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Protocol between the PRC Ministry of Public Security and the DPRK Social Safety Ministry for Mutual Cooperation in Safeguarding National Security and Social Order in Border Areas

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Summary:

The official Protocol in Safeguarding National Security and Social Order in Border Areas between China and North Korea outlines each country's responsibilities in regulating border crossings.

Credits:

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Original Language:

Chinese

Contents:

Translation - English

Representatives from the Ministry of Public Security of the People's Republic of China and the Social Safety Ministry of the Democratic People's Republic of Korea, meeting from 11 May through 9 June 1964 to [discuss] mutual cooperation in safeguarding national security and social order in the Chinese-Korean border areas, have reached the following agreement:

Article One:

Both sides will cooperate in defending [each] country, community properties, civilian lives and civilian properties in the border areas between China and Korea.

1. Both sides will actively cooperate to prevent fires, typhoons, floods, labor incidents and other incidents. Civilians who are forced to enter the other side's territory as a result of a disaster should be assisted.
2. When one party finds missing vessels, livestock, poultry or other physical property, the [property] should be kept safe and the other side should be notified. When one side finds lost ships, livestock, domestic birds or other material properties belonging to the other side, then [these material properties] should be placed under the appropriate safekeeping. Once notified, the other side should retrieve these properties as soon as possible.
3. When infectious diseases or pests break out on one side of the border and risk spreading to the other side, the other party should be notified immediately. When necessary, the border crossings can be temporarily closed through mutual agreement.
4. When one side plans to conduct work that may endanger the other side's country, society, civilians or properties, then proper safety precautions should be negotiated in advance.
5. When one side discovers corpses in the border region, the nationality and cause of death should be investigated. If the victim was a resident of the other side, then he or she should be returned. If the discovered corpse is related to a criminal case in both countries or if the nationality of the corpse is unknown, then joint-inspection can be conducted. If the nationality or residency of the corpse cannot be established, then the corpse should be handled by the country it is discovered in.

Article Two:

The two sides will cooperate in installing guards in the border areas.

1. Both sides will consider the Yalu River and the Tumen River boundaries as joint security areas.
 - For the convenience of guard duty, each side will be responsible for the territory closer to their border in the joint security area.
2. Installing guards along the border will continue in accordance with current management principles. Each side will be responsible for their own parts, and work will be conducted according to the actual situation.
3. In performing the abovementioned security missions, [both sides should] inform one another of situations when necessary.

Article Three:

The two sides will cooperate in maintaining order and protecting the border crossings.

1. The locations of border crossings shall be determined through mutual agreement, and border passage inspection bodies shall be established to organize and enforce the maintenance of order at border crossings.
2. Both sides should allow border personnel and residents with border permits, passports, public affairs border permits and other negotiated credentials to cross the border at the appointed border crossings.
3. When a border resident requests to visit relatives on the other side of the border, the responsible public security authorities at the municipal or county level should issue a border resident transit pass valid for one-month. The Chief Representatives and Deputy Chief Representatives for Border Area Public Security and Safety, as well as public servants, should be given an official permit valid for up to one-year.
4. The six times for border crossings are as follows:

1) From April to September: 8:00 a.m.–5:00 p.m. (Beijing time), 9:00 a.m.–6:00 p.m. (Pyongyang time). From October to March: 9:00 a.m.–4:00 p.m. (Beijing time), 10:00 a.m.–5:00 p.m. (Pyongyang time)

2) Outside of these set times, all personnel and transports are prohibited from crossing the border (excluding personnel and transports receiving authorization based on other agreements).

- [In the event of] an important situation when personnel must cross the border outside of the specified times, transit will be permitted with the consent of the other side's [border] inspection bodies.

5. The use of one side's roads near the border area by border guards, civil servants and residents (including transportation) of the other side must be agreed upon by the Chief Representative for Public Security and Safety.

- During emergencies, the [situation] can also be negotiated and resolved by local border area representatives for public security and public safety. The matter can be reported to each side's Chief Representative afterwards.

Article Four:

The two sides will cooperate to prevent illegal border crossings.

1. Those who do not hold legal documents or have used a crossing point not specified in the documents will be treated as illegal border crossers.

- However, those who were forced to cross the border as a result of a disaster will not be treated as illegal border crossers.

2. Illegal border crossers will be returned to the other side with information on their identity and specific situation. However, if [illegal border crossers] commit crimes after crossing the border, then they can be legally handled according to the laws of the country where the crime was committed. The other side should be notified of such situations.

Article Five:

The two sides will actively cooperate in the struggle against criminals.

1. When counterrevolutionaries (including spies, special agents, saboteurs and conspirators) and basic criminals escape across the border, the other side should be notified. The side receiving notification should take necessary measures to provide assistance.

- Elements that cross the border after committing crimes should be returned.

- For criminals that have escaped to the other side, requests can be made for their investigation, arrest, and related materials. If, upon capture, it is discovered that the criminal has committed even more severe crimes within the country of capture, then, following mutual agreement, the criminal can be kept for handling by the country of capture.

2. Both sides should exchange intelligence materials related to each other's security work.

- One side can request that the other side conduct an investigation when it is necessary for the handling of criminal cases. The side receiving the request should conduct an investigation and reply as soon as possible.

3. For cases involving both countries, both countries should be responsible for their own investigations, [but] contact should be strengthened, intelligence should be exchanged, and cooperation should be active.

4. Materials should be exchanged when hostile class enemies and dangerous criminals cross the border.

5. When the identities (political background, family, relatives, surrounding environments, ideological tendencies, etc.) of individuals crossing the border remain unclear, then requests can be sent for the other side to conduct an investigation. The side receiving the request should conduct an investigation and respond.

6. The other side should be notified of border crossings by third country nationals. Information to be sent should include the identity and movements of third country nationals.

7. While cooperating in the struggle against criminals, issues involving provinces on

both sides of the border and other related problems should be handled by the Representatives for Public Security and Safety from both countries. Other issues can be resolved between China's Ministry of Public Security and [North] Korea's Social Safety Ministry.

Article Six:

The two sides define the Sino-Korean border region as the municipalities and counties near the border. The other side shall be promptly notified if there are any changes to administrative divisions near the border region.

Article Seven:

Both sides should have one Chief Representative and Deputy Chief Representative for Border Area Public Security and Safety, [positions] which can be the responsibility of the provincial [Chinese] public security and [North Korean] social safety organs located near the border. There should be an appropriate number of Representatives for Border Area Public Security and Safety, [positions] which can be the responsibility of municipal and county-level [Chinese] public security and [North Korean] social safety departments.

The Chief Representatives and Deputy Chief Representatives for Public Security and Safety will be appointed and removed by the Chinese Ministry for Public Security and the [North] Korean Social Safety Ministry.

Article Eight:

The tasks of the Border Area Public Security and Safety Representatives are as follows:

1. The Chief Representatives for Border Area Public Security and Safety are responsible for the discussion and formulation of specific methods and steps for the execution of the agreed matters between the Chinese Ministry of Public Security and the [North] Korean Social Safety Ministry, as well as for organizing the implementation [of agreements].
2. The Deputy Chief Representatives for Border Area Public Security and Safety are responsible for assisting the Chief Representatives with their tasks. If the Chief Representatives cannot carry out their mission, then the Deputy Chief Representatives will take charge.
3. Representatives for Border Area Public Security and Safety will directly organize the implementation of agreed matters between the Chinese Ministry of Public Security and the [North] Korean Social Safety Ministry and between the Chief Representatives for Border Area Public Security and Safety.

Article Nine:

Mutual contact and consultation procedures between the Chinese Ministry of Public Security and the [North] Korean Social Safety Ministry and the Representatives for Border Area Public Safety and Security are as follows:

1. The Chinese Ministry of Public Security, the [North] Korean Social Safety Ministry and the Representatives for Border Area Public Safety and Security are to use telephones, letters and dispatched personnel to directly contact [one another]. When necessary, diplomatic channels can also be used for notification of the appointment and removal of Chief Representatives and Deputy Chief Representatives and when transferring political criminals.
2. Convenient locations will be selected through mutual agreement for the exchange of criminals, illegal border crossers, information, materials and properties.
3. When a meeting is required between the two sides, then the advanced consent of the other side should be obtained regarding time, location and subject:
 - The Chinese Ministry of Public Security Representative and the [North] Korean Social Safety Ministry Representative [require] two-months' advance notice;
 - The Chief Representatives for Border Area Public Security and Safety [require] one-month advance notice;
 - Representatives for Border Area Public Security and Safety [require] 15 days' advance notice and 3 days' advance notice for a meeting.
 - During an emergency, conferences and meetings can be held at any time following mutual agreement.

- The location of conferences will rotate between the two sides; the conference chairman will be a representative of whichever side is hosting the conference.
- After obtaining the approval of senior authorities from both sides, conference resolutions will become effective following mutual notification.

4. Concerning the entry of Representatives for Border Area Public Security and Safety into the other side's territory, the Chief Representatives and Deputy Chief Representatives for Border Area Public Security and Safety must be in possession of a permit from the Chinese Minister for Public Security [or] the [North] Korean Minister for Social Safety; Representatives for Border Area Public Security and Safety must be in possession of a permit from the Chief Representative for Public Security and Safety.

Article Ten:

Following the approval of both governments, this agreement will take effect from the day of mutual notification. The 8 June 1955 "Records of the Joint Meeting between the Representative of the Ministry of Public Security of the People's Republic of China and the Representative of the Interior Ministry of the Democratic People's Republic of Korea on Handling Affairs in the Border Area between the Two Countries" and its appendixes ("Method for Residents Passing through the Chinese-Korean Border Region," "The Temporary Protocol between the Representative of the Ministry of Public Security of the People's Republic of China and the Representative of the Interior Ministry of the Democratic People's Republic of Korea on Protecting the Safety of the Yalu River Bridge between Andong [Dandong] and Shineuiju [Sinuiju]," "The Conversation Minutes between the Representative of the Ministry of Public Security of the People's Republic of China and the Representative of the Interior Ministry of the Democratic People's Republic of Korea on Exchanging Intelligence on the Activities of Enemy Spies and Special Agents and on Cases of Reconnaissance involving Both Countries") will simultaneously become ineffective.

This agreement is hereby signed on 9 June 1964 in Pyongyang, Democratic People's Republic of Korea, in both Chinese and Korean, each of which are equally effective.

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Xu Zhirong

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