

A large, light gray background graphic depicting a hand with fingers spread, holding a small amount of water. The water is shown as a series of ripples and a small droplet falling from the palm. The overall style is minimalist and symbolic.

The Just Settlement of the Past Wrongs Promises an Integrated Society and a Bright Future

February 2008



Truth and Reconciliation Commission, Republic of Korea



Welcome to 'Truth and Reconciliation Commission, Republic of Korea'!

As President of the Commission, I am very pleased to introduce our activities.

The Truth and Reconciliation Commission (hereafter referred as TRCK) was established on December 1, 2005, under the Framework Act on Clearing up Past Incidents for Truth and Reconciliation. To reveal the truth of our history, we investigate past incidents, such as anti-Japanese independence movements and the history of Koreans residing abroad during the Japanese occupation, mass victimization of civilians before and during the Korean War, human rights violations and politically fabricated trials from August 15, 1945 up to the end of the authoritarian rule.

As of late January 2008, we have ascertained the truth for sixty incidents, including the Cho Yong-Soo incident, the late founder of the Minjok Daily. This raises the total number of ascertained cases to 1,007. In 2007, the remains of 400 people, along with 1,085 articles of the deceased, were excavated from four of the 160 suspected killing sites. These sites are in relation to the civilian massacres which took place during the Korean War period.

By revealing the hidden truth of modern Korean history, we will put forth every effort in our search for the truth to restore the honor of the victims and the bereaved families. In order to achieve national unity and reconciliation, we will persist in our mission to ascertain the truth. At the same time, we will strive to be an international role model as a truth commission.

Many truth commissions throughout the world are actively pursuing the just settlement of past wrongdoing. In order to be a role model, we will provide full cooperation with other truth commissions in the world. In this respect, we look forward to your continual interest and support in our activities.

Thank you

안 병욱

Dr. Ahn, Byung-Ook

President of Truth and Reconciliation Commission, Republic of Korea

| Key Events in Contemporary Korean History | Efforts for Truth and Reconciliation |
|--|--|
| 1905. 11. Korea lost diplomatic rights to Japan 1910. 8. Korea annexed by Japan | 1948. 10. Abortive efforts to punish pro-Japanese collaborators |
| 1945. 8. Liberation of Korea, The end of WWII, US military occupation began | 1960. 5. National Assembly set up special investigation committee on civilian massacre before and during the Korean War |
| 1948. 4. Jeju's April 3 Incident | 1985. 12. National Council of Families of Democratic Fighters founded |
| 1948. 8. The Republic of Korea established | 1988. 6. National Assembly held Gwangju Democratic Movement fact-finding hearings |
| 1948.10 Yeosu-Suncheon Incident | 1990. 3. Special act on compensation for people involved Gwangju Democratic Movement |
| 1950. 6. The Korean War broke out, Nogeunri and other massacres | 1995. 12. Former Presidents Chun Doo-Hwan and Rho Tae-Woo arrested and put into jail |
| 1951. 2. Civilian massacre in Geochang | 1995. 12. Special act on the May 18 Democratic Movement and statute of limitations removed for criminal acts violating constitutional order |
| 1953. 7. Armistice agreement signed | 1996. 1. Special act to reinstate those involved in Geochang incident |
| 1960. 4. April 19 Student Revolution | 2000. 1. Special act to investigate suspicious deaths, Special act to restore reputation of and compensate for people involved in democratic movements, and special act on Jeju April 3 Incident to restore the impaired reputation of the victims |
| 1961. 5. May 16 military coup | 2001. 1. US President Clinton apologized for Nogeunri Incident occurred in Yeongdong, Chungbuk |
| 1963. 10. Park Chung Hee elected as President | 2004. 1. Special act to restore the impaired reputation of and compensate for the victims of Samcheong Training Camp |
| 1972. 10. Revitalizing Reforms (Yushin) proclaimed | 2004. 3. Special acts to investigate the forced mobilization and pro-Japanese collaboration under the Japanese rule, and a special act to restore reputation of Nogeunri victims |
| 1979. 10. President Park Chung Hee assassinated | 2005. 5. Framework Act on Truth and Reconciliation |
| 1979. 12. Military hard-liners seized power | 2005. 7. Special act to investigate of suspicious deaths in the military |
| 1980. 5. May 18 Gwangju Democratization Movement | 2005. 12. Truth & Reconciliation Commission, Republic of Korea, launched |
| 1980. 8. General Chun Doo-Hwan elected as President | |
| 1987. 6. June democratic struggle | |
| 1987. 12. Rho Tae-Woo elected as President | |
| 1992. 12. Kim Young Sam elected as President | |
| 1997. 12. Kim Dae-Jung elected as President | |
| 2002. 12. Roh Moo-Hyun elected as President | |



Scope of Investigation

○ National Independence

- Anti-Japanese independence movements during or immediately before Japanese occupation
- Efforts by overseas Koreans to uphold Korea's sovereignty and enhance Korea's national prestige since the Japanese occupation until the launch of the Truth and Reconciliation Commission (December 1, 2005)

○ Mass Victimization

- Mass illegal victimization of civilians from August 15, 1945 to the Korean War period
- Terrorist acts, human rights violations, violence, massacres and suspicious deaths by parties that denied the legitimacy of, or were hostile towards, the Republic of Korea from August 15, 1945 up to the end of authoritarian regimes

○ Human Rights Violation

- Incidents of death, injury or disappearance, and other major acts of human rights violation, including politically fabricated trials, that were committed through illegal or seriously unjust exercise of state power such as breaking the constitutional order from August 15, 1945 up to the end of authoritarian regimes
- Cases that have already been ruled in court, but qualify for new trial and need to be reinvestigated for truth
- Cases that the Presidential Truth Commission on Suspicious Deaths inconclusively investigated and requested the TRCK to reinvestigate



Measures for Reconciliation

The state and the TRCK will take adequate measures to rectify damages and restore the honor of casualties, victims and families.

| | |
|--|---|
| <p>Measures by the TRCK</p> | <ul style="list-style-type: none"> ▪ Proposals for special pardon and reinstatement for those that have been convicted or had their qualifications suspended or rescinded due to concealment or distortion of truth ▪ Proposals for special pardon, reinstatement, or reduction of penalties for offenders who have confessed the truth ▪ Active persuasion for reconciliation between offenders and victims and their families |
| <p>Measures by the State</p> | <ul style="list-style-type: none"> ▪ Adequate measures to rectify damages and restore the honor of victims and their families <ul style="list-style-type: none"> ※ Except for cases in which adequate measures have been taken by other laws and ordinances ▪ Adequate legal and political reconciliation measures for offenders ▪ Necessary measures for national reconciliation and integration ▪ Respect for various decisions and proposals by the TRCK |
| <p>Common measures by the TRCK and the State</p> | <ul style="list-style-type: none"> ▪ Support the establishment of a research foundation that will hold memorial services and organize historical exhibitions |



The Current Status of the TRCK

I .The General Status of TRCK

1. Organizational Objectives

- Enacted Framework Act on Truth and Reconciliation for investigate anti-Japanese independence movement, Koreans remaining abroad, mass victimization of civilians before and during the Korean War, terror • human rights violations • massacre • questionable deaths and politically fabricated trials since 1945.
- Therefore uncovering the truth, rectifying the distorted past and finally achieving national integration and establishing national legitimacy.
 - 5. 31. 2005 Enacted Framework Act on 「Truth and Reconciliation」
 - 12. 1. 2005 Truth & Reconciliation Commission, Republic of Korea, officially launched
 - 12. 22. 2005 Appointed Commissioners and Plate-Board Hanging Ceremony
 - 12. 1. 2006 Commemorative Ceremony marking the TRCK` s 1st Anniversary
 - 11. 30. 2007 The 2nd Anniversary and Farewell Ceremony of the First Term President
 - 12. 1. 2008 Inauguration Ceremony of the Second Term President, Ahn, Byung-Ook

2. Outline of the Commission

- Make-up of the Commission
 - The Number of Commissioners: 15 persons (1 president, 14 commissioners)
 - Appointment Commissioners: two-year term and reappointment possible
 - 4 are nominated by the President (including 2 standing commissioners)
 - 8 are nominated by the National Assembly (including 2 standing commissioners)
 - 3 are nominated by the Chief Justice - Article 1 of the framework law
- Period of the Commission
 - To be completed within 4 years after commencing investigation (4. 25. 06)
 - 2-year extension if necessary (report to the President and the National Assembly at least three months before the Commission period ends)

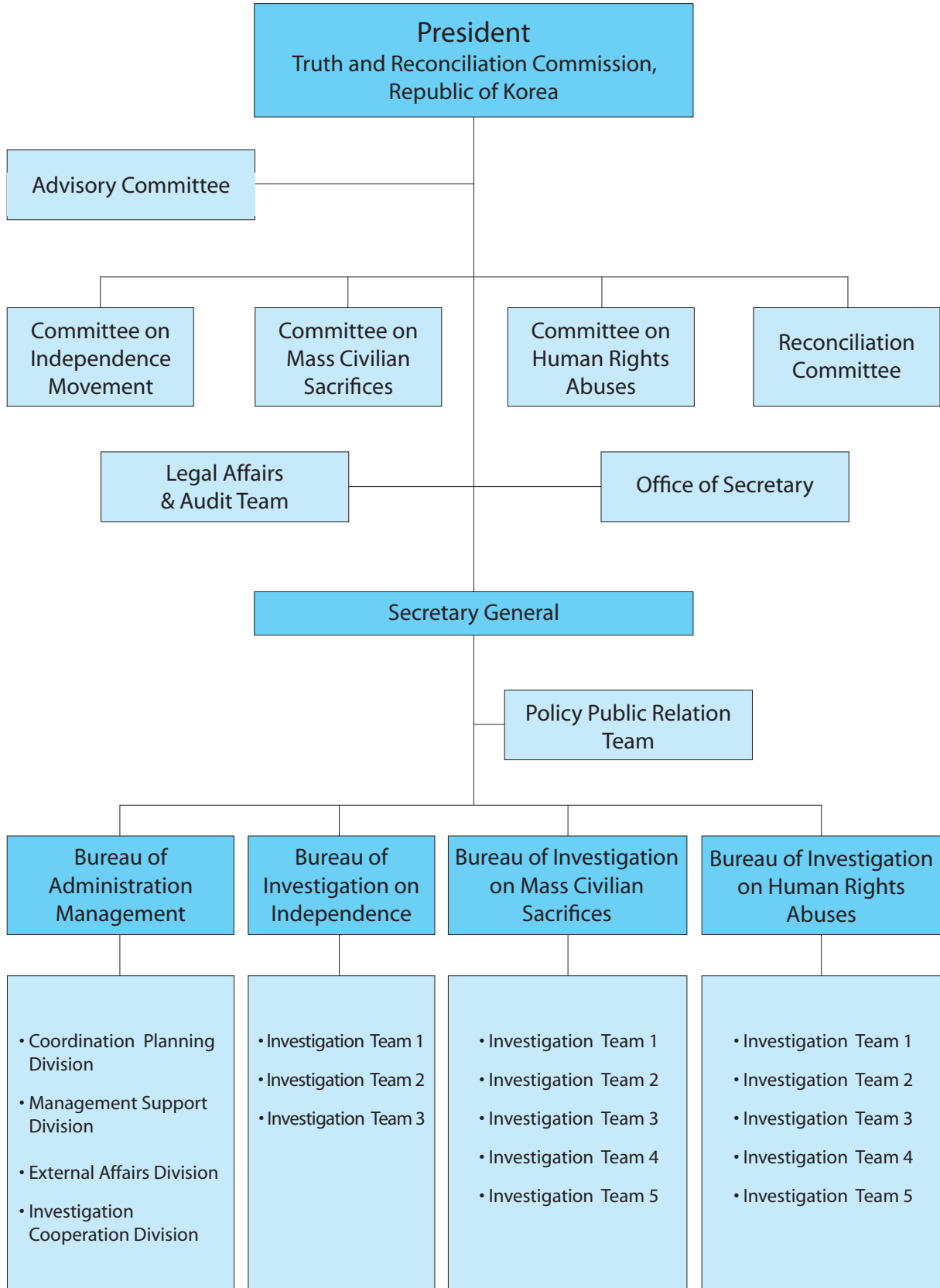
3. Function of the Commission

- The Commission investigates all relevant past incidents, apart from investigations conducted by commissions established in accordance with individual Acts.
- The Commission is an independent body, not belonging to any ministry.
 - Similar Independent Commissions: National Human Rights Commission and Korea Broadcasting Commission
- The Commission, after concluding its investigation, proposes recommendations to rectify damage, restore honor and reconcile between the victimizer and victim
- The Commission supports the establishment of a research foundation for past incidents

4. Subcommittee and Reconciliation Committee

- According to the subject of truth finding, 3 subcommittees are in operation (Article 6 of the Framework Act)
 - Subcommittee of Investigation on National Independence
 - Subcommittee of Investigation on Mass Civilian Sacrifice
 - Subcommittee of Investigation on Human Right Abuses
 - Each subcommittee consist of 4 to 5 commissioners
 - Commissioners of the subcommittee shall be decided during a commission meeting
- Composition and Operation of the Reconciliation Committee for Reconciliatory Measure (Article 17 of the Operation Regulation of TRCK)

5. Organization



II . The Present Status of the Investigations

1. The Status of the Investigations

- The TRCK has received 10,907 petitions in total: of these, the TRCK launched investigation of 9,274 cases (85.0%), dismissed 953 cases (8.8%), is conducting preliminary investigation of 254 cases (2.3%), is reviewing 42 cases (0.3%), withdrew 287 cases (2.6%) and transferred 97 cases (0.9%) to other relevant organizations.

<Table 1> The Status of the Investigations (As of January 31. 2008)

(Unit: Cases, %)

| Range of Investigations | Total | Investigated Cases | | | | Dismissed | Pre-investigation | Review | Withdrawal | Transferred |
|------------------------------------|-------------------|--------------------|--------------|-------------|-----------------|--------------|-------------------|-------------|--------------|-------------|
| | | Sub-Total | Verified | Unverified | Investigating | | | | | |
| Grand Total | 10,907 (100.0) | 9,274 (85.0) | 997 (9.1) | 10 (0.1) | 8,267 (75.8) | 953 (8.8) | 254 (2.3) | 42 (0.4) | 287 (2.6) | 97 (0.9) |
| Independence Movement | 273 | 85 | 6 | 10 | 69 | 147 | 5 | 29 | 7 | |
| History of Overseas Korean Victims | 17 | 5 | 1 | | 4 | 1 | 10 | 1 | | |
| Civilian Massacres | 7,777 | 7,539 | 903 | | 6,636 | | | | 234 | 4 |
| Opposing Legitimacy of the ROK | 1,634 | 1,517 | 55 | | 1,462 | 93 | | 1 | 22 | 1 |
| Human Rights Abuses | 617 | 128 | 32 | | 96 | 205 | 229 | 11 | 19 | 25 |
| Others | 589 | | | | | 507 | 10 | | 5 | 67 |

2. The Status of the Verified and Unverified Cases

- The TRCK passed verdicts for 1,007 cases. Out of those, 997 cases (99%) were verified as true and 10 cases (1.0%) were unverified.

<Table 1> The Status of the Verified and Unverified Cases(As of January 31. 2008)

| Type of Decision | The Name of Cases | Number of petition | Date of investigation launching | Date of decision |
|------------------------------------|--|--------------------|---------------------------------|------------------|
| Grand Total | | 1,007 | | |
| Verified Cases Total | | 997 | | |
| National Independence Movement | Subtotal | 6 | | |
| | • Jang Do Won's Hamhung Independence Mov. | 1 | 8. 8. 06 | 4. 17. 07 |
| | • Independence Mov. of Park Chang Rae and Yeosu Fisheries School Students Mov. | 1 | 9. 19. 06 | 5. 15. 07 |
| | • The Jung Sang Yun's Organized Activity Incident concerning Pyeongbuk Cheolsan branch of Singan-hoe | 1 | 8. 22. 06 | 5. 15. 07 |
| | • Lee Yun Hee's Resistance to the Anti-Japanese Independent Mov. through the Hukwoo society in the 1920s | 1 | 9. 19. 06 | 5. 29. 07 |
| | • Hong Eui-Sik's Nat'l Independence Mov. at Jinhae | 1 | 1. 9. 07 | 11. 27. 07 |
| | • Lee Hyun-Sok's Refusal Activity Against Forced Shinto Shrine Worship | 1 | 7. 20. 07 | 1. 29. 08 |
| History of Overseas Korean Victims | Subtotal | 1 | | |
| | • Anti-Trusteeship Campaigner's Banishment to the Soviet Union | 1 | 4. 25. 06 | 4. 17. 07 |
| Civilian Massacrese | Subtotal | 903 | | |
| | • Naju Dungebakgul-jae Incident | 23 | 5. 30. 06 | 4. 17. 07 |
| | • Massacre at Naju Dongchang Bridge Incident | 12 | 7. 25. 06 | 6. 12. 07 |
| | • Goyang Keumjeong Cave Incident | 52 | 4. 25. 06 | 6. 26. 07 |
| | • Munkyng Sukdal Incident | 16 | 4. 25. 06 | 6. 26. 07 |
| | • Hampyung 11th Division Incident | 184 | 4. 25. 06 | 7. 3. 07 |
| | • Naju Police Unit Incident | 59 | 2. 28. 07 | 10. 23. 07 |
| | • Hampyeong Yangrim Incident | 27 | 2. 28. 07 | 10. 23. 07 |

| | | | | |
|--------------------------------|---|-----|------------|------------|
| Civilian Massacre | • Jeju Preliminary Arrest Incident | 106 | 4. 25. 06 | 11. 13. 07 |
| | • Cheongwon Ochang Warehouse Bodo League Members Incident | 166 | 5. 30. 06 | 11. 13. 07 |
| | • Yecheon Sanseong-dong Bombing Incident | 1 | 12. 19. 06 | 11. 20. 07 |
| | • Gochang Wollim Incident | 4 | 1. 23. 07 | 11. 20. 07 |
| | • Goyang Complicity in Treason Incident | 5 | 4. 25. 06 | 11. 20. 07 |
| | • Sancheong Sicheon, Samjang Civilian Victims Incident | 23 | 5. 30. 06 | 11. 20. 07 |
| | • Ulsan Bobo League Members Incident | 223 | 9. 29. 06 | 11. 27. 07 |
| | • Yeongyam Gurim Incident | 2 | 2. 28. 07 | 11. 27. 07 |
| Opposing Legitimacy of the ROK | Subtotal | 55 | | |
| | • Yangpyeong Opposing Group Incident | 32 | 4. 25. 06 | 7. 3. 07 |
| | • Yang Bong Yeol Incident | 5 | 5. 30. 06 | 7. 3. 07 |
| | • Jang Geum Chul Incident | 3 | 5. 30. 06 | 11. 27. 07 |
| | • Kim Tae Hwan Incident | 12 | 2. 13. 07 | 11. 27. 07 |
| | • Sim Kyeong Seob Incident | 1 | 5. 30. 06 | 1. 29. 08 |
| | • Gapyeong Incident | 2 | 4. 25. 06 | 1. 29. 08 |
| Human Rights Abuses | Subtotal | 32 | | |
| | • The Minjok Daily Cho Yong Soo Incident | 1 | 4. 25. 06 | 11. 28. 06 |
| | • Torture & Physical Assaults Incident of Kim Ik Hwan's family | 1 | 6. 13. 06 | 11. 28. 06 |
| | • A Fishing Boat Named Taeyong-ho Kidnapped to North Korea Incident | 1 | 10. 10. 06 | 12. 5. 06 |
| | • Lee Soo Geun's Double Agent Scandal | 1 | 4. 25. 06 | 12. 19. 06 |
| | • Lee Jun Ho & Bae Byung Hee's Fabricated Spy Scandal | 1 | 9. 5. 06 | 12. 19. 06 |
| | • Fabricated Spy Scandal of Shin Gui Young's family | 4 | 5. 26. 06 | 1. 23. 07 |
| | • Obstacle Incident of Korean-Japanese to the North Korea | 1 | 8. 8. 06 | 4. 3. 07 |
| | • Forced Donation Scandal of Buil Scholarship Association | 1 | 12. 5. 06 | 5. 29. 07 |
| | • Osong-hoe Incident | 1 | 4. 3. 07 | 6. 12. 07 |
| | • Cha Poong Gil's Fabricated Spy Scandal | 1 | 5. 15. 07 | 6. 19. 07 |
| | • Fabricated Spy Scandal of Returned Fisherman Kidnapped to North Korea | 1 | 10. 24. 06 | 6. 19. 07 |
| | • Fabricated Spy Scandal of Suk Dal-Yun | 4 | 12. 19. 06 | 6. 26. 07 |
| | • Aram-hoe Incident | 4 | 11. 28. 06 | 7. 3. 07 |
| | • Fabricated Spy Scandal of Jeong Sam-Gyun | 1 | 7. 3. 07 | 9. 18. 07 |

| | | | | |
|--------------------------------|---|----|------------|------------|
| Human Rights Abuses | • Failure of 23rd and 24th Judicial Examinations Incident | 2 | 3. 20. 07 | 9. 18. 07 |
| | • Jo Bong-Am Incident | 1 | 10. 1. 06 | 9. 18. 07 |
| | • Oh Jong Sang' Violation of Nat'l Emergency Measure Incident | 1 | 7. 10. 07 | 10. 30. 07 |
| | • Kang Ki-Hoon'S Ghostwriting the Will Incident | 1 | 4. 25. 06 | 11. 13. 07 |
| | • Fabricated Spy Scandal of We Cheong-Yong | 1 | 1. 9. 07 | 11. 20. 07 |
| | • Fabricated Rape and Murder Scandal in Chuncheon | 1 | 5. 29. 07 | 11. 20. 07 |
| | • Fabricated Spy Scandal of a Fisherman Seo Chang Deok who Kidnapped to North Korea | 1 | 7. 3. 07 | 11. 27. 07 |
| | • Fabricated Spy Scandal of North Korean Refugee Yang Jun-Ho | 1 | 9. 18. 07 | 11. 27. 07 |
| Unverified Cases Total | | 10 | | |
| National Independence Movement | Subtotal | 10 | | |
| | • Kim Jin-Su's Anti-Japanese Mov. in China | 1 | 4. 25. 06 | 12. 5. 06 |
| | • Kim Yea-Tae's Independence Mov. in Yeongdong-gun | 1 | 4. 25. 06 | 12. 19. 06 |
| | • Ji Bong-Dong'S Missing and Death | 1 | 10. 30. 06 | 5. 29. 07 |
| | • Sih Hui-Jong's Restoration of Honor | 1 | 12. 5. 06 | 6. 26. 07 |
| | • Lee Sung-Ji's Independence Mov. | 1 | 8. 8. 06 | 6. 26. 07 |
| | • Yun Jae-Hwan's Independence Mov. in Japan in the 1930's | 1 | 6. 13. 06 | 7. 3. 07 |
| | • Lee Tae-Ho's Independence Mov. at Gunbuk-myeon | 1 | 11. 7. 06 | 7. 10. 07 |
| | • Seo Jung-Hyun's Anti-Japanese Mov. in Wan-do Region | 1 | 1. 9. 07 | 9. 18. 07 |
| | • Jan Dong-Hyup's March 1st Mov. in Namwon | 1 | 11. 7. 06 | 10. 16. 07 |
| | • Lee Ki-Ho's Anti-Japanese Mov. at Gurae | 1 | 2. 6. 07 | 10. 30. 07 |

□ Effort for Strengthening the Effectiveness of Reconciliation and Recommendations

- Recommendations after Truth Verification
 - For 18 cases, we recommended that the government offer an apology to the victims and the bereaved families, restore the honor of the victims and establish a memorial. The memorial would serve two purposes; memorialize the victims and be an archive for historical records for history books. For 17 cases, we recommended retrials. For 3 cases, we recommended that free medical service to treat the victims and bereaved families be administered, correct false and exaggerated records, and offer reparation. For 2 cases, we recommended legislation to rectify the damage suffered by the victims. For 7 cases, we recommended extra follow up measures.
- Effort to Ensure the Effectiveness of Implementation of Reconciliation and Recommendations
 - On January 8, 2008, we urged the enforcement of the presidential decree on "Regulation of Recommendations and Follow-up Measures in relation to the Past History."
 - On June 19, 2007, we urged for the establishment of the Reconciliation Commission.
- In June 2007, 37 sites (out of 154 sites) were designated as massacre burial grounds and regarded as foremost areas for exhumation.
 - 4 sites were excavated
 - The ashes of 400 bodies were uncovered, along with 1,085 articles of the deceased (M1 Rifles, empty cartridges and bullets), from the cobalt minefields of Gyeongsan, Daejeon, Cheongwon and Gurae.
- Surveys on the Status of Civilian Genocide Victims
 - Surveys conducted with Donga University from May 2007 to December 2007.
 - Approximately 8,600 bodies were discovered; 20 of which involved cases of retaliation



Make-up of the Commission

President

Ahn, Byung-Ook

Professor/Korean History at the Catholic University of Korea
President of the Truth Commission of the National Intelligence Service
Commissioner of the Cultural Heritage Administration

Standing Commissioners

Kim, Dong-Choon

Professor/Sociology of Sungkonghoe University
Human Rights & Peace Center Director, Sungkonghoe University
Policy President, People's Solidarity for Participatory Democracy

Kim, Jun-Gone

Lawyer/
Standing Commissioner of the Presidential Truth Commission on
Suspicious Deaths

Lee, Young Jo

Professor/Political science at Kyunghee University
President of Market Economy and Democracy Institute

Commissioners

Kang, Jung-Hye

Professor/Department of Law, University of Seoul
Lawyer Hanmi Law Office and Lee & Ko Law Office
Commissioner of the Central Environmental Disputes Coordination Commission

Lee, Kee-Yuk

Lawyer/Representative Attorney for the Law Office Changjo
Board Member of Korea Broadcasting System
Vice-Chairman of Minbyun-Lawyers for a Democratic Society

Jung, Byung-Joon

Professor/Ewha Womans University
Research Fellow, National Institute of Korean History

Doh, Jin-Soon

Professor/Changwon National University
Visiting Scholar at Harvard University
Author of the Jeju April 3 Incident Report

Park, Sang-Hoon

Lawyer/The Law Office Yoon Yang Kim Shin & Yu
Senior Judge, Seoul Administration Court

Chung, Jae-Geun

Buddhist priest/Bukhan Mountain Kumsonsa, Jogye Order of Korean Buddhism
Commissioner of National Human Rights Commission

Lee, Hyun-Hee

Professor/Department of History, Sungshin Women's University
Member of National Institute of Korean History

Jung, Byung-Seok

Professor & Principal/Department of Law, Chonnam National University
Commissioner at the Presidential Committee on Judicial Reform

Choi, Il-Suk

Lawyer/Hanwul Law Office
Commissioners, Ombudsman of Korea
Member, Minbyun-Lawyers for a Democratic Society

Hong, Soon Kwon

Professor/Department of History, Dong-A University
President, The Korean Association of Genocide Scholars
President, Pusan-Kyungnam Historical Studies



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