

## Comments on the “Memorandum” from North Korea

February 10, 2005

### 1. Overview

- (1) The position taken by the Democratic People’s Republic of Korea (DPRK) side in the “memorandum” is to rebut the results of analysis undertaken by the Government of Japan with regard to the bone fragments purported by North Korean side to be the “remains” of Ms. Megumi Yokota, nor does the “memorandum” answer in any way the demands made by the Government of Japan on December 25, 2004. The Government of Japan again strongly requests that North Korea immediately allow for the return of the abductees who are alive and provide promptly a full account of all the abductees whose safety remains unknown.
- (2) The outcome of analysis by the Japanese side of the so-called “remains” was the result of objective and scientific analysis implemented by Japan’s foremost research institutions in accordance with stringent procedures pursuant to legal stipulations such as the Code of Civil Procedure of Japan. In the “memorandum”, North Korean side, by judging the results of the analysis to be “sheer fabrication,” demonstrates a total lack of recognition concerning the realities of the strictness of the analysis procedures or the high technological standard of DNA analysis. The Japan side makes clear that it in no way accepts the position taken by North Korean side. No matter how much North Korea side may claim to the contrary, the undeniable fact remains that the so-called “remains” of Ms. Megumi Yokota were found to contain the DNA of completely different people. It is thus impossible to deny the conclusion of the Government of Japan that the explanation provided by North Korean side was a lie.
- (3) The “memorandum” states, “The responsibility for the abduction issue also lies with the Government of Japan, considering its persistent policy of adopting measures hostile to the People’s Republic and thus engendering the flaring up of anti-Japanese sentiment among the people of North Korea.” However, the Pyongyang Declaration makes it clear that the abductions were inhumane acts perpetrated unilaterally by North Korean side against innocent Japanese nationals and the responsibility for this issue lies solely with North Korean side.  
The Government of Japan will continue its policy in line with the principle of “realizing normalization of Japan-North Korea relations upon the resolution of various issues of concern, in accordance with the Pyongyang Declaration.” This

policy has been mentioned on frequent occasions by Prime Minister Junichiro Koizumi. Chairman Kim Jong-Il himself has promised to take a thorough reinvestigation and provide a full account of the facts of the abduction issue, and the Japanese side therefore calls upon North Korean side once again to sincerely and promptly make a response that would be acceptable to the Japanese side, in accordance with the promise made by Chairman Kim. This request has already been conveyed to North Korean side on December 25, 2004, and if the situation persists whereby no response is forthcoming from North Korea, the Japanese side will convey again that it will be forced to take “stringent measures.”

- (4) If North Korean side so desires it, the Government of Japan is perfectly prepared to rebut the content of the “memorandum” in a face-to-face explanation at the working level.

## **2. Individual Points at Issue**

The Government of Japan’s stance with regard to the individual points raised in the “memorandum” from North Korean side is as follows:

- (1) Handling of the analysis results
  - (a) The “memorandum” states that “Tokyo Dental College announced a position that analysis was difficult due to the powder form of the bone fragments.” However, it is untrue that Tokyo Dental College ever announced such a position. North Korean side should demonstrate a concrete source for its claim.
  - (b) The “memorandum” states that “The first doubt is that the Police Science Institute failed to get results of a DNA test but Teikyo University succeeded in obtaining them though both of them were entrusted to examine the same pieces of bone.” However, as was clearly explained in the “close examination” conducted by the Government of Japan and provided to North Korean side on December 24, both the National Research Institute of Police Science and Teikyo University, which were entrusted to conduct the analysis, were each entrusted with different test specimens, and therefore the claim made by North Korean side is inaccurate.
  - (c) The “memorandum” states that “the Japanese government regarded only the results of DNA test conducted by Teikyo University as ‘absolute.’” However, the Government of Japan entrusted the DNA analysis to the two top research institutes in Japan. The results of these scientific tests were that while the National Research Institute of Police Science was unable to detect a DNA sample from the specimen it

had been entrusted with, Teikyo University extracted DNA from its specimen and produced a significant result. These results were provided objectively to North Korean side.

(2) Analysis methods

- (a) The “memorandum” states that with regard to mitochondrial DNA analysis, “(Teikyo University) made a DNA test of bones by the method of collecting cells from the remains, from which it is impossible to extract DNA.” However, it is sufficient merely to extract DNA from the bone fragments and there is no necessity to collect cells. Without separating cells, it is possible to extract DNA directly from nails, grime, blood stains and hair for use as evidence, and in the same way it is possible to extract DNA from bone particles that can be used as a scientific sample.
- (b) The “memorandum” states that “It is general knowledge that it is impossible to identify individuals from analysis of DNA extracted from remains cremated at high temperatures of around 1200 degrees Celsius.” However, it is possible that DNA can remain in certain parts of the remains that were not sufficiently burned at the time of cremation. In addition, the five specimens of bone fragment entrusted to Teikyo University were selected carefully by an expert with a deep knowledge of DNA analysis to identify which fragments would be most likely to yield to DNA extraction.

(3) Analysis results

- (a) The “memorandum” states that with regard to bone fragment 5 used for DNA analysis, “The base composition of nucleotide which consists of DNA of the remains of one person should appear in the same form. But it is strange that the composition appeared in three forms and a bone chip among them is analyzed as a mixture.” In addition, it is also stated that, “If one is forced to accept such results of examination of the remains, one should regard the remains as those of three or more persons,” and that, “the ‘test report’ of the university noted it is clear that the ‘fifth bone is within the analysis limit and posed a problem as regards its regenerative nature.’ This tells that it cannot scientifically guarantee the ‘results of the examination.’” However, the bone fragment 5 specimen was different to the other four bone fragments, and the analysis results of the former had no influence whatsoever on the analysis results of the latter four fragments.
- (b) The “memorandum” states that “We cannot understand why the results of the first and the second analysis of the fifth bone are different from each other.” However,

given that combined DNA was extracted from bone fragment 5 due to the specific characteristics of the specimen, it was reliably predicted that the two analysis results would be different.

- (c) The “memorandum” states that “If such a sensitive test was made of the remains burnt at the high temperature of 1,200 degrees Celsius to extract DNA from them, there should have been a DNA test of those who handled the remains with their hands while examining substance on the surface of the bone chips. But this was not done. This fact poses not a few questions.” However, DNA was not extracted from the liquid used to wash the surface of the bone fragment at the time of analysis, and the analysis report records the objective fact that the DNA detected from each bone fragment was not the DNA of any fragment of dirt or grime on the surface of the bone fragment.
- (d) The “memorandum” states that “This, in the final analysis, makes one draw a conclusion that it was a deliberate move to get the credibility of the “examination” recognized or an intelligence agency or a specified organ and person might intentionally have provided bones of other persons to the university for examination when they found it impossible to extract DNA from the remains of Megumi Yokota,” and in particular the phrase, “a person might intentionally have provided bones of other persons to the university for examination,” is, needless to say, unfounded in fact and is a totally irrelevant claim.
- (e) The “memorandum” makes an issue of the point that “the Japanese government does not make clear the names of the witnesses and the names of the analysts in the ‘test report.’” However, it was the outline of the analysis report that was conveyed by the Government of Japan to North Korean side on December 25, 2004, and a list of the analysts involved and other names was omitted in the outline. It goes without saying that this analysis was conducted in accordance with strict procedures pursuant to legal stipulations such as the Code of Civil Procedure of Japan, and as such possesses a more than adequate degree of objectivity.

(4) Details of the receipt of the “remains”

- (a) The “memorandum” states that the then Director-General of the Asian and Oceanian Affairs Bureau Mitoji Yabunaka of the Ministry of Foreign Affairs, who served as the head of delegation for the Japanese side “confirmed the death of Ms. Megumi Yokota, stating that in order to convince the Japanese public Ms. Yokota’s remains should be handed over and that the remains would naturally be conveyed to Ms. Yokota’s parents.” This statement reads to the effect that the Japanese side is

working on the assumption that Ms. Yokota is “dead.” However, in addition to the fact that the delegation of the Government of Japan attended the third round of the Japan-North Korea Working-level Consultations from a position that all ten of the abductees whose safety remains unknown are still alive, then Director-General Yabunaka stated to the effect that if North Korea would make any claim as to the “death” of Ms. Yokota, proper proof must be provided to substantiate such a claim. There is therefore no basis in fact that any remark was made on the assumption that Ms. Yokota was “dead.”

- (b) The “memorandum” states that “the head of delegation of the Japanese side wrote himself and signed a document to the effect that, ‘I directly received the remains of Ms. Megumi Yokota from the aforementioned’s husband. I promise that I will convey the remains directly to her parents and I will not make any public announcement.’ The Japanese side took the remains to Tokyo and displayed them in a hall in Minato Ward, Tokyo Metropolis, before launching a smear campaign against North Korea, asserting that North Korea unearthed and deliberately cremated the remains in a bid to make it impossible to test them.” However, it should be pointed out that during the stay in Pyongyang of the head of delegation of the Government of Japan, in response to an explanation he made that the bone fragments would be conveyed directly to Ms. Yokota’s family members, and that based on their wishes there was a possibility that a public announcement would be made, there was at no time any objections raised by North Korean side. In actual fact, the reality of the receipt of the “remains” was made public after the return to Japan of the delegation, after having received the direct consent of the Yokota family. In addition, there is absolutely no truth in the statement that the “remains” were “displayed in a hall in Minato Ward, Tokyo Metropolis.” Despite North Korean side having made no response whatsoever objecting to a public announcement of the receipt of the “remains” (made on November 15, 2004) up until the publication of the “memorandum,” mention of this issue in the “memorandum” is therefore the first time for it to be raised and given the seeming attempts by North Korean side to create an issue where there was none to begin with, their response in the “memorandum” lacks any persuasiveness whatsoever.

(5) Identification of Kim Chol-Jun

- (a) The “memorandum” quotes a purported extract from an article in a weekly Japanese magazine that “on November 14, 2004, directly prior to meeting once again with the husband of Ms. Yokota, the head of the delegation of the Government of Japan

smear an adhesive on his hand, in this way collecting tissue cells from the hand of husband when the two shook hands.” There is absolutely no truth in this claim. North Korea should provide the basis for their claim.

- (b) The “memorandum” states that the Japanese side “distributed to the press claims in complete contradiction of the truth that the husband of Ms. Megumi Yokota and her daughter were not related to each other as father and daughter.” However, the Government of Japan has neither come to the conclusion that Kim Chol-Jun is not the father of Kim Hae Gyon, nor conveyed such a conclusion to the mass media. This is a claim that has no basis in fact whatsoever.

(6) Return of the “remains”

The “memorandum” states that “(the Japanese government) should return the remains in their original state, thoroughly probe the truth about the faked results of the examination and sternly punish those responsible for it.” However, it should be pointed out once again that the responsibility lies with North Korean side to account to Japan and the international community in a credible way as to why it provided bone fragments claimed to be those of Ms. Megumi Yokota, which were found, in fact, to contain the DNA of a number of people, none of whom were Ms. Yokota.

With regard to the abduction of Japanese citizens by North Korea, in response to the “memorandum” from North Korean side, which was conveyed through the “embassy channel” in Beijing on January 26, 2005, the Government of Japan is hereby conveying the following document, as per the attached, via the “embassy channel” to rebut the claims made in the “memorandum.”

The facts surrounding the case and the contents of the document hereby conveyed, will, after their conveyance, be publicized on a notice board at the Ministry of Foreign Affairs of Japan and at the Embassy of Japan in Beijing.