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## The Summit's Accomplishments and Practical Tasks for a Successful Execution: Focus on Sociocultural and Humanitarian Matters

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### Sociocultural Exchanges that Could Break the Mind Wall

East and West Germans, after being unified, call each other "Wessi" and "Ossi." Ossi and Wessi are two words newly coined after the German unification. Despite the passage of ten years after the political unification, a unification of minds between East and West Germans seem to have a long way to go. In 1997, German President Roman Herzog said in a TV talk show that his major task as the President was to help break down the wall that still existed in the minds of Germans. A genuine unification can be achieved only when such a psychological wall is demolished. More recently, a new word, "Wossi," was coined, combining Wessi and Ossi. A Wossi refers to a West German who lives in the East German region. A Wossi is known to understand East Germans and like their pure minds. One can say that the German unification in a genuine sense will become possible when there are more and more Wossi's.

The mind wall between people also exists in Vietnam, whose unification occurred 25 years ago. The Southerners have animosity toward the Northerners who inflicted enormous harms on them during the unification war, and the Northerners who take pride in leading the unification process still hold a negative image on the Southerners who are seen to be corrupt and dependent on foreign

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powers. In addition, those in the middle region feel alienated and dissatisfied with the fact that they are far behind other regions in political and economic terms, despite the region's cultural pride and heritages as the capital of the old dynasty. All these regional sentiments are what need to be overcome by the Vietnamese unified government.

What we can learn from the two cases of German and Vietnamese unification is the fact that breaking down the mind wall among people is as important as establishing a unified institutional system. Sociocultural exchanges between the North and the South are significant in that they could help cure the animosity and pains that had accumulated on the minds of Koreans during the period of division. Sociocultural exchanges can not only facilitate the process of unification, but also help prevent potential sociocultural conflicts that might occur after the political unification. Therefore, sociocultural exchanges can make a great deal of contributions to a peaceful unification.

It is in this context that the June 15th North-South Joint Statement can be evaluated for its significances. The two sides agreed to resolve humanitarian issues such as exchange visits for the reunion of separated family members and the release of long-term pro-North Korean prisoners in the South, and to promote exchanges and cooperation in social, cultural, athletics, health, and environment fields, thus helping to restore trust in each other.

### **The Two Sides' Positions toward Sociocultural Exchanges**

As the first step, one may judge the North's and the South's positions toward sociocultural exchanges on the basis of the "North-South Basic Agreement" (The Agreement on Reconciliation, Nonaggression, and Exchanges and Cooperation) signed on December 13th, 1991. The Basic Agreement's "Protocol on the Implementation and Observance of Chapter III, South-North Exchanges and Cooperation," specifies the scope and methods of inter-Korean sociocultural exchanges and cooperation. According to the Protocol, the two sides were to carry out exchanges and cooperation in various fields such as "education, literature, the arts, health, athletics, and publishing and journalism, including newspa-

pers, radio and television, and other publications," and to allow free visits and contacts between the members of the Korean people. The June 15th Joint Statement mentions "social, cultural, athletics, health, and environment" as major fields of exchanges and cooperation. When compared to the Protocol, one can observe that education, and publishing and journalism, were dropped while environment was newly added.

The reason why the June 15th Joint Statement did not mention "publishing and journalism, including newspapers, radio and television, and other publications" seems to be the North's reluctance for exchanges in this field. In the process of preparing the Basic Agreement, the North also opposed to the idea, saying "since all the people in our country are living in unity and in cooperation with each other, we don't have many social ills that are so prevalent in capitalist societies," and "we object to the opening of newspapers, radio, TV, and publications in order to protect our clean society from a possible infiltration of the rotten culture of the Western capitalist society."

Such defensive position seems to result from the North's apprehension that exchanges in publications and journalism might bring into their soil "the wind of freedom." For the same reason, the North is passive on religious exchanges. Religious exchanges have been included neither in the Basic Agreement nor in the June 15th Joint Statement. Of course, there have been some religious exchanges since 1989. The number of visits by the South's religious leaders to the North during the period from 1989 to present is rather high, with Buddhist leaders 98 times, Catholic 26 times, Protestant 159 times, ChonDo-kyo 20 times, and others 34 times. Despite these numbers, inter-Korean religious exchanges are clearly limited by the fact most of the visits are for the South's unilateral assistance to the North and that no religious leader from the North has ever visited the South.

To sum up, the North has been very positive on exchanges in such areas as works of art, cultural legacies, sports, and artists, but not very enthusiastic on exchanges in areas such as mass media, journalists, and religion. The future sociocultural exchanges between the North and the South should focus first on those areas agreed by the two sides, and then expand gradually to other areas.

Sports exchanges would be the primary target, as they have the advantage of being visible without imposing political burden on both sides. It was significant that "sports exchanges" was clearly mentioned in the June 15th Joint Statement with the Sydney Olympic and the 2002 World Cup ahead. Exchanges in areas of

**<Table > The Position of the South and the North on Cultural Exchanges in the Process of the North-South High Level Meeting**

Areas	The South	The North	Remark
Mass Media	exchanges and opening of newspapers, radio, TV, and publications	objection to the opening in order to protect the society's purity	△
Religion	exchanges and cooperation in religion and exchange visits for religious leaders	objection to any exchanges in religion	×
Journalism and Publications	exchanges in journalism and guarantee of free coverage activities	no need to specify journalism, as free exchanges of all the nationals will lead to exchanges in journalism	×
Sports	exchanges of sports personnel and participation in international competition with a unified team	reservation on forming a unified team, but positive on technological cooperation, contacts and joint events in the area	□
Artist Troupe	exchanges of sociocultural artist troupe on common anniversaries and national holidays	multi-level cooperation without specifying the timing of exchanges	□
Works of Art and Cultural Legacies	exchanges of data and experiences, and exchange exhibition of works of art and cultural legacies	joint excavation of national legacies and project on succession of national culture	○
Property Rights	protection of property rights on publications, plays, music, and arts for each other	protection of property rights on areas agreed by the two sides (no need to specify areas)	△
Room for Data Exchange	establishment of a room for data exchange at Panmunjom	a formal organization for sociocultural exchanges instead of a room for data exchange	△
Cooperation at International Stages	joint participation in various international cultural events	cooperation and joint joining into various international organizations dealing with sociocultural matters	○

Note: The following marks in Remark indicate the North's position:

○ positive, □ relatively positive, △ passive, × negative

Source: Park, Sang-chun, et al., *North Korea's Cultural Policies and the Direction for Inter-Korean Cultural Exchanges*. Seoul. 1993. pp. 27-29.

journalism and religion should also be promoted on the basis of exchanges and cooperation in other areas.

Exchanges in journalism is not so pessimistic as Kim Jong-il reportedly promised, at the summit, to invite the heads of the South's mass media. Religious leaders have been making significant contributions to the unification movement and the movement for aid to the North. Given their past efforts, religious exchanges are also expected make a substantial progress in near future.

### **Separated Family Members, Persons Kidnapped to the North, the South's Armed Forces among Prisoners of War, and Long-term Pro-North Korean Prisoners in the South**

In the June 15th Joint Statement, the two sides agreed to resolve humanitarian issues such as exchange visits for the reunion of separated family members and the release of long-term pro-North Korean prisoners in the South. Who belongs to the category of separated family members is ambiguous. Those who are suffering from the grief of separation are diverse, including those who left their hometowns, long-term pro-North Korean prisoners, those who escaped the North, those who crossed the border, South Korean armed forces as prisoners of war, and those who were kidnapped to the North.

The Joint Statement addressed only two of the above: exchange visits for those who left their hometowns and the release of long-term pro-North Korean prisoners. The fact that these were stipulated as "humanitarian matters" was significant, as it increased the possibility of resolving them irrespective of political situations. Within the South, however, there is a controversy on why the problems of those kidnapped to the North, and of South Korean armed forces kept in the North as prisoners of war, were not addressed.

Mr. Lee In-mo, a long-term pro-North Korean prisoner, who was sent back to the North in March 1993, was hailed by the North Korean authority as an "incarnation of immortality," or a "hero of unification." Upon receiving Mr. Lee, the North has been demanding that the South also release other prisoners of war such as Kim In-seo, Ham Se-whan, Kim Young-tae. While making such a demand on humanitarian ground, the North has avoided mention-

ing the release of South Korean armed forces kept in the North as prisoners of war.

On March 9th, 1999, the South's National Intelligence Service announced a list of 454 persons who were kidnapped to the North since the armistice. The South Korean government estimates that the number of South Korean armed forces who were not returned to the South as prisoners of war amounts to 19,000. According to the Department of Defense, 233 of them were still alive and living in the North, as of February 7th, 1999.

The North's official position on this matter has been the same, since the negotiation for the exchange of prisoners of war in 1953. It has insisted that the North does not have a single prisoner of war, nor a civilian kidnapped to the North against one's will. This official position, of course, is in direct conflict with the testimony by Cho Chang-ho, who has recently escaped from the North, that there does exist prisoners of war in the North. The North has been arguing that it had already returned all the prisoners of war as requested by the armistice treaty.

According to sources, those fishermen who were abducted to the North are now living with stable jobs and families. Most of them are working at factories, farms, orchards, or coal-mines, but some of them work as medical practitioners, engage in operations toward the South after graduating from political schools, or work as supervisors at historical sites of military and revolutionary spirit. Moreover, a few of them are known to be involved in spying activities, serving as guides for North Korean secret agents. Of course, none of them is now engaged in fishing.

Family members of those abducted to the North say that if any of those abducted want to meet their family members in the South, the North Korean authority should allow them to do so. Some also argue that the principle of reciprocity be applied here, and that if the South release long-term pro-North Korean prisoners, the North should also return South Korean prisoners of war or those civilians abducted. To this argument, the North has countered by saying that long-term pro-North Korean prisoners should be returned to the North without any conditions.

Long-term pro-North Korean prisoners can be classified into two categories. One is those prisoners of war whose return the

North is demanding on the basis of international laws on prisoners of war. They include Kim In-seo, Ham Se-whan, Kim Young-tae, Yu Woon-hyung, Lee Jong-whan, Kang Dong-geun, and Hwang Yong-gap. According to the international pact on the treatment of prisoners of war signed in Geneva on August 12th, 1949, prisoners of war should be returned to their home places immediately after hostile behavior is actually over. If a prisoner of war, who had been sentenced to prison for a definite term, served his/her term, he/she would regain the status of prisoner of war, and thus should be returned. From a humanitarian viewpoint, some people in the Southern society have been raising the issue of returning them to their home places.

The other category includes those secret agents who were imprisoned for violating the South's National Security Act. Woo Yong-gak, who was known to be serving the longest term in the world, and most other long-term pro-North Korean prisoners belong to this category. These prisoners have already been imprisoned for long terms, and out of their own free will, wish to go back to their home places in the North. Returning these prisoners to the North could be justified not only on the humanitarian ground, but also by its positive effects on the North-South Korean relations.

We do not need to insist on reciprocity for humanitarian matters. The issue of South Korean prisoners of war kept in the North and civilians abducted to the North cannot be easily resolved, since the North denies their existence. In approaching the North-South Korean relations, it may be wise to focus on building mutual trust first by starting with those matters easy to resolve and then gradually moving on to more difficult matters.

The North-South Red Cross meeting on June 30th, 2000 was significant in that it laid the foundation for resolving many pending humanitarian matters by coming up with an agreement on the exchange visits for 100 separated family members from each side, and on the release of all long-term pro-North Korean prisoners in the South who wish to go back to the North. The reunion of separated family members should be institutionalized so as to make sure that it becomes a continuing program. One may think of many ways of institutionalizing the program such as the verification of address and being alive for separated family members, the

exchange of mails, and the establishment of a meeting room.

We should also make efforts to resolve the issue of South Korean prisoners of war kept in the North and civilians abducted to the North within the broad framework of the reunion of separated family members. For this purpose, the two sides should agree on specific terms on who belongs to the category of separated family members. According to the Basic Agreement's "Protocol on the Implementation and Observance of Chapter III, South-North Exchanges and Cooperation," the scope of separated family members are to be determined by the discussion between the two sides' Red Cross organizations.

## **The National Security Act**

The summit has opened up a new era of reconciliation and cooperation. It is natural that we improve our laws and institutions in order to meet the realistic needs of the changing environment. When there exists a huge gap between reality and law, the legitimacy and authority of the legal system may be weakened. In order to implement the June 15th Joint Statement properly, above all the National Security Act needs to be revised. Most basically, a successful execution of Kim Jong-il's return visit to Seoul, which was agreed in the Joint Statement, would depend on the revision of the Act. In particular, Section 2 of the Act on the concept of anti-state organizations, Section 7 on the praise and encouragement of anti-state organizations, and Section 10 on the crime of non-notification should be either revised or abolished, as they are in a direct conflict with the post-summit reality.

Even the United Liberal Democrats, the most conservative political party, which opposed strongly to any revision of the National Security Act before the summit, is now shifting its party position and revealing its willingness to revise the Act in such a way to accommodate the changing reality. The Grand National Party, meanwhile, says that the party cannot agree on revising Section 2 and Section 7 of the Act without first being convicted of the settlement of peace on the Peninsula. If anything, the party might review a possible revision of Section 10 on the crime of non-notification.

The objective of the National Security Act, as stipulated in Sub-



Section 1 of Section 1, is to secure the national safety and the people's survival and liberty by regulating anti-state activities that could jeopardize the national security. It is mainly due to this section that the Act is sometimes interpreted as a security-related criminal law designed to preserve and protect the state ideology and the liberal democratic system.

The National Security Act was established during the turbulent year of 1948 with the two primary focuses on the national security (Section 1) and the regulation against anti-state organizations (Section 2). With more than 50 years having passed since then, the present situation is quite different. Internationally, the cold war system is now dismantled. Regionally, North Korea is increasing its contacts with both the U.S. and Japan for the improvement of the bilateral relations. Nationally speaking, there seems to emerge almost a universal consensus for a peaceful unification of the Korean peninsula on the basis of "co-existence and co-prosperity."

With the dismantlement of the cold war system, the concept of security is now being approached from new perspectives. In particular, the idea of "human security," which was raised at the UN World Summit for Social Development held in March 1995 in Copenhagen, was a great example of the changing concept of security, as it sought to achieve security by means of guaranteeing "the quality of human lives."

We need to adapt to this changing concept of security in order to deal effectively with various threats, of the modern society, to security. We should put our first priority on the survival and prosperity of the nation, manage the inter-Korean conflict by securing an appropriate level of military forces, participate positively in the international economy, and deal progressively with the global problems of resources and environment. For these activities, the civil society's role is very important. Since the sources of threats to national security can be military as well as non-military in nature, national security can be achieved only through the people's active participation in the process.

Given the enormous changes in the international environment that have occurred in recent years, and the changing concept of security, we now need to desert the old idea of achieving national security with the National Security Act. **□**

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