

**Tribunal  
Fictif  
Internationale**



**International  
Moot  
Tribunal**

Original: **English**

No.: **IMT-01-01**  
Date: **1 November 2024**

**PRE-TRIAL CHAMBER I**

**Before:** **Judge Kwangil Chu, Presiding**  
**Judge Silvia Rose Cartwright**  
**Judge Martin Karopkin**

**SITUATION IN THE  
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA  
IN THE CASE OF *PROSECUTOR V. KIM JONG-UN***

**Public**

**Prosecution's Final Witness List, List of Evidence, and Witness Affidavits  
1 November 2024, IMT-01-01-Conf-AnxB-D**

**Source: Office of the Prosecutor**

Document to be notified in accordance with regulation 31 of the Regulations of the Court to:

**The Office of the Prosecutor**

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Mr. Brian Tronic  
Mr. Lee Young-Hyeon  
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**Counsel for Kim Jong-Un**

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**DISCLOSURE OF FINAL WITNESS LIST, LIST OF EVIDENCE, AND AFFIDAVITS OF WITNESSES**

**I. INTRODUCTION**

1. Under Article 61(3) of the Rome Statute, relating to the hearing to confirm the charges on which the Prosecutor intends to seek trial:

Within a reasonable time before the hearing, the person shall:

- (a) Be provided with a copy of the document containing the charges on which the Prosecutor intends to bring the person to trial; and
- (b) Be informed of the evidence on which the Prosecutor intends to rely at the hearing.

**II. SUBMISSIONS**

2. In the Situation in the Democratic People’s Republic of Korea in the Case of *Prosecutor v. Kim Jong-Un*, the Office of the Prosecutor (“Prosecution”) has provided to the International Moot Tribunal (“IMT”) Pre-Trial Chamber I with Public Version of Confidential Annex A entitled “Document Containing the Charges.”<sup>1</sup>

3. The Office of the Prosecutor hereby provides its Final Witness List in the Public Version of Confidential Annex B, List of Evidence in the Public Version of Confidential Annex C, and an Affidavits of Witnesses in the Public Version of Confidential Annexes D.1-D.5.

4. The Prosecution intends to call five witnesses, including one expert.

5. The summaries of anticipated testimony provided should not be interpreted as a comprehensive and complete account of each witness’s expected evidence, but a synopsis of salient aspects thereof. The Prosecution, thus, reserves its right to elicit such other and further evidence as is appropriate under the Rome Statute and Rules of Procedure and Evidence.

*Jared Genser*

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**Jared Genser, Prosecutor**

Dated this 1<sup>st</sup> day of November 2024  
At Washington, D.C., United States of America

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<sup>1</sup> *Prosecutor v. Kim Jong-Un*, Document Containing the Charges, Public Version of Confidential Annex A, IMT-01-01-Conf-AnxA, 1 November 2024.

**CONFIDENTIAL ANNEX B – LIST OF WITNESSES – PUBLIC VERSION**

1. Heo Man-Ho, Professor Emeritus, Kyungpook National University, and expert on the *kwan-li-so*<sup>2</sup>
2. Kang Chol-Hwan, Survivor of No. 15 *Kwan-Li-So*, also known as Yodok Concentration Camp<sup>3</sup>
3. Kim Kook-Sung, former member of General Directorate of Reconnaissance<sup>4</sup>
4. Lee Byung-Lim, former janitor at Kim Jong-Il residences<sup>5</sup>
5. Kim Jung-Ah, former Security Commander of 815 Training Unit, mechanized corps officer training regiment<sup>6</sup>

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<sup>2</sup> Heo Man-Ho’s testimony will be drawn from his affidavit, provided in the Public Version of Confidential Annex D.

<sup>3</sup> Kang Chol-Hwan’s testimony is summarized in the Document Containing the Charges. *Prosecutor v. Kim Jong-Un*, Document Containing the Charges, Public Version of Confidential Annex A, IMT-01-01-Conf-AnxA, 1 November 2024, at ¶ 26.

<sup>4</sup> Kim Kook-Sung’s testimony is summarized in the Document Containing the Charges. *Id.*, at ¶ 36.

<sup>5</sup> Lee Byung-Lim testimony is summarized in the Document Containing the Charges. *Id.*

<sup>6</sup> Kim Jung-Ah’s testimony is summarized in the Document Containing the Charges. *Id.*, at ¶ 27.

## CONFIDENTIAL ANNEX C – LIST OF EVIDENCE<sup>7</sup> – PUBLIC VERSION

### UN Reports

1. *Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea*, HUMAN RIGHTS COUNCIL, U.N. Doc. A/HRC/25/CRP.1, 7 Feb. 2014

### Government Reports

2. Center for North Korean Human Rights Records, *2024 Report on North Korean Human Rights*, MINISTRY OF UNIFICATION (Republic of Korea), 2024
3. *2019 Country Reports on Human Rights Practices: North Korea*, U.S. DEPARTMENT OF STATE, 2019

### Legal Judgments

4. Second Decision on the Prosecution's Request to Hold a Confirmation of Charges Hearing in the Kony Case in the Suspect's Absence, *Prosecutor v. Joseph Kony*, INTERNATIONAL CRIMINAL COURT, Pre-Trial Chamber II, ICC-02/04-01/05, 4 March 2024
5. Decision on the Prosecution's Request to Hold a Confirmation of Charges Hearing in the Kony Case in the Suspect's Absence, *Prosecutor v. Kony*, INTERNATIONAL CRIMINAL COURT, Pre-Trial Chamber II, ICC-02/04-01/05, 23 November 2023
6. Decision on Content of the Updated Document Containing the Charges, *Prosecutor v. Ruto and Sang*, Trial Chamber V, INTERNATIONAL CRIMINAL COURT, ICC-01/09-01/11-522, 28 December 2012
7. Decision on Content of the Updated Document Containing the Charges, *Prosecutor v. Kenyatta and Muthaura*, Trial Chamber V, INTERNATIONAL CRIMINAL COURT, ICC-01/09-02/11-584, 28 December 2012
8. Judgment on the Appeal of the Prosecutor against the Decision of Pre-Trial Chamber I of 16 December 2011 Entitled "Decision on the Confirmation of Charges," *Prosecutor v. Mbarushimana*, Appeals Chamber, INTERNATIONAL CRIMINAL COURT, ICC-01/04-01/10-514, 30 May 2012
9. Decision on the Confirmation of Charges, *Prosecutor v. Abu Garda*, Pre-Trial Chamber I, INTERNATIONAL CRIMINAL COURT, ICC-02/05-02/09-243-Red, 8 February 2010

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<sup>7</sup> The Judges will be provided, under separate cover, a link to a ProtonDrive containing each document in the List of Evidence, numbered in sequence.

10. Decision Pursuant to Article 61(7)(a) and (b) of the Rome Statute on the Charges of the Prosecutor Against Jean-Pierre Bemba Gombo, *Prosecutor v. Bemba*, Pre-Trial Chamber II, INTERNATIONAL CRIMINAL COURT, ICC-01/05-01/08-424, 15 June 2009

11. Decision on Evidentiary Scope of the Confirmation Hearing, Preventive Relocation and Disclosure under Article 67(2) of the Statute and Rule 77 of the Rules, *Prosecutor v. Katanga and Ngudjolo*, Pre-Trial Chamber I, INTERNATIONAL CRIMINAL COURT, ICC-01/04-01/07-428-Corr, 21 April 2008

12. Decision on the Confirmation of Charges, *Prosecutor v. Lubanga*, Pre-Trial Chamber I, INTERNATIONAL CRIMINAL COURT, ICC-01/04-01/06-803, 29 January 2007

13. Decision on the Final System of Disclosure and the Establishment of a Timetable, *Prosecutor v. Lubanga*, Pre-Trial Chamber I, INTERNATIONAL CRIMINAL COURT, ICC-01/04-01/06-102, 15 May 2006

### **Civil Society Reports**

14. Joseph S. Bermudez, Jr., Greg Scarlatoui, and Raymond Ha, *North Korea's Political Prison Camp Kwan-Li-So No. 18 (Pukch'ang)*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 18 Jun. 2024

15. Joseph S. Bermudez, Jr., Greg Scarlatoui, and Raymond Ha, *North Korea's Political Prison Camp Kwan-Li-So No. 25, Update 4*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 17 Feb. 2024

16. *White Paper on Human Rights in North Korea 2023*, KOREA INSTITUTE FOR NATIONAL UNIFICATION, 2023

17. Jacob Bogle, Greg Scarlatoui, and Raymond Ha, *Switchback: Evidence of a Connection Between Kwan-Li-So No. 16 and the Punggye-ri Nuclear Test Facility*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 17 Oct. 2023

18. Joseph S. Bermudez, Jr., Greg Scarlatoui, and Amanda Mortwedt Oh, *North Korea's Political Prison Camp Kwan-Li-So No. 14, Update 1*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 22 Dec. 2021

19. War Crimes Committee, *Report: Inquiry on Crimes Against Humanity in North Korean Political Prisoners*, INTERNATIONAL BAR ASSOCIATION & HOGAN LOVELLS, Dec. 2017

20. Joseph S. Bermudez, Jr., Andy Dinville, and Mike Eley, *North Korea: Analysis of Camp 16*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA AND ALLSOURCE ANALYSIS, 15 Dec. 2015

21. David Hawk, *The Hidden Gulag IV: Gender Repression and Prisoner Disappearances*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 18 Sept. 2015

22. David Hawk, *North Korea's Hidden Gulag: Interpreting Reports of Changes in the Prison Camps*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 27 Aug. 2013
23. David Hawk, *The Hidden Gulag (Second Edition): The Lives and Voices of "Those Who Are Sent to the Mountains,"* COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 10 Apr. 2012
24. Robert Collins, *Marked for Life: Songbun – North Korea's Social Classification System*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 2012
25. *Failure to Protect: A Call to the UN Security Council to Act in North Korea*, DLA Piper LLP, Oct. 2006 (Commissioned by Former Czech Republic President Václav Havel, Elie Wiesel, and former Norwegian Prime Minister Kjell Magne Bondevik and Committee on Human Rights in North Korea)
26. David Hawk, *The Hidden Gulag: Exposing North Korea's Prison Camps*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA, 2003

### News Articles

27. Namita Singh, *North Korea Reportedly Executes 30 Officials in Purge Over Flood Response*, THE INDEPENDENT, 5 Sept. 2024
28. Mun Dong Hui, *N. Korea's Political Prison Camps: Shrinking Population Amid Tightening Control*, DAILYNK, 30 Jul. 2024
29. Greg Heffer, *North Korean Leader Kim Jong-Un "Killed Relatives Over China Coup Plot*, SKY NEWS, 24 Aug. 2017
30. Jean H. Lee, *Inside Kim Jong-Un's Bloody Scramble to Kill of His Family*, ESQUIRE, 11 Aug. 2017
31. K.J. Kwon and Ben Wescott, *Kim Jong-Un Has Executed Over 300 People Since Coming to Power*, CNN, 29 Dec. 2016
32. Ioannis-Alexandros Ioannidis, *Kim Jong-Un Executes Family of Purged Uncle*, EURONEWS, 27 Jan. 2014
33. Vaclav Havel, Kjell Magne Bondevik, and Elie Wiesel, *Turn North Korea Into a Human Rights Issue*, NEW YORK TIMES, 30 Oct. 2006
34. Jaehoon Ahn, *U.N. Action urged on North Korean Crimes Against Humanity*, RADIO FREE ASIA, 29 Oct. 2006.

### Web Sites<sup>8</sup>

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<sup>8</sup> All relevant web sites are listed and are accessible online and hyperlinked here. The websites are available by clicking on the hyperlink.

*Close North Korea Gulags*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA,  
<https://www.hrnk.org/close-north-korean-gulags/>

*Our Reports*, COMMITTEE FOR HUMAN RIGHTS IN NORTH KOREA,  
<https://www.nkhiddengulag.org/hrnk-reports.html>

*Total Control Areas, Political Prison Camps*, DATABASE CENTER FOR NORTH KOREAN HUMAN RIGHTS, <https://en.nkdb.org/detentionfacilities>