuries to 3 local people at Nyaungdan Jetty on 10 October 1983;

- (c) Criminal case No.12/83: Case was filed against Kang Min Chul under Section 307/114 of the Penal Code for causing injuries to 3 members of the People's Police Force by grenade explosion at Thakhutpin Village Police Outpost on 11 October 1983;

- (d) Criminal case No.13/83: Case was filed against Kang Min Chul under Section 302/307 of the Penal Code for causing the death of 3 Burma Army soldiers (Tatmadawmen) by grenade explosion between Thakhutpin and Kwinwaing Villages on 12 October 1983;

- (e) Criminal case No.14/83: Case was filed against Kang Min Chul under Section 19(f) of the Arms Act for keeping in hand .25 calibre pistol fitted with a silencer and five rounds of ammunition;

- (f) Criminal case No.15/83; Case was filed against Zin Mo under Section 19(f) of the Arms Act for keeping in hand a booby trap bomb.

83. The two accused - Zin Mo and Kang Min Chul - were provided with a defence counsel hired by the Burmese Government. In accordance with Article 102 of the Constitution and Section 8 of the Council of People's Justices Law, court proceedings were conducted in the Burmese language. Interpretations into English and into Korean were given wherever necessary. Charges against the accused were read out at the beginning and at the end of the court hearings first in Burmese, explained in English and then interpreted into Korean.

84. A total of 23 witnesses were examined by the court.

85. Before framing the charges, the accused were asked whether they were guilty of the offences or had any defence to make. Kang Min Chul pleaded guilty on all four charges. Zin Mo made no response and kept silent.

86. The Rangoon Division Judicial No.(8) gave the following verdict on 9 December 1983:

- (a) Criminal case No.10/83: Zin Mo and Kang Min Chul were found guilty as charged and were both sentenced to death under Section 302(1) (b)/34 of the Penal Code;
- (b) Criminal case No.11/83: Zin Mo was found guilty as charged and was sentenced to life imprisonment under Section 307 of the Penal Code;
- (c) Criminal case No.12/83: Kang Min Chul was found guilty as charged and was sentenced to life imprisonment under Section 307/114 of the Penal Code;
- (d) Criminal case No.13/83: Kang Min Chul was found guilty as charged and was sentenced to life imprisonment under Section 302(2) of the Penal Code;

- (e) Criminal case No.14/83: Kang Min Chul was found guilty as charged and was sentenced to three years' imprisonment under Section 19(f) of the Arms Act;
- (f) Criminal case No.15/83: Zin Mo was found guilty as charged and was sentenced to three years' imprisonment under Section 19 (f) of the Arms Act.

87. The sentences to life imprisonment and three years' imprisonment passed on Zin Mo under criminal case No.11/83 and 15/83 respectively were to be served concurrently and two sentences to life imprisonment and one sentence to three years' imprisonment passed on Kang Min Chul under criminal case No.12/83, 13/83 and 14/83 respectively were to be served concurrently.

VII. C O N C L U S I O N

88. From the factual account given in this document of the bomb attack at the Martyrs' Mausoleum in Rangoon on 9 October and of the attendant circumstances, it is clear that there is enough irrefutable evidence that establishes the fact that the bomb attack was the work of the three North Koreans acting pursuant to the order of the authorities of the Democratic People's Republic of Korea. The three North Koreans got off a North Korean freighter in Rangoon and were harboured by some members of the North Korean Embassy. Consequently, the Democratic People's Republic of Korea cannot possibly disclaim responsibility for the bomb attack.

89. Moreover, it is clear that the bomb attack was directed primarily against the officials of the Republic of Korea who were on an official visit to Burma in connection with official functions. They were entitled to inviolability and special protection pursuant to international law.

/...

90. Unfortunately, the bomb attack happened to be an externally generated event that couldnot reasonably have been anticipated. As it was, it took place despite all the security arrangements made as in the past on similar occasions under similar conditions.

91. The bomb attack not only cost many innocent human lives and injured many persons, but also gravely disrupts the very mechanism designed to effectuate international co-operation for the maintenance of international peace and order, the strengthening of international security and the promotion of general welfare of nations.

92. Taking into account the grave nature of the bomb attack, the importance of the interests of the international community that are impaired by such attacks against internationally protected persons who constitute the means for carrying on the work of the world community, and the imperative need to deter such attacks, the Government of the Socialist Republic of the Union of Burma considers that the measures it has taken in connection with the bomb attack are called for and justified.

93. The Government of the Socialist Republic of the Union of Burma considers it appropriate for it to place before the world community this singular diplomatic incident which has important implications for peaceful relations and co-operation among nations, though it has no wish to see this incident drawn into the vortex of unproductive political polemics.
