

Indictment

Introduction

After a long endeavour to invade Korea for her strategic position, the United States infiltrated a ship called "General Sherman" into the Taedong River in 1866. For almost 140 years since then, the United States has violated the dignity and sovereignty of the Korean nation and hindered the revival and development of her national economy, thus inflicting intolerable misfortunes and sufferings upon the Korean people.

In July 1905, the US, in pursuit of her own aggressive interests, concluded "Katsra-Taft Secret Pact" with Japan to acknowledge the latter's invasion on Korea.

And after her downfall in the World War II, the US illegally occupied the southern part of Korea for a colonial rule. The U.S. forcibly dismantled the people's committees established by the south Korean people themselves and hastened its colonization and subjugation through the "military rule." On May 10th, 1948, the U.S. fabricated a separate election in south Korea to divide Korea into north and south.

In an effort to turn Korea into a bridgehead of aggression on the continent and a strategic military base for the world domination, the U.S. accelerated in a full scale the war plan to occupy the whole of Korea.

On June 25, 1950, the U.S. provoked the Korean war and committed the crimes of the most barbarous killings and destruction ever known in the war history of the world, by mobilizing over 2 million-strong armed forces with the sophisticated military equipment -- one-third of her ground forces, one-fifth of her Air Force, the most part of its Pacific Fleet, and the armed forces of 15 satellite countries and south Korea.

Despite the conclusion of the Korean Armistice Agreement in July 1953, the U.S. has persistently made frantic moves to realize its wild ambition for aggression on the DPRK, violating all of its main articles such as Paragraphs 3 and 4, Article 13 and Article 60 -- the articles that stipulate for the prevention of another war in Korea and the peaceful settlement of the Korean issue.

Already in 1957, the U.S. started to turn south Korea into its nuclear base and stepped it up in full swing in the 1960s. On the other hand, it staged large-scale military exercises for the attack on the north of Korea.

In 1961 alone 34 war exercises as such were held. They were steadily increased in number and scope with each passing day. Every year, more than 7990 military provocations have been committed by the U.S. troops along the Military Demarcation Line and in the territorial water and air of the DPRK including the 1968 incident of a spy ship "Pueblo" and the 1969 incident of a spy plane "EC-121".

In the 1980s the US troops cracked down in cold blood on the South Korean people's democratic movement, including the Kwangju People's Uprising. While modernizing the military equipment of the US troops and the ROK, it hastened the formation of the tripartite military alliance between the US, Japan and South Korea, and launched the "Team Spirit" joint military exercises and other large-scale war rehearsals, thereby increasing the danger of nuclear war on the Korean peninsula.

In the 1990s, the U.S. made more frantic moves to isolate and stifle the DPRK, alleging itself to be the only superpower in the world.

Clamouring about the "suspicion of north Korea's nuclear development", "suspicion of underground nuclear facilities" and "north Korea's threat of missile attack", the US drew up the "Operation Plan 5027" for pre-emptive strike and its update version "Operation Plan 5027-98", and gave rise to nuclear crisis on the Korean peninsula.

In the new century, the US labelled the DPRK as an "axis of evil" and has driven the situation to the brink of war.

All these facts show that the U.S. is directly responsible for the war crimes in Korea and its wild ambition for world supremacy is by no means changed.

The Korea International War Crimes Tribunal held in New York in September 2001, and the Pyongyang International Tribunal on the US crimes in Korea" held in July 2003, found the US Government and the other accused guilty of the charges of their barbarous crimes in Korea, passed a sentence that the US Government should acknowledge its responsibility for such war crimes and make an apology and compensation to the DPRK for their wrongdoings.

Taking note of the fact that the U.S. and the other accused committed inhuman and brutal crimes against the Korean people during the Korean War, violating the UN Charter and other officially-recognized international laws and regulations,

Considering that they do not fulfil so far their state responsibility and international lawful obligations for war crimes as the violator despite the sentences passed on them for two times in the aforesaid international tribunals, and

Recognizing that such acts of the U.S. constitute the dual crimes against the victims,

The International Joint Prosecution Team indict them for their criminal act as follows:

1. War Criminals (The Accused)

The accused are chief criminals directly responsible for planning, preparing, starting and carrying on the Korean War; those who ordered, instructed and executed the barbarous tortures and mass-killings of the Korean people, and the merciless destruction of their national treasures; and the successive US presidents and other leaders of the US Administration who sponsored and supported such crimes, evading their obligations and responsibilities based on the international law.

2. The Detailed Facts of Atrocities of the U.S. in the Korean War and Their Criminality

1) The Detailed Facts of Atrocities

① Bombardment in North Korea

○ Bombardment Strategy against the North Korea and its Brutality

The bombardment of the US Air Force against the DPRK was committed according to the plan made in advance, and the instructions given by the U.S. authorities and military commanders.

Through the brutal bombardment, the U.S. intended to kill as many innocent Koreans as possible and thus enfeeble their support and reinforcement to the frontline of the DPRK.

The U.S. was going to thoroughly burn to ashes the rear of the DPRK, totally destructing the peaceful cities, rural areas and industrial facilities in north Korea. It aimed to stifle the livelihood of the Korean people and hinder their timely production and supply of the things needed at the front.

With this aim the US unhesitatingly bombarded peaceful cities and rural areas, civilian industrial facilities and cultural establishments.

During the three-year war, the planes of the US Air Force, and those of US Navy and Marine Corps made more than 800,000 and 250,000 sorties respectively, 85 % of which were aimed at the civilian targets. They dropped 564,436 bombs and 32,357 napalms, and launched 587,798 rockets, strafed 238.6571 million bullets and 55,797 smoke shells.

The total bombs and napalms dropped amounted to over 600,000 tons, whose figure was nearly 3.7 times of 161,425 tons of bombs dropped in Japan during the Pacific War.

Since the area of the north Korea is only 1/3 of Japan, one can easily estimate the intensity of its bombardment.

○ Indiscriminate Bombardment against Civilians in the Urban and Rural Areas

The United States indiscriminately bombed and shelled to massacre the Korean people en mass and burn and destroy all the public facilities.

Throughout the war the US Air Force carried out over 1,400 bombing raids into Pyongyang City, dropping more than 420,800 bombs to reduce to a debris public organs, factories and enterprises, educational, public health and cultural facilities, and dwelling houses.

As of July 1950, Sinuiju city had 126,000 residents with 14,000 households. On November 8, 1950, 100 American planes bombarded the city to destruct 8,800 dwelling houses and kill 5,000 inhabitants (out of which 4,000 were women), injuring 3,155 people.

Before the war there lived 60,000 inhabitants in Nampho City, but due to the U.S. bombardment only 50% of them were left alive as of May 1951. And Wonsan City had more than 123,100 populations, but only 57,000 were left alive at that time.

In Kaechon County over 6,500 houses were ruined out of 13,000 and its population (of which 80% were farmers) was reduced from 80,000 to 60,000. The population of Jagang Province (500,000) and Manpo city (12,700) were also drastically decreased owing to the US air raids,

During the first period of 2 years, the U.S. dropped more than 200,000 bombs of large and medium size.

○ Bombardment of the Civilian Industrial Facilities

The United States viciously attempted to destroy all the material foundations of the Korean people and check the revival of their national economy by levelling to dust the industrial facilities rehabilitated and rebuilt by the Korean people after Korea's restoration.

Especially the U.S. Air Force mercilessly bombarded and destroyed power plants, reservoirs and other civilian establishments of the DPRK.

On June 23rd and 24th, 1952, hundreds of the U.S. planes made intensive air raids to destroy the Supung Power Station and other power stations and their dams in the Jangjin River, the Pujon River and the Hochon River.

On May 13th and 14th, 1953, 36 US bombers raided the Kyonryong Reservoir (Sokam Reservoir at present) in Sunan County, South Pyongan Province (Pyongwon county, South Pyongan Province at present) and dropped more than 40 bombs at 4 sorties to damage its dam and water gates, thus inundating over 70 villages in 20 *ris* of Daedong and Sunan Counties. As a result, over 400 farmers were drowned dead or missing; more than 6,000 hectares of arable land were flooded or washed away; and over 5,000 farmers were left homeless without their land, cattle, properties and seeds.

On July 3, 6 and 8, 1950, the U.S. planes attacked the Nampho Refinery three times to totally destruct it, which was followed by another air-raid on the Nampho Glass Factory on August 5, 1950, in which they bombed the city 8 times to turn it into ashes.

On August 20 and 27, 1950, the U.S. Air Force bombarded the Hwanghae Iron Works heavily. Throughout the war, they dropped more than 24,000 bombs on it, thus destructing its most equipment and facilities.

From June 29 to July 20, 1950, the U.S. bombers raided 5 times the Pyongyang Railway Factory, the Pyongyang Textile Mill, the Oxygen Plant, the Artificial Silk Mill, the Pyongyang Brewery, the Appliance Manufactory, the Oesong Department Store and etc.

On July 4 and 13, 1950 the U.S. Air Force dropped bombs on the Sariwon Textile Mill for 2 times, damaging it partially, and on August 20, 1950, did again to destroy the most parts of the mill.

On August 17, 1950, the U.S. bombers destroyed the Songjin Steel Works, the Chongjin Spinning Mill, the Chongjin Pharmaceutical Plant and other factories and enterprises, which constituted the major part of the national economy.

During the one-year period of 1952, the U.S. Air Force flid its 2,700 war-planes to drop over 6,000 bombs on a short passage which was taken charge of by a railway work-team in the Sinpukchong Railway Management Station.

Owing to the U.S. indiscriminate and barbaric bombardment, more than 8,700 factories, mills, buildings and production facilities were destructed and 370,000 hectares of arable land damaged with the loss of 90,000 hectares.

o Bombardment of the National Relics and Cultural Establishments.

The U.S. Air Force terribly destroyed and burnt to ashes the valuable cultural relics of the Korean nation associated with their long history. Almost all the country's historical relics were raided by air including Yongmyong Temple and Bubyokru Pavilion in Pyongyang, Tongmyongguan in Songchon, Buyongdang in Haeju, Namdae Gate in Kaesong, South Gate in Uiju, Uisongguan in Huichon, Bohyon Temple in Mt. Myohyang, Sokwang Temple in Anbyon, and the Jangan, Pyohun, Yujom and Singye temples in Mt. Kumgang, and so on.

In May, 1951 the Women's International Commission for the Investigation of Atrocities Committed by the U.S witnessed the destruction Yongmyong Temple on Moran hill between 10 a.m. to 2 p.m. on January 3rd, 1951, Pyongyang, when it was being bombarded and burnt down by US bombers with a great number of bombs, incendiary bombs and gasoline containers. And in March, 1952 the Commission of International Association of Democratic Lawyers confirmed it again.

On May 6th, 1951 Jangan Temple, a most scenic spot in Mt. Kumgang, was also totally ruined and on June, 1951, the Daeung Building and other wooden objects in the Singye Temple, a specially preserved museum, were all thoroughly burnt down.

In 1951 the US bombarded on the Yujom Temple, the biggest one of the 4 famous temples in Korea and the main one of the 60 temples in Mt. Kumgang, thus completely leveling 40 buildings of various size with 3,000 rooms, and a stone candle stand and a 9 storeyed pagoda.

In June 1951 the US Air Force turned the buildings of the Sokwang Temple into ashes with the bombardment.

As of May 1951, The US Air Force destroyed 99 educational institutions in Pyongyang (Kim Il Sung University and 6 colleges, 43 primary schools, 20 middle schools, 5 specialized schools, 4 technological institutes and 20 evening schools), 24 schools of various levels in Nampo, a senior middle school, 6 middle schools and 31 primary schools in Kaechon county.

From January to November 1952 over 200 school buildings of all levels were destructed.

During the period of one and half month between September to the mid-October 1952, an asylum for the aged in Anbyon County and an orphanage and a school for the bereaved children in Changsong County were bombarded severely and 27 teachers and 60 children were killed mercilessly.

During the period between January to June 1951 the US bombardment levelled the Moranbong Theatre in Pyongyang, the South Pyongnan Provincial Theatre, the Pyongyang National Theatre, the Hambung Cinema House, the South Hamgyong Provincial Theatre, the Wonsan Municipal Library, the Cholwon County Library in Kangwon Province and the Jangyon Cinema House in South Hwanghae Province.

On July 30th, 1951, the National Film Studio (now called the Korean Feature Film Studio) were turned into debris, and on August 14th, 1951, the Memorial of the National Liberation Struggle (now called Korean Revolution Museum), Pyongyang Record Manufacturers, the National Art Theatre in Pyongyang were also fully destroyed by the air raid.

US bombers indiscriminately raided even the Red Cross-marked hospitals, clinics, rest centres and sanatoriums.

On January 3rd and 4th 1951, Pyongyang was severely air-raided, when the Central Hospital was entirely destructed, and on July 13th the Workers' Sanatorium in Wonsan City was bombed to claim 168 lives, and the Provincial Hospital, the Red Cross Hospital and Pyongyang Hospital No.1 were bombed to kill many medical doctors and patients.

In Kanggye Hospital, over 100 people were injured in December 1950 by the US strafing and over 200 people were bombed to death in February 1951.

In July 8th and 12th, 1950 the US air bombing damaged 2 hospitals and 3 clinics in Nampo.

In 1951 alone, 32 hospitals and clinics in Pyongyang and 16 hospitals and clinics in Sariwon were destroyed due to the US indiscriminate bombing.

② Massacre of Civilians

From the beginning of October 1950 to the date of their retreat, the US troops, who temporarily occupied the northern half of Korea, arrested, detained, tortured and killed at random the civilians who were opposed to their aggression.

The ex-commander of the US 8th Army ordered to kill the Korean people mercilessly, saying, "The soldiers of the UN Forces!... Don't let your hands tremble even when those who appear before you are children or old people. Kill them! In doing so you will be saving yourselves from catastrophe and fulfilling your duty as the soldiers of the UN Forces."

On October 17th, 1950 the US troops, who occupied Sinchon County, arrested and tortured a worker of the Sinchon Rice Mill and, when he disobeyed their demand, tied his two legs separately to the two ox carts and drove them to the opposite direction, and thus dismembered his limbs.

At 6 p.m. October 19th, 1950 the US troops arrested a woman in Gyongji-ri, Sinchon Sub County, Sinchon County, for the reason that her father was a member of the Workers' Party of Korea (WPK) and a model farmer, and buried her alive to the neck, thus making her die in unbearable pains. In Kanggyo-ri, Jaeryong County the US troops arrested WPK members and their families, from whom they selected and buried the young couple and their parents alive, face to face to the neck, thus letting them die, seeing each other, while they enjoyed it, clapping their hands and laughing.

On October 23rd, 1950, the US troops brutally killed more than 300 workers and their families by cutting them into pieces with fodder-cutter.

During the period of three days (October 18th, 19th and 23rd, 1950), the US troops forced over 900 men and women including the old men and babies into an air-raid shelter of the Sinchon County Party Committee and stripped them naked and burnt them to death with gasoline poured over them. On October 19th and 23rd, over 650 people were also buried alive and burnt to death in a trench near the air-raid shelter.

On October 21st, 1950 in Sinchon County, they bound civilians in groups of 10 with stones and soil sacks on their back and drowned them, by throwing them down into reservoirs. By the end of November 1950, 2093 people were drowned likewise in the reservoirs and pools in the areas of Ryongmun and Nambu Sub-Counties, Sinchon County.

In the late October 1950 they detained over 300 patriots in an air-raid shelter of Nambu Sub-County Party Committee in Sinchon County, in front of which they put corn stacks in piles and set fire on them with gasoline spread over them, thus choking them to death. In this way they also killed 20 people in Raesan-ri, Suntaek Sub-County, Jangyon County (Baksan-ri, Jangyon County, S. Hwanghae Province).

On December 7th, 1950, the US troops locked hundreds of mothers and children separately in the two warehouses in Wonam-ri, Sinchon County and let them die from cold and hunger. And as for those remained alive, they set fire on them, pouring gasoline over them, and, worse still, threw in more than 100 hand-grenades to kill over 910 persons including 400 mothers and 102 children.

In Sokdang Bridge, Sinchon, they also killed 2000-odd inhabitants of Uryong-ri, Sokdang-ri and Chongsan-ri by throwing them into the river with bayonets; And in the Paechon River in Gojin-ri, Jaeryong County, 300 innocent people were forcibly drowned, and in the Namdae River flowing around Rakyon Mine, 500 were also drowned in the same way.

In Sinhwanpo-ri, Jaeryong County, S. Hwanghae Province, the US troops took 15 civilians into the hole of a frozen river, with their noses pierced with wire, and in Haechang-ri, Namryul Sub-County, Jaeryong County (Gojan-ri, Jaeryong County, S.Hwanghae Province) the same method was employed to 70 civilians bound with wire).

On November 7th, 1950 alone, the US troops massacred more than 500 people in Mt. Sudo, Ryongdang-ri, Haeju city, S.Hwanghae Province and next day, i.e. on November 8th, 1950, 600 in the Hawu Valley, Kumsan Sub-County, and Byoksong County.

The US troops, who temporarily occupied Kachon Sub-County, Byoksong County, S.Hwanghae Province, arrested 9 WPC members on November 25th, 1950 and gave them nothing to eat and then killed them by disembowelling their bellies and cut off their livers and hearts. In the area of Unryul Mine, Chairman of People's Committee of Kumsan-ri (Kumsanpo Worker's District) was also killed in the same way.

On December 5th, 1950, the US troops took more than 950 people to the Mira Hill in Sariwon City, N.Hwanghae Province and shot them all to death with machine guns.

In Pyongyang, the US troops put behind bars over 4,000 civilians in the Pyongyang jail, shot over 2000 of them in the jail yard and stuffed the corpses into the 21 air-raid shelters and the 3 wells and reservoirs nearby.

The US troops, who were stationed in Jungso Sub-County, Kaechon County, S. Pyongan Province, shot 35 innocent people to death by machine guns at 4 p.m. on December 2nd, 1950, when they started to retreat. And in Chosan County Seat of Jagang Province they shot over 900 civilians on the road for a few weeks' period of their occupation.

They also killed with hand-grenades about 40 civilians at Chuhwa-ri, Jangyon County, S. Hwanghae Province and 73 at Ryusang-ri, Miljon Sub-County, Sunchon County, S. Pyongan Province, after holding them in caves.

The US troops in Hwangju County turned the Hwangju River into an hand-grenade throwing exercise ground, where about 500 civilians were killed as the targets of their practice.

During the battle at Lake Jangjin, S. Hamgyong Province, the US troops took civilians as their shield and then poured down shells over them to kill 120 of them.

In Sinhung Sub-County, Kumya County, S. Hwanghae Province, the US troops hanged a civilian upside down and pricked his whole body, thus bleeding him to death. And in Sagi-ri, Unyu Sub-County, Songhwa County, S.Hwanghae Province, they took 103 civilians to nearby trenches and bayoneted them in the bellies and chests

On December 4th and 5th, 1950, the US troops took civilians with themselves, while being driven back to the south, and bombed and strafed them when they were on the temporary railway bridge over the Taedong River and on its iced pan. About 4,000 civilians were killed on the spot. In Yangyang County, Kangwon Province, they bombed to death about 25,380 civilians.

During the temporarily occupation of northern half of Korea by the US troops, they mercilessly massacred 15,000 civilians in Pyongyang, 35,838 in Sinchon, 19,072 in Anak, 13,000 in Unryul, 6,000 in Haeju, 5,998 in Pyoksong, 5,545 in Songhwa, 5,131 in Unchon, 3,429 in Taetan, 950 in Sariwon, 3,040 in Pyongchon, 2,450 in Yonan, 1,400 in Jaeryong, 1,199 in Jangyon, 802 in Rakyon, 5,290 in Pyongsan, 1,385 in Tosan, 1,293 in Pongsan, 1,000 in Songrim, 850 in Huichon, 5,000 in Anju, 1,561 in Kangso, 1,511 in Nampho, 1,342 in Kaechon, 1,200 in Sunchon, 1,400 in Pakchon, 800 in Jongju, 25,300 in Yangyang, 1,560 in Cholwon, 630 in Wonsan, 648 in Hamju, 532 in Tanchon, 140 in Sonchon, and 900 in Chosan.

③ Crimes Against Women

From the first day of their occupation of the northern half of Korea, the GIs insulted and raped women indiscriminately for their fun and amusement.

Their crimes against women were the most barbarous and frantic that had ever been known in the human history.

In October 18th, 1950, the US troops, who entered Songsan-ri, Daewon Sub-County, Anak County, S. Hwanghae Province, detained and gang-raped village women in a school for 8 days, and when the latter resisted, the former killed them, driving even a pole into their private parts.

On November 4th, 1950, the two US soldiers in Cholwon Sub-County, Cholwon County, Kangwon Province, took a 19-year old girl, who was fetching water, and raped her in turn on the road in the midday and other two GIs assaulted a 22-year old girl in the toilet, raping her.

On November 30th, 1950, the GIs, who occupied Tosong Sub-County, Pongsan County, Hwanghae Province, raped over 20 arrested women and shot them to death.

Early in December 1950, the three US soldiers in Angok-ri, Sain Sub-County, Pongsan County, N. Hwanghae Province arrested and raped 3 women passing on the road and 15 GIs gang raped a 21-year old woman living in Yipyong-ri No.2, Dongson Sub-County, Cholwon County, Kangwon Province.

On December 8th, 1950, 14 GIs, who stayed in Saigok-ri, Saji Sub-County, and Singye County on the way their retreat to the south, gang-raped a woman, who was just 3 days after childbirth, at the point of a gun and on the same day 5 GIs gang-raped a young woman.

The US military authorities set up gay quarters in a hot-spring sanatorium of Sinchon County, in which many women, maiden and married, were locked and forced to offer sexual service to the American and British soldiers and other foreign mercenaries day and night. In Haeju City more than 250 women were detained in cultural houses to be raped in the same way.

The US military occupants in Pyongyang established a brothel in the Pyongyang National Art Theatre and, violated and raped innumerable women everyday.

During the temporary occupation of the northern half of Korea, the US troops raped a huge number of Korean women, including 2,000 in Pyongyang, 860 in Kaechon County, 513 in Pyongwon County.

The US troops violated and raped the Korean women not only by force, but deceitfully by running "the comfort women station for the UN forces" and "the comfort women team for the UN forces."

The US troops forcibly conscripted women of 15 to 35 from all the cities under their occupation, to form a so-called "comfort women detachment for the US soldiers"

④ Kidnapping and Forced Draft

The US kidnapped and took by force innocent people and patriots by various insane means of threat, blackmail, appeasement and deceit.

○ Kidnapping

On October 17th, 1950, the US troops, who entered Madong, Pongsan County, S.Hwanghae Province, shelled and fired guns at villages of Madong and arrested over 100 men and took them to the south by trucks and in Mangwol-ri, Chongchon Sub-County, Jaeryong County they also arrested more than 40 innocent people to be taken by trucks to the south.

In the mid-October 1950, the US troops in Munhwa Sub-County, Sinchon County, took over 490 people by force.

As they forcibly took away the inhabitants in Sok Island, Songhwa County, S. Hwanghae Province, it became deserted, although its population was formally 1,700. As for Ohwa Island, Dongnam Sub-County, Ongjin Ccounty, its population of 1,357 was reduced to one tenth.

The abduction and kidnapping took place everywhere in the northern part of Korea occupied by the US troops: 125 people were take away out of 400 in Suin-ri, Yanggu Sub-County, Yanggu County, Kangwon Province, 85 people in Bukjoap Island off the coast of S. Pyongan Province, over 1,800 in Jongju, N. Pyongan Province and over 670 in Sinmi Island, etc.

Such abduction and kidnapping totally devastated Oijang Is., Tan Is. and Daegacha Is. in N. Pyongan Province. In case of other islands, almost all the inhabitants were taken away to the south except the disabled and aged people.

○ Forced Draft

On the order of the US Command, the forced draft was carried out in a planned and organized way.

In December 1950 the US Command ordered to take civilians in the occupied area to the south, as they realized that the US troops could not to keep hold of the northern half of Korea.

Spreading false rumours even with the help of airplanes, the US troops said that A-bomb would be dropped on the northern part of Korea, and took away over 2 million inhabitants to the south by threat, blackmail and deceit and killed most of them on the way.

According to the initial investigation, they took away to the south 18,042 people in Kangwon Province alone, including 8,029 men, 8,409 women, 193 old people and 1,411 children.

The forced draftees from the north numbered 908,843, who were detained in the so-called special refuge camps. In S. Chungchong Province alone, 77 camps as such were set up for them.

⑤ Germ Warfare

○ Partial Germ Warfare

In the autumn of 1950 US, the Headquarters of the US Joint Chiefs of Staff officially fabricated a project to introduce germ weapons into the Korean War.

Retreating from the north of Korea, the US troops spread smallpox and other infectious diseases in Pyongyang, S. & N. Pyongan Provinces, Kangwon Province, N. Hamgyong Province and N. & S. Hwanghae Provinces.

In Pyongyang, N. & S. Pyongan Provinces, Kangwon Province, Hwanghae Province, etc, smallpox cases suddenly appeared 7 or 8 days just after the liberation from their temporary occupation, that is, from the mid-December 1950 to January 1951.

Their number was increased rapidly to reach over 3,500 in April 1951. Especially the most serious areas were Kangwon Province (1,126 cases), S. Hamgyong Province (817 cases) and N. & S. Hwanghae Provinces (602 cases), which were liberated later than the others. In those areas 10% of the patients were dead.

In March 1951 an American germ-test boat no. 1091 guided by Brigadier James, a director of the health welfare department of the UN General Command, stayed secretly off the coast of the East Sea of Korea and Koje Is., and conducted germ warfare test with the Korean POWs.

The US troops tested their germ warfare with the POWs in "the Field Hospital" No. 14.

They artificially created the good conditions for the breeding of dysentery germs and never treated any of these cases, thus killing many patients daily, even 91 on November 23rd, 1950.

In this connection, Colonel Richard May John wrote in the April 1953 issue of "the Medical Magazine" that only 2 % of 1048 dysentery patients was hospitalised and the rest of them were divided into 6 groups for the purpose of "experiment" and that each group consisted of 252 and their mortality was 90 % as they were given no medical treatment at all.

In the POW camp No. 4, more than 2,000 people were also dead as a result of their "experiment."

o Over-All Germ Warfare

In 1952, the American germ warfare was at its height.

From January 10th, 1952, the 51st Bombers and Fighters Wing of the US Air Force made monthly 10 sorties on average with germ bombs, to raid the transport routes from Sinanju to Sinuiju and from Gunuri (Kaechon County) to Huichon.

From the beginning of January 1952, The 3rd Bombers and Fighters Wing of the US Air Force dropped germ bombs on the northwest of Korea (mainly between Pyongyang to Anju and between Anju to Cholsan) and on the east coast of Korea (mainly Wonsan and Pukchong).

The 8th Bombers and Fighters Wing and the 67th Tactical Reconnaissance Wing dropped a large number of germ bombs on the concentrated areas of the Korean People's Army in the front, and the 49th and 139th Bombers and Fighters Wing heavily dropped germ bombs on the important spots and upper areas of rivers in the north of Korea.

During the three-month period from January 1952, when the US started an over-all germ warfare, to March 1952, various kinds of germ bombs were dropped on 169 places for 804 times.

From January to April 1952 poisonous insects and germ-infected things of various kinds were innumerable spread for over 900 times in 90 cities and counties in Kangwon Province, N. & S. Hwanghae Province, N. & S. Pyongan Province, S. Hamgyong Province and Jagang Province.

In order to drop germs, the US troops employed various means - germ bomb, germ-scattering tank, germ shell, paper-bomb (made of multi-layer cartoon) and wooden cylinder.

They dropped germ bombs of various types - 500-pound type, 1,000-pound type, parachute-type, oil-box-type and so on.

They were more than 20 kinds of germs - the vibrio, malignant and epidemic germs for pest, cholera, small pox and epidemic haemorrhagic fever, typhoid, paratyphoid (A.B.C), eruptive fever, recurrent fever, salmonella, Pasteur Ella pestis, anthrax, Rickettsia prowazeki, shigella dysenteria and so on.

Between January 28, 1952 to April 24, 1953, they spread poisonous insect infected with cholera viruses for 461 times; and between January 28 to April 30, 1952, they spread plas infected with pest for over 90 times.

Such crimes of the American germ warfare were clearly revealed by the Report on the US Crimes in Korea presented by the Commission of the International Association of Democratic Lawyers, which had stayed between March 3 to 19, 1952, to make special investigations in the areas of Pyongyang, Nampho, Taechon, Pyokdong, Anju, Anak, Sinchon, Sariwon, Wonsan and so on; and also by the Report from the International Scientific Commission on Biological Warfare in Korea and China.

On April 1, 1952, Dr Brandweiner, the head of the IADL Commission, stressed in his statement that it was a grave crime for the US forces to spread the germ-infected insects in Korea and that it was a breach of the Hague Convention concerning the laws and customs of war on land of 1907 and of the universally accepted law prohibiting bacteriological warfare which was re-stated in the Geneva Protocol of 1925.

⑥ Chemical Warfare

A most barbaric crime committed by the US against the Korean people was the use of chemical weapons, a means of mass destruction.

Between February 1951 to July 1953, the US troops used many chemical weapons in 24 cities, counties and frontline districts in Kangwon Province, N. & S. Hwanghae Provinces and S. Pyongan Province of the DPRK.

The chemical weapons they used in most cases in the Korean war was spar-napham bombs

About 15 million napham bombs were dropped not only on the frontline positions, but also on the peaceful cities and farm and sea villages in the rear.

They also used toxicants.

On May 6, 1951, the US Air Force indiscriminately bombed Nampho City, S. Pyongan Province, and spreading poisonous agents. They raided the city for four times, spreading suffocative poisonous gas over Hupo-ri, Chukdong-ri, Ryongjong-ri, Ryongsu-ri and other areas, and thus killed 1,379 inhabitants. Among them 480 were choked to death and 647, poisoned.

On January 9, 1952, they fired 5 suffocative poisonous gas shells over farm villages in Haksong-ri, Munchon County, and Kangwon Province, thus killing 5 inhabitants and intoxicating 83.

Between February 27 to April 9, 1952, they used poisonous gas bombs for 33 times. During the period of 2 months between February 27 to April 26, 1952, the US ground forces fired suffocative and tear gas shells to the Korean defence positions for over 41 times.

The US troops used poisonous agents in a crafty and subversive way in order to massacre the peaceful inhabitants.

They applied poisonous substances to the drops, cakes, taffy, biscuits, tinned goods, bivalves and other foodstuff, as well as to leaflets and bogus notes and spread them through planes. They also trained and infiltrated spies to contaminate water supply resources.

In the dark night of September 1952, they spread the faked 100-won notes and leaflets, which were contaminated with toxicants, in the areas of Kanri in S. Pyongan Province and Yonan in S. Hwanghae Province. In the night of May 18, 1952, they also dropped bivalves contaminated with toxicants in Taedong County in S. Pyongan Province.

The US troops took even the POWs of the Korean People's Army, as the objects of poisoning experiment, thus killing them.

On June 10, 1952, the US troops mobilized 27 tanks and 12 guns to fire chemical shells to the POWs, thus killing 227 and injuring many of them seriously.

On July 7, 1952, Boutner, the Head of Kojedo POW Camp, tested a gas-weapon against 120 POWs, who were detained in Battalion 4. He, together with two American soldiers, took them in two specially-made trucks to the place about 3 kilometers away from the Pier No. 1 for the gas-poisoning test. As a result, all of them could not open their eyes for two months and became disabled.

On August 13, 1952, the US troops in the POW Camp No. 2, in Ryongcho Is detained many POWs in a narrow wire-entangled area, and mobilized their two platoons to fire 1,000 gas shells for poisoning experiment. As a result, more than 350 were seriously burnt, 44 lost their consciousness, 4 died, 3 lost hearing sense and 6 lost their sight completely.

⑦ Atrocities against POWs

The US troops tortured and killed the POWs of the Korean People's Army in a most cruel way.

○ Bloody Persecution and Murder

The US troops treated the POWs of the Korean People's Army in an inhumane way, far from their obligation to provide the latter with all living conditions, hygienic and medical.

In November 1950, the US troops stationed in Pyongyang put thousands of the POWs into the building of the Pyongyang Textile Mill, which could not keep them off the coldness, and rain and snow. As a result, 15 POWs died of the epidemic disease between November 10-23, 1950.

Between December 1950 to March 10, 1950, the US military authorities kept tens of thousands of the POWs in camps on the paddy fields near the Pusan Airport and forced them to hard labour without providing living conditions for them, thus causing four fifths of them to be sick. In each of their camps, 7 or 8 prisoners were daily killed.

At 6 p.m. on September 17, 1951, Colonel Rokin, the Commander of the POW Camp No 78 on Kojedo Island, issued an order to encircle the camp and kill all the POWs, who were disobedient to their unreasonable demand.

Under his orders, 350 GIs threw hand-grenades and fired guns indiscriminately at them, stabbing them with bayonets. As a result, 38 were killed, 194 wounded and 585 detained in the cell.

On December 24, 1951, 300 GIs besieged the POW Camp No 73 at the order from the Commander of the POW Camps in Kojedo Island. Then the GIs demanded that the flag of Stars and Stripes be raised to mark the Christmas holiday. When the prisoners refused to follow their demand, they killed 7 POWs of the KPA and critically wounded 47 and held 902 in custody in the POW Camp No 71.

Between February to March 1951, the US military authorities forced the war prisoners to hard labour for 12 to 16 hours daily.

As a result, in February alone more than 30 were killed on the spot, 380 were seized with serious illness and 17 were wounded.

○ Torture and Murder under the Signboard of "Voluntary Repatriation"

Early in January 1952, the US troops raised an issue of "voluntary repatriation" in order to bar the KPA war prisoners from their repatriation.

On April 7, 1952, the US military authorities ordered to proceed with "the individual interview and check," which to be scheduled on April 9, in such a way as to prevent the war prisoners from being sent back. From 7 p.m. on April 8, they called out the war prisoners individually to the "CIA

school” and, threatening with pistols, compelled the latter to stay in the south of Korea. And in the end they killed mercilessly 170 war prisoners who did not obey the former.

On April 10, 1952, the military authorities of the POW Camp No 76 in Kojedo Island distributed papers to the war prisoners and said: “Those who want to be repatriated to the north, shall write a letter ‘N’ on their paper, and those who want to stay in the south, shall write a letter ‘S’”. Then they selected those who called for repatriation, and severely tortured and killed 90 war prisoners. On the same day the US troops killed in the POW Camp No. 91 150 war prisoners for the reason that they preferred to be sent back to the north.

In 1952, an American officer Brown in the POW Camp in Kojedo Island posted about 300 American officers and soldiers around the camp and mobilized a terrorist group to dig a trench, 12 meters wide, 10 meters long and 8 meters deep, in which they buried scores of war prisoners, after killing them by pickers and shovels.

On October 5, 1951, the US troops in charge of POW Camps Nos. 60 – 68 tried to register the POWs of KPA as “civilian detainees” according to the script of the USA. When they failed, they fired 70 shells and numerous bullets at each camp, thus killing 80 prisoners and injuring 500 seriously.

On February 18, 1952, the Commander of the POW Camps of Kojedo Island surrounded the POW Camp No. 62 with about 1,000 GIs and fired 25 heavy machine-guns and 63 light machine guns at 3:50 a.m. because the POWs did not register themselves as “the civilian detainees.” As a result, 120 war prisoners were killed and 250 seriously wounded.

o Atrocities of the Medical Test

The US troops took the POWs of the KPA as the objects of their various medical tests that had never been applied to the human being – the objects of the experiment for American medical students, the objects from which they could collect fragments of human bones in order to treat the American wounded, and the objects of testing the medical effect of medicines.

On September 25, 1950, the authorities of the Pusan POW Camp No.1, a war prisoner surnamed Pak, who received a piercing bullet-wound without any injury to his bone, was handed over to the American medical students for their experiment for cutting the human body, which had nothing to do with his wound, and as a result, lost the lower part of his left leg.

On January 6, 1951, a US Captain Sirra in the Pusan 14th Field Hospital cut off bones from a war prisoner surnamed Cho – a 7-centimeter bone from the lower part of his left leg, a 15-centimeter bone from the lower part of his right leg and a 8-centimeter long bone from his right hipbones – for the treatment of the American wounded.

The American medical officers in the Pusan 14th Field Hospital spread epidemic diseases among the KPA prisoners and intentionally let them share board and room with other sound prisoners for the medical experiment. As a result, on November 23, 21, 1950 alone, 91 prisoners died of the disease.

In this way, the US troops killed and disabled thousands of the sick and wounded prisoners of the north in such a way as artificially rupturing their intestines and performing experimental operation, intentionally freezing them and performing experimental disconnection operation, experimental operation on their skull and brain, operation on their lung, and so on.

o Efficiency Test of Various Weapons

The US troops used the KPA POWs as the objects of efficiency test of various weapons including nuclear weapons.

In the mid-May 1951, an American "Medical Ship" No. 19, anchoring a mile off the Pier No. 2 of Kojedo-Island, took about 1,500 KPA prisoners from the POW Camps Nos. 61,62,63 and 64 and started sail.

At that time an American sergeant, their watchman, pointed at the ship and said that they would be used for the explosion test of the A-bomb.

The then Egyptian newspaper "Ali Zumhr ali Muisri" disclosed that the United States took to the Pacific Ocean one thousand and several hundreds of prisoners from the POW camps in various parts of south Korea and used them as the targets of the explosion of A-bomb.

On June 10, 1952, they made a chemical bomb test against the POWs in Kojedo Island, thereby killing 227 and wounding 572.

2) The Criminality of Atrocities of the U.S.

The above-mentioned facts are the least part of various crimes committed by the US troops during the Korean war.

In order to carry out its aggressive foreign policy the United States closely premeditated, prepared and provoked the Korean war and committed the most barbarous acts of destruction, murder and so on - the worst crimes that have been ever known in the history of war.

The U.S. launched the "scorched-earth operations" in the northern half of Korea, indiscriminately killing the Korean people and destroying and plundering all the material and cultural wealth. These brutal crimes of the US troops in the Korean war were not accidental. They were the planned and organized crimes of the US Government.

The United States committed a crime against peace, by pursuing the aggression policy against the Korean people.

The United States committed a crime of flagrantly violating the publicly recognized laws and customs of war.

The United States committed a crime against humanity, by massacring, torturing and drafting the Korean people during the Korean war.

Statute limitations are not to be applied to war crimes and crimes against humanity by the international law. According to the Convention on the Non-Applicability of Statute Limitations to War Crimes and Crimes against Humanity (Effectuated on November 26, 1968), those crimes committed by the U.S. in the Korean war should not be dealt with in the category of the statute limitations. The state that committed a war crime should be liable for it under the international law, and those who committed such crime should take penal responsibility and be accordingly punished.

The United States should naturally be responsible for the crimes it committed in the Korean war, and the Korean people have the legal right to accuse the former of its war crime.

3. Fundamental Charters and Laws Violated by the Accused

1) The United States planned, prepared and instructed the provocation of aggression war in Korea, and sent its forces to the Korean war and committed cruel atrocities of massacre and destruction - the murder and persecution of peaceful inhabitants, and the indiscriminate bombardment of cities, villages and inhabited areas - and thus violated the UN Charter, namely, Paragraph 4, Article 2; the Treaty for the Definition of Aggression (July 3, 1933); and the Statute of the International Military Trial (Nuremberg), namely Article 6; the Statute of the International Military Trial for the Far East,

namely Article 5; and the Statute of the Nuremberg International Military Trial and the Principles of International Law Recognized in their Justice, namely Articles 1,6 & 7 - which prohibit the above-mentioned acts.

2) At the meeting of the UN Security Council on June 27 the United States forced the UNSG to pass a resolution to apply military sanctions against the DPRK on the basis of a fictitious "report" on the war provocation although it was held without the participation of the DPRK Government delegation and the representative of the USSR, the then permanent member of the UNSC, and thus viciously violated the UN Charter, namely, Article 32 which stipulates that "Any state which is not a member of the UN, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute"; and Paragraph 3, Article 27 which stipulates that "Decisions of the Security Council on all other matters shall be made by an affirmative vote of 9 members including the concurring votes of the permanent members."

3) The United States ordered its soldiers to indiscriminately kill peaceful inhabitants, children, old men and all other civilians, thus massacring a lot of Koreans, which was in gross violation of Paragraph 1, Article 3 of Geneva Convention relating to the Protection of Civilian Persons in Time of War (August 12, 1949), - the provision that the non-combatants "shall be treated humanely" and "violence to life and person, in particular murder of all kinds" shall remain prohibited; and its Article 50 that "after the outbreak of hostilities," the Parties should "protect from effects of war, children under 15 , expectant mothers and mothers of children under 7""in occupied areas."

4) In October 1951, the United States ordered and executed the use of biological and chemical weapons extensively in the Korean war front, thus violating Hague Declaration for the Prohibitions of the Use in War of Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare (July 29, 1899), Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases and Bacteriological Methods of Warfare (March 25, 1975) and Hague Treaty and Rules respecting the Laws and Customs of War on Land (October 18, 1909, Hague), and other international laws and regulations, and customs, which prohibit the use of germ and chemical weapons.

5) The United States extensively bombed and destructed towns and villages, dwelling houses and public buildings, and power stations and reservoirs during the war, thus violating Article 56 of the Protocol Additional to the Geneva Conventions of 12 August 1949(Protocol I), and Article 15 of the Protocol Additional to the Geneva Conventions of 12 August 1949(Protocol II), which stipulates that works or installations containing dangerous forces shall not be made the object of attack, if such attack may cause severe losses among the civilian population.

6) The United States killed en mass the POWs of the KPA as the objects of the efficiency test of A & B bombs and weapons, and prevented them from their repatriation to the homeland, thus violating Article 13 of the Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949, which stipulates that prisoners of war must at all times be protected against acts of violence or intimidation and against insults, and Article 14 of the same Convention, which stipulates that prisoners of war are entitled in all circumstances to respect for their persons and their honor.

After the conclusion of the Korean Armistice Agreement (KAA) in July 1953, the United States undermined and violated Article 13 (Paragraph D), Article 60 and all other core articles, whose aim is to prevent the recurrence of a war in Korea and to guarantee the peaceful solution of the Korean question.

7) The United States turned down the proposal of the DPRK to replace the KAA with a peace agreement for the durable peace mechanism and pursued a policy of military confrontation on the

Korean peninsula, thus clearly violating the Treaty on the Abandonment of War (August 27, 1928) and the Treaty on Non-aggression and its Control (October 10, 1933).

8) The United States abrogated the DPRK-USA Joint Agreement and the DPRK-USA Agreed Framework, nullified the Joint Declaration on Denuclearization of the Korean Peninsula, and obstructed the implementation of the June 15 North-South Joint Denuclearization, thus violating Article 1 and Article 2 (Paragraphs 1,2,3 & 4) of the UN Charter