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## The PSPD's Stance on the Naval Vessel Cheonan Sinking

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## Article 1.

# The PSPD's Stance on the Final Investigation Report on the Cheonan and the countering measures of the Lee Myung-bak administration

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### 1. Brief on the Cheonan Incident

- The 1,300-ton patrol combat corvette (PCC) Cheonan split in two and sank about one nautical mile off the southwestern coast of Baengnyeong-do (Island) near the NLL (Northern Limit Line) in the shallow water of the West Sea at the time estimated to be around 21:15 to 21:22 on March 26, 2010. At the time, ROK and U.S. forces were jointly conducting the annual field military exercise, Foal Eagle. The Commander of the ROK-U.S. Combined Forces Command announced that the WMD (weapons of mass destruction including nuclear weapons) removal team was involved in this military exercise just in case of North Korea's contingent situation.

- While the Ministry of Defense elaborated that the Cheonan was not mobilized directly related to the Foal Eagle exercise, Major Derek Peterson of the US Navy's 7th Fleet who was on the rescue mission for the sunken Cheonan stated in an interview with a Korean TV station on April 5, 2010 that the sinking occurred during the joint field exercise conducted by the ROK and the U.S. on a regular basis.
- Although 58 survived including the captain of the warship, 46 were either dead or missing. Strangely though, while the ROK military could not locate the vessel for 48 hours after sinking, a fishing boat equipped with a fish detector found the ship immediately after joining the search effort, raising distrust among the missing sailors' families.

## **2. The Basic Stance of PSPD on the Cheonan's Sinking**

- PSPD has taken the following stance toward the sinking of the naval vessel.
  - First, the truth behind the Cheonan incident needs to be elucidated clearly beyond any doubt and the party responsible for the sinking, once found, needs to take the right responsibility.
  - Second, the South Korean government needs to open up the information confirmed during the investigation process to remove all misunderstanding and doubts among Korean people. Publicly disclosing the information is especially important because of significant impacts that the incident has over national security and the inter-Korean relations and because of the frequent changes in the Navy's stance over the truth and attempts at concealing vital information during the early stage of investigation.
- The following approach is recommended to remove all misunderstanding and controversy during the fact-finding process for the cause of the sinking.
  - First, it is necessary to prove whether the vessel sank because of an external underwater explosion based on apparent evidence. At the same time, a thorough investigation is needed of the various possibilities of the sinking

including running aground or colliding, also based on apparent evidence. By doing so, all the doubts or presumption can be clearly removed that the government approached the investigation with prejudice.

- If the subsequent investigation proves that the explosion was caused by a torpedo then the next step is to prove that North Korea is behind the "torpedo explosion", also based on sure evidence without any doubts.
- PSPD expects that the pertinent defense authorities will then release the results of the investigation befitting the above-stated approach.

### **3. PSPD's Brief Evaluation of the Final Report released by the Joint Civilian-Military Investigation Group (JIG) on the Cheonan Incident**

- The final report by the JIG on May 20, 2010 stated that the Cheonan's sinking was the result of a non-contact explosion that had occurred approximately 3m left of the gas turbine room at a depth of about 6 to 9m caused by a North Korean CHT-02D torpedo presumably fired by a North Korean submarine, a 130 ton YONO class.
- However, there are still many questions that went unanswered and the contents of the final report contained many loopholes and evidence is still lacking to conclude that the sinking was the result of a torpedo attack despite several pieces of information reported by President Lee Myung-bak and the JIG from the Ministry of Defense. Especially, the contents of the final report were different or changed from the interim results reported by the government or those reported to the National Assembly. Thus, the final report cannot be used to fully answer those questions raised during the process of investigation.
- The Ministry of Defense has failed to logically elaborate the actual relationship among various facts by not publicly disclosing the basic

information such as the wake record behind the ship, the contents of communication at the time of the accident, survivors' testimonies and so on. The explanation over the infiltration of a North Korean submarine presumed to have fired a torpedo is not convincing enough because it had been drawn upon presumptions.

- The bigger issue is the fact the final report was made without investigating the crucial vessel parts and structures that had been affected by sound waves from a torpedo such as the diesel engine and gas turbine room and without completing the simulation on the explosion. Thus, the government while trying to meet the schedule has brought criticism upon itself that the conclusion is not complete. Then, the question goes as to whether there has been any political motivation behind releasing the final results in a hurry without completing the investigation.
- The evidence on a torpedo attack proposed by the JIG lacks convincing rationale and the same goes to the explanation over the infiltration of a North Korean submarine. The ROK military showed a torpedo shooter and a screw, both of which had been well-preserved beyond understanding. However, it has failed to show or proving other related evidences with convincing power including (1) the vessel that damaged by a torpedo beyond any doubt, (2) soldiers for that matter, and (3) any records or images related with the incident. Moreover, the military is just increasing doubts by changing the explanation over the facts.
- In other words, it would be difficult to conclude that the pieces of a torpedo, which were presented by the Ministry of Defense, presumed to be from North Korean and oxidized aluminum substances are the vital evidence and that the real truth has been found beyond any doubt. The report released on May 20, 2010 has numerous limitations in silencing all the doubts and distrust piled up due to the censoring and changing of information by the Ministry of Defense on the cause of the Cheonan sinking.

#### **4. Problems related with the Counter-Measures decided by President Lee Myung-bak after the JIG Final Report**

- In its official statement on the same day, PSPD has asserted that additional investigation is a must for the JIG report of May 20 to gain understanding and support from Korean people and a bipartisan investigation must be conducted by the National Parliament members, not an investigation team under control of the military who had monopolized and censored the information regarding the Cheonan incident. PSPD also urged that the government refrain from taking a conclusive stance and announcing measures that could provoke serious political and diplomatic controversies domestically and internationally until the National Assembly has completed the fact-finding process.
- However, the Lee administration has not listened to the reasonable aforementioned proposals. Instead, President Lee and the Lee administration convened a meeting of the National Security Council on May 21, 2010 to discuss sanctions against North Korea. On May 24, President Lee held an address to nation and declared "stern measures" against North Korea including terminating of the North-South agreement on usages of sea routes, suspending all trade and exchanges between the South and the North, changing the South's military posture from passive defense to proactive deterrence including resuming of propaganda broadcasting toward North Korea and exercising of the right to self-defense in case of the North's military violations, strengthening strategic power and military drills against submarines, referring the matter to the UN Security Council and so on. The President Lee also urged North Korea for an apology and punishment of those responsible for the incident.
- North Korea strongly condemns the Lee administration's report and the follow-up measures. On May 20, North Korea denied its involvement in statement of the National Defense Committee and demanded the evidence be shown to a team of North Korean inspectors to be dispatched to South

Korea. When South Korea refused to heed their demands, North Korea announced in its statement through the Committee for Peaceful Unification of the Fatherland that all the inter-Korean relations issues arising in the future will be handled under a wartime law and "if the South were to respond with actions and retaliation, it will take resolute measures without any mercy including severing all ties with South Korea, abrogating the agreement on non-aggression between the South and the North and completely abandoning all forms of inter-Korean cooperation. The Commander of the North Korean Central Command asserted that it will directly point, shoot, and destroy if South Korea were to start a new form of psychological propaganda against the North.

- As a result, South-North confrontation is worsening toward military tensions on the Korean peninsula to the verge of war.

## **5. PSPD's Recommendations**

- PSPD strongly urges the Lee Myung-bak administration and the North Korean government to stop any provocative threatening of the safety of the people on the Korean peninsula and military remarks and actions holding the people of the Korean Peninsula hostage.
- PSPD also strongly urges the Lee administration of South Korea to proceed with additional investigations to supplement the incomplete investigation of the Cheonan incident, and stop aggressive diplomatic measures that could deepen political and military conflicts in the South and on the Korean Peninsula until the Korean people are convinced of the explanation.
- Especially, the measures announced by the Lee administration on May 24 not only abrogate the South-North agreement on maritime transportation but also contain dangerous measures that can basically ruin the Korean people's rights to peaceful living. Thus, these measures should have been chosen after



careful and sufficient deliberation and review, after the release of the investigation results that can be acceptable to politicians of both ruling and opposition parties and the people of Korea.

- Based on the aforementioned perspectives, PSPD raises the following eight questions that must be answered for the Korean government and politicians of the ruling and opposition parties to find the real truth behind the Cheonan incident.

## Article 2.

# Eight Questions Needing Answers on the Investigation of the Sunken Naval Corvette Cheonan

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*This document summarizes the questions raised by the Center for Peace and Disarmament of People's Solidarity for Perspiratory Democracy (PSPD) on the report released on May 20, 2010 by the joint civilian-military investigation group (JIG) under the Ministry of Defense on the cause of sinking of the naval warship Cheonan.*

## **1. Summary of the Report by the Joint Civilian-Military Investigation Group(JIG)**

### ○ The Official Results of the JIG (May 20, 2010)

: The PCC Cheonan was believed to have sunken as the ship cut in half due to a strong underwater explosion at the lower left side of the gas turbine room. The site of explosion was approximately 3m left of the gas turbine room at a depth of 6 to 9m. The weapon was confirmed to be a highly explosive CHT-02D torpedo made by North Korea with an explosion warhead of 250kg.

### ○ Explosion Due to an Underwater Bubble Jet

- The ship severely deformed toward the top side: The hull and iron sheets were curved inward, the evidence of strong shock waves and bubble detected.
- Detection of a water column
- Partial computer simulation showed the ship cut in half under a similar situation
- Evidence of pressure and bubbles resulted from a torpedo explosion found in the entire hull of the ship
- The found non-crystalline oxidized aluminum substances are believed to have come from a high temperature and high pressure explosion.

### ○ A Torpedo Attack from a North Korean Submarine

- The torpedo parts discovered by a dredging ship at the site of the explosion on May 15 have the same schematics of a North Korean torpedo on the export brochure published by North Korea. This heavyweight HT-02D torpedo manufactured by North Korea utilizing acoustic/wake homing and passive acoustic tracking methods has 21 inches in diameter and weighs 1.7 tons with a net explosive weight of up to 250kg.
- The hangul "1번" (number 1 in English) handwritten inside of the tail end of the propeller is the same marking found in a North Korean torpedo for military exercise purposes secured by the South Korean military in 2003.
- It was confirmed that a SANGO class (300ton) submarine and a YONO class (130ton) midget submarine left a North Korean base/port in the West Sea two or three days before the attack and returned back to the port two or three days after attacking the Cheonan warship. Among these two, the YONO class was believed to have been responsible for the attack of the Cheonan vessel.
- These North Korean submarines were presumed to have infiltrated and left the South Korean waters via international seas.
- The analysis on the chemicals found adhering to both the torpedo parts and the hull revealed to be oxidized aluminum substances that resulted from a torpedo explosion.

## **2. Insufficient Evidence Proving a Torpedo Attack**

### **Question 1.**

Had there really been a torpedo-induced water column?

- The Ministry of Defense stated in its final report that a water column coming from the bubble-jet effect was present. However, it had reported that no water column was detected. The problem is that the changed findings lack

convincing power.

- The joint civilian-military investigation group (JIG) claimed that a water column caused by a torpedo was present based on the findings (1) a lookout at the coast of Baengnyeong-do Island reported to have witnessed a 20-30m wide and 100m tall water column, (2) a port-side lookout reported that he felt water drops on his face, and (3) oxidised aluminum substances to have come from a bubble jet were found on the entire hull including the bow and the stern turret.
- The findings, which the water column had left marks on the entire hull including the bow and the stern but only water-drops on the soldier's face, are not convincing enough. The survivors including the port-side lookouts testified during the press conference that there was no water column and no smell of gunpowder.
- The Defense Minister when questioned by the National Assembly immediately after the release of the final results stated that the existence of a water column was not important and a simulation on water column would be completed in July<sup>1)</sup>.

## Question 2.

No such severe injuries evident of a torpedo explosion found in the bodies of survivors and deceased soldiers

- No explosion-related injuries were found in the bodies of the surviving and dead soldiers such as burns, ruptures of internal organs such as the eardrum, and severe fractures, etc<sup>2)</sup>.
- No such injuries were found on the bodies of the dead soldiers found very near the site of presumed explosion. And it is not understandable that the final report had no explanation over this important matter.
- The water where the Cheonan incident had occurred is known to be one of

1) [http://www.pressian.com/article/article.asp?article\\_num=60100524173928](http://www.pressian.com/article/article.asp?article_num=60100524173928)

2) As explained by CEO Lee Jong-in of Alpha Underwater Technology Corporation in an interview with "Chujuk 60 Boon", the investigative report program aired by KBS.

the abundant fishing grounds, but the coast guards on the search mission reported no massive death of fish despite the explosion. Although the Ministry of Defense claimed that it was because of fast tides, the water was still at the time of the incident.

Question 3.

Is it true that there is no TOD recordings from the early stage of the Cheonan incident?

- The military had hidden the existence of the TOD (thermal observation device) that recorded the sea scenes from Baengnyeong-do Island including the process of Cheonan sinking and reported finally that no TOD recordings were present at the time when the ship severed into two. However, navy retirees reported that TOD images are recorded automatically and refuted that there would be no blind spots because several TOD devices record the same area at the same time.
- The media including the daily newspaper Hankyoreh reported the testimonies of unanimous witnesses who had seen the TOD images recorded at the time of the ship severing into half. They stated that the Cheonan warship was sailing smoothly and suddenly broke off into half, then the stern sank less than 5 minutes after breaking off and the bow floated about 20 minutes and started to sink after it had suddenly tilted toward the right. They also stated that there had not been a water column.
- National Assembly person Lee Jung-hee of Democratic Labor Party reported the similar findings at the National Assembly during the general discussion session on May 19, 2010<sup>3)</sup>.

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3) <http://www.mediatoday.co.kr/news/articleView.html?idxno=88380>

#### Question 4.

There are no severe damages evident of an explosion on the severed surface, on the bottom of the ship and in the interior of the hull.

- More than anything else, no evidence indicative of severe damages presumed to have been caused by shock waves of a torpedo explosion has been found on the severed surface. The severed surface partially opened to the public seemed well-preserved compared to other ships damaged by torpedo attacks. Even those ammunitions and goods/articles found from the hull interior were well-organized<sup>4</sup>).
- In the interim reports and the final report on May 20, the military announced that (1) an underwater explosion was highly likely based on the torn shape and (2) the ship sank as the result of a non-contact explosion since there had not been blackened soot coming from an explosion from the interior or exterior of the ship, no evidence of melting from heat and no punctured spots. However, experts refuted that these findings themselves are the specific evidence that the cause was not from a torpedo explosion.
- The Ministry of Defense stating that no punctures form after the breakage from a bubble jet is not convincing enough to explain a proximal explosion.
- Lee Jong-in, CEO of Alpha Underwater Technology Corporation specializing in ship wreckage recovery refuted the findings by the Ministry that breakage from an explosion would smash severed surface in the direction sustaining the explosive force, the severed surface would be damaged up to the point of no recognition, and no electric wires would be left being obliterated.
- He also pointed out that (1) if the torpedo explosion occurred 3m below the bottom of the ship, the ship bottom should show punctures from the explosion and the ship would be full of shattered torpedo pieces, and (2) the severed surface of the Cheonan is characteristic of physical forces rather than an explosion or proximal explosion.

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4) [http://www.pressian.com/article/article.asp?article\\_num=40100527005949](http://www.pressian.com/article/article.asp?article_num=40100527005949)

### Question 5.

Why did the military conceal the finding and refloating of the gas turbine room? And why did they omit the investigation of the gas turbine room from investigating?

- The Ministry of Defense later confirmed the recovery of the gas turbine room, which was missed on the incident, after a civilian testified the recovery on May 18.
- The Ministry asserted that a torpedo with a net explosive power between 200 to 300 kg had exploded approximately 3m left of the bottom center of the gas turbine room. And civilian experts who had considered the possibility of aground or collision pointed out that the gas turbine room would show evidences. Thus, the gas turbine room is the critical evidence that can show the real cause of the Cheonan sinking. Nonetheless, the military tried to hide the recovery and omitted the investigation result at the time of the final report.
- According to the reports by the military, the diesel engine was recovered around mid May, and the gas turbine room was recovered on May 19 and carried to the 2nd Fleet Headquarters on May 20. In other words, investigation on the gas turbine room had not been reflected on the final report.
- Nonetheless, the military reported the final results on May 20, arguing that the findings were sufficient. Coincidentally, campaigns for local elections kicked off on that date. It is suspicious that the military investigation team and the Lee government may have reported the investigation results with undue haste with certain political goals.
- The JIG disclosed some parts of the recovered gas turbine room in pictures after May 31.



Question 6.

Were the oxidized aluminum substances, not gun powder, evident of an explosion?

- According to the media, the military was focusing on finding evidence of gun powder at the time of investigation. The military investigation team reported the finding of little trace of highly explosive substances such as RDX and HMX but did not claim that they were evident of a torpedo attack because they were present in very minute amounts and are used by both the Eastern and Western blocks.
- Instead, the investigation team laid out oxidized aluminum substances as the circumstantial evidence of a torpedo explosion, and reported that these substances were discovered in eight places of the hull and similar substances were found in the North Korean torpedo parts recovered. They reported that these non-crystalline (white powder) oxidized aluminum substances are formed only at high pressure such as a torpedo explosion.
- However, based on the findings that (1) these substances were discovered on the hull composed of aluminum parts but not on other metal parts or the bodies of the crew and (2) a large quantity of oxidized aluminum was present especially on the aluminum screw, doubts have been raised by civilian experts<sup>5)</sup>. Some citizens showed pictures of similar oxidized substances from their own motorboat screws, raising doubts that this oxidized substance could just be of oxidized aluminum.
- They also raised the doubt over the minute amount of explosives (RDX, HMX, TNT) detected in the Cheonan warships. The doubt is that the amount of explosives found on the Cheonan is as small as that can be found in other ordinary warships, even though the amount of those explosives is more than that of aluminum in the composition of torpedo explosives.
- Furthermore, a thick layer of aluminum in large quantity covered the torpedo screw discovered but it is beyond common sense that the screw was well-preserved without damage, and it is difficult to understand that the "1번"

5) [www.mediatoday.co.kr/news/articleView.html?dxno=88470](http://www.mediatoday.co.kr/news/articleView.html?dxno=88470)

mark handwritten with a oil pen on the propulsion section of the presented torpedo was well-preserved<sup>6)</sup>.

- A National Assembly person, a Democratic Party member, Choi Moon-soon raised a question based on the opinion of Professor Lee Seung-heon, one of the Physics professors at the University of Virginia, who said oxidized aluminum discovered in the hull and North Korean torpedo parts was not come from an explosion.

### **3. Lack of evidence showing the attack was from a North Korean submarine**

#### Question 7.

What is the profile of the YONO class submarine? Is it understandable that the submarine had not been followed for several days by the ROK and the U.S. surveillance?

- The Ministry of Defense is assuming that the attack was from a YONO class submarine. The only ground for assumption is that the South Korean military failed to follow up a SANG-O class submarine and a YONO class submarine along with their mother ship from a North Korean naval base for several days.
- There is no evidence, in other words, there is no specific explanation over how the North Korean YONO class submarine attacked the Cheonan. However, the explanation is just one hypothesis after another.
- The military explained that 300ton or heavier SANG-O class submarines could not be operated at the site of the Cheonan incident because of its big size and they do not have the capability to shoot heavy torpedoes.
- That was why the military presumed that a YONO class submarine was the

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6) Seo Jae-jeong, Lee Seung-heon

[http://news.khan.co.kr/kh\\_news/khan\\_art\\_view.html?artid=201006010353385&code=990304&page=4&](http://news.khan.co.kr/kh_news/khan_art_view.html?artid=201006010353385&code=990304&page=4&)

culprit behind the Cheonan sinking. The YONO class around 120 to 130 ton submarine is smaller than the SANG-O class, in which the existence of this smaller class was reported for the first time through the final report of the investigation. However, doubts are raised because the military is mute about whether this class is capable to launch heavy torpedoes, how long they can stay in underwater, etc.

- However, the YONO class (midget) submarine is another name for the GHARDIR class owned by Iran and it is not known whether North Korea has YONO class submarines. It is confirmed that North Korea had exported YUGO class midget submarines to Iran. YUGO class submarines and P-4 class similar to the YUGO class are not capable or have limited capability to shoot heavy torpedoes.
- The Defense Minister reported on May 22 that the government had known about the existence of the YONO class submarines since 2005. However, he stated on April 2 during the report to the National Assembly that North Korea submarines does not have much underwater navigation capabilities like latest US submarines. He also stated that two submarines were not found at one of three naval bases of North Korea. However, he estimated the possibility low since the naval base is quite far from Bangryung-do. In addition, he repeatedly denied the possibility since the submarines are of low-speed type and they do not have capability of long-lasting submerge.<sup>7)</sup>

#### Question 8.

Why couldn't a torpedo launch be detected?

- Even if the navy could not have followed North Korean submarines with sonar, it lacks convincing power that they could not detect an approaching torpedo with sonar because it is known that an approaching torpedo is very easy to detect with sonar.
- On this issue, the military claimed that the Cheonan's sonar system was so old that it had only 70% accuracy in detecting torpedoes in 2Km radius and

7) [http://www.ohmynews.com/NWS\\_Web/view/at\\_pg.aspx?CNTN\\_CD=A0001356889](http://www.ohmynews.com/NWS_Web/view/at_pg.aspx?CNTN_CD=A0001356889)

only around 50% in the 30m shallow water at the scene of the incident.

- It is also doubtful over the fact that the North Korean submarine that had probably been dispatched after the sinking of the Cheonan had escaped without being detected even by the P3C patrol aircraft equipped with advanced radars.

#### **4. Others**

- There are several other questions but PSPD keeps eyes on the process of the accreditation conducted by the National Assembly, then it will raise unanswered issues.

### Article 3.

## Six Problems on the Investigation Process of the Cheonan Sinking

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### 1. Objectives

- Despite the JIG final report on the cause of the Cheonan sinking on May 20, there are still many questions and doubts regarding the cause of the Cheonan sinking.
- Questions and doubts are being raised because the final report lacks credibility and partly because the military itself maintained no transparency

and excluded others in the investigation process and method and forming and operation of the JIG.

- During the process of investigation the cause of the Cheonan sinking, the Lee administration and the military have shown the abuse of serious security power far from the basic principle of the civil democracy control such as (1) monopoly on information and misuse/abuse of military secrets, (2) non-disclosure, selective disclosure and disclosure at convenience of vital information, (3) abuse of legal restrictions to those people raising doubts.
- Thus, PSPD once again points out the problems that have arisen during the investigation of the Cheonan incident.

## **2. Problems with the military in censoring information and selective disclosure of information**

### **Problem 1.**

The military not disclosing and censoring basic information on the Cheonan vessel

- The Ministry of Defense has refused all the requests by PSPD on the releasing of information on 16 items in 4 areas including the communication records and navigation routes of the Cheonan, according the Information Act, to determine the cause of the sinking clearly and objectively.
- The government and the military did not disclose or claimed that there was no record of basic information including the navigation routes, daily logs and records, KNTDS, TOD images of the sinking, and the broken surface and hull bottom immediately after recovery, stating that they were "military secrets"
- More seriously, they disclosed the severed surface and damaged parts critical to investigation immediately after recovery only partially so that the extent of real damage could not been determined.

- Testimonies by the survivors were limitedly disclosed through a press conference in the controlled environment.
- The military could have released the pertinent information transformed into a form of non-classified documents, and even if they were classified, it is very important to resolve any doubts for proving the attack by North Korea; however, it had not disclosed most of the documents by expanding the scope of national secrets.
- On the other hand, it had selectively disclosed the information on the information supporting the military's claim regardless of the information being classified.
- As a result, the people of Korea cannot know the basic information on the Cheonan incident such as what was the mission of the warship, where it was heading, where did it sink<sup>8)</sup>, how it sank, etc.

## Problem 2.

Hiding of the TOD image-recordings of the Cheonan breaking into half and sinking and changing of words

- The military initially had claimed that there was no TOD images, but partially released these images three times on March 30, April 1 and April after refutation by military retirees. However, it did not release the TOD images at the time of the incident and claimed that the released images are all it had every time<sup>9)</sup>.
- However, reports followed later that there are no blind spots in taking TOD images because they are taken automatically, and the media reported testimonies from unanimous informants that they had seen images at the time of the incident. National Assembly person Lee Jung-hee also spoke of the

8) <http://www.cbs.co.kr/nocut/Show.asp?IDX=1481761>

9) On April 8, Defense Ministry spokesperson Won Tae-je stated that there is no TOD images containing the scene at the time of the explosion and that the TOD operator was shooting somewhere else when the Cheonan passed by and switched the TOD cameras toward the Cheonan direction only after hearing the sound of explosion. [www.vop.co.kr](http://www.vop.co.kr)

same thing at the National Assembly.

- According to testimonies of unanimous witnesses, the Cheonan was sailing with no problem but suddenly broke into half after which the stern sank in five minutes and the bow after floating about 20 minutes on water suddenly tilted toward the right and started to sink. They said that there was no water column.
- Several military officers sued National Assembly person Lee for defamation. However, additional TOD images were released on May 30, claiming that the images were taken after 40 seconds of the incident. There has not been any apology for perjury and they claimed that the suit is still effective against the assembly member.

### Problem 3.

Imposing political and legal measures and restrictions against ordinary citizens raising doubt

- The military also sued Dr. Park Sun-won, a former NSC(National Security Council) member and currently researcher at Brookings Institute in the US, who had raised doubts over a torpedo attack, and Shin Sang-cheol, civil member of the JIG recommended by Democratic Party, are the representative cases of the government restricting those raising doubts against the Cheonan incident for defamation.
- The military also made a series of suits against ordinary citizens who raised the possibility of the Cheonan colliding with a US ship on the Internet.
- On the other hand, Asian studies scholar Kim Yong-ok, who lectured that he could not believe the investigative results released by the military and North Korea would be mortified if it were to be innocent, has been sued by a few conservative citizens based on National Security Law.



### 3. Problems with the JIG

#### Problem 4.

#### The JIG practically excluding civilians

- The list of the members of the joint civilian-military investigation group (JIG) that was put into investigation of the Cheonan incident on April 1 were not released from the beginning.
- When civilian organizations including PSPD raised issues with not involving civilians in the JIG, President Lee Myung-bak ordered to change the head of the JIG to a civilian on April 6 and KAIST honorary professor Yoon Duk-yong was appointed to head the JIG on April 11. However, no practically improvement was made even after this change.
- Despite the fact that the JIG was named 'civilian-military', it is not known where these civilians were affiliated to and who exerted influence. The only information released by the media was that the JIG was composed of some 20 to 30 members and most of the so-called civilians were a former military serviceman, a former researcher of a military research center, or an executive of a shipbuilding company in the defense industry.
- It is not known how many members the JIG was composed of, but they say it was around 130 to 150 members.

#### Problem 5.

#### The JIG that limited investigative efforts by civilian members

- Shin Sang-cheol (recommended by Democratic Party) who revealed the status of JIG member on his own detested that the JIG did not provide even briefing materials and basic information needed for investigation such as the navigation course record, KNTDS, and the TOD records.

- He testified that the investigation was conducted based on the assumption that there had been a torpedo attack while excluding other possibilities from the consideration and no investigations were conducted for other possibilities.
- It means that the military conducted the investigation according to its plan and intention if civilian members' activities had been restricted.

## Problems 6.

### Unknown roles of the foreign investigators

- The JIG had been criticized for lacking transparency and independence so that the Lee administration revealed that it had requested four countries including the US to dispatch investigators (24 total) to join the JIG's efforts.
- However, there had not been official announcement from the government on the specific mission and roles of these foreign investigators.
- Thomas Eccles, head of the US investigators, agreed to all the results of the JIG investigation disclosed during the press conference. He stated that the investigation was done in close cooperation between Korea and the U.S. and agreed to it had been conducted based on testimonies and scientific analyses. However, he dodged the questions on the specific roles of foreign investigators. And General Park Jung-e who had been present at the press conference added that the results released on the day had been agreed by all foreign investigators.
- However, within his statement, it is not certain whether the foreign members had participated as observers or whether they played a more active role in fact-finding and finding the cause of sinking. Especially, there had not been any explanation on the roles of these foreign members in providing specific and vital analysis and information such as securing evidence of North Korean torpedo attack and the course charted by North Korean submarines or they just shared the investigation results proposed by the South Korean military. Thus, it is difficult to determine whether foreign investigators are an important group having the power to decide credibility of the investigation or not.



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