

Democratic People's Republic of Korea Ministry of State Security
People's Republic of China Ministry of Public Security

Mutual Cooperation Protocol for the Work of Maintaining National Security and Social Order in the Border Areas

The Democratic People's Republic of Korea Ministry of State Security and the People's Republic of China Ministry of Public Security, in the hope of further developing the friendly cooperation between the public security and state security agencies of both countries, have reached an agreement, as follows, on mutual cooperation issues relating to the work of maintaining national security and social order within the border areas.

ARTICLE 1

Both sides shall mutually cooperate on the work of protecting national social property and the life and property of the residents and of maintaining the safety of the border areas of the two countries.

Clause 1

Both sides shall actively cooperate on the work of preventing all kinds of calamities such as fire, floods, wind disasters, earthquake damage and industrial accidents. One side must provide appropriate relief to the other's side's residents who unavoidably enter its own area due to calamity.

Clause 2

In the event that one side finds a lost vessel, livestock, poultry or other property of the other side, it shall not be arbitrarily handled; it must be aptly safeguarded. The other side must be promptly notified, and the notified side must promptly take back [the property in question].

Clause 3

In the event that in one side's border area there occurs an infectious disease or insect infestation or the other side's area is in danger of being contaminated, the other side must be immediately notified. When necessary, passage through the border area may be temporarily prohibited through negotiations of both sides.

Clause 4

In the event that the duties performed by one side within its own boundaries or in its border area are of harm to the other side's country, social property, or the life and property of the residents, negotiations must be held with the other side or safety measures must be adopted.

Clause 5

In the event that a corpse is discovered in one side's border area, its nationality and cause of death must be investigated as a matter of course. If the deceased is a resident of the other area, it must be handed over to the other side, and if the deceased is of a criminal case involving both sides or if the nationality is unknown, an investigation may be carried out jointly by both sides. If the nationality of the deceased cannot be determined, it shall be handled by the country in whose area the corpse was found.

Clause 6

In order to prevent accidents that are of harm to the lives of the residents or to social property, both sides are prohibited from hunting or fishing using explosives or weapons in the jointly controlled waters of the Yalu and Tumen rivers.

Clause 7

It is prohibited that either side's law enforcement officers fire guns or release police dogs in the course of performing official business at the border unless under special circumstances such as when the safety of their own lives is put in peril by an antirevolutionary element attempting destructive activities or by a person being restrained who resists with violence.

ARTICLE 2

Both sides shall mutually cooperate on the work of patrolling both countries' border areas and the facilities installed in the border areas.

Clause 1

Both sides deem the border of the Yalu and Tumen rivers as a joint patrol zone. For ease of patrol duties, the concerned area's country shall take responsibility for the patrol duties of the area near its territory.

Clause 2

When a private train carrying either side's party or national leaders passes the bridge on the border, both sides shall reinforce patrol of the waters surrounding the border bridge.

Clause 3

Regarding the patrol of the facilities on the border of both countries, each side shall take responsibility for the duties it is in charge of based on the agreement consented to by both sides and perform the work according to its actual circumstances.

Clause 4

Each side must relay to the other on demand the materials necessary in the performance of the aforementioned patrol duties.

ARTICLE 3

Both sides shall mutually cooperate on the work of maintaining order in the passage through the border areas of the two countries.

Clause 1

The passage points of the border areas of the two countries must be settled through consultation with the other side, a mutual border passage inspection agency shall be established, and work shall be performed to maintain order in border passage.

Clause 2

Both sides shall permit passage through the two countries' borders based on passport, border-resident border pass, border-business pass or other certificates that have been authenticated through the consultation of both sides, and the passer must cross the border at the place designated on the certificate.

Clause 3

Persons in charge of entry/exit bureaus and public security in the cities, prefectures and counties in the border areas of the two countries shall issue to border residents who visit relatives on the other side's border area a one-month border-resident border pass and affix the prescribed seal [exclusively used] for border-resident passes. Persons who visit relatives in the border areas shall receive permission after undergoing strict screening, and controls shall be reinforced, with permission granted only in cases where immediate relatives are in the other side's border area. In the case of a border resident visiting relatives who are other than immediate, an "invitation notice" process must be undergone. The scope of immediate relatives, the form of the written notice and [its] method of use shall be settled through a meeting of the Public Security and Safety Chief Representatives of both sides' border areas. The Chief and Deputy Representatives of Border Public Security and Safety shall issue a border-work pass of less than one year to civil servants who come and go for border area business.

Clause 4

Hours of border passage are as follows:

(1) April - September: Beijing Time 0800 - 1800 (China Summer Time 0900 - 1900), Pyongyang Time 0900 - 1900

October - March: Beijing Time 0800 - 1700, Pyongyang Time 0900 - 1800

Necessary passage guaranteed on Sundays and holidays as well.

(2) Crossing the border by persons or transportation means during hours other than those stipulated for passage is entirely prohibited. Persons or transportation means that, due to circumstances of emergency, must pass the border at times other than those stipulated may contact [sic?] the border after receiving the approval of the other side's border inspection agency.

Clause 5

When one side's border guards, border area civil servants or residents (transportation means included) use a road on the other side's border area, the approval of the other side's Border Public Security and Safety Chief Representative must be obtained.

Clause 6

The forging of an agreement between the relevant agencies of the two countries' border areas and new border-passage issues shall be negotiated and settled in advance by the Public Security and State Security Ministries of both sides. However, in situations of emergency, the Border Security and Safety representatives of both sides shall negotiate for a solution and afterwards report to each one's Chief Representative.

ARTICLE 4

Both sides shall mutually cooperate on the work of preventing the illegal border crossing of residents.

Clause 1

In the case of crossing the border without possession of a legal certificate or without passing through screening agencies or the passage places stated on the possessed certificate, [the individual] shall be treated as an illegal border crosser. However, any person of the other side who enters the boundaries of one side due to any kind of calamity or unavoidable factors shall not be considered an illegal border crosser. A person possessing a border-resident pass who comes into a non-border area with the permission of public security and an entry/exit bureau shall not be considered an illegal border crosser.

Clause 2

Regarding individuals who illegally cross the border, depending on the situation a namelist or relevant materials shall be turned over to the other side. However, in case of there being a criminal act after the border is crossed, it shall be handled according to the laws of [the individual's] country, and the other side shall be notified of the situation.

ARTICLE 5

Both sides shall mutually cooperate on the issue of handling criminals.

Clause 1

In the event that there occurs the danger of antirevolutionary elements (spies, terrorists, destructive elements and assassins included) or common criminals escaping into the other side's borders, the other side must necessarily be informed. Regarding criminals possessing dangerous items such as weapons or explosives who have the possibility of escaping into the other side, the other side must be immediately informed of such detailed items as the criminals' photographs, physical features, weapons or dangerous articles being carried, and place of crossing; there shall be no limits to the time or place of the reciprocal liaison between both sides. The notified side shall necessarily adopt the required procedure to aid the other side in intercepting and arresting the criminals.

In the event that a criminal is investigated and arrested the offender shall necessarily be handed over to the other side. If one side is unable to continue pursuing or to arrest the offender who has escaped into the borders of the other side, the investigation and arrest may be entrusted to the other side, and the entrusted side shall necessarily, in the swiftest time possible, arrest the offender and transfer him together with the relevant materials into the [custody of the concerned] side.

In the case where the arrested criminal had committed a crime within the

borders of the other side, it may be handled, after agreement of the other side, based on the laws of the side that made the arrest, and the other side must be informed of the situation.

Clause 2

Both sides, in the event of receiving informational materials that harm the safety and social order of the other side's borders, shall reciprocally relay such [materials].

Clause 3

Regarding the case at issue, the two countries, after undergoing negotiations, shall take responsibility for its own investigative operations, and with close liaison reciprocally inform [the other] of the situation.

Clause 4

In the case of transferring to within the other side's borders a person with the possibility of committing a crime, the [relevant] materials shall necessarily be relayed to the other side.

Clause 5

In the event that one side is uncertain of the identity of a person that the other side has transferred to within its own [one side's] borders, investigation may be entrusted to the other side, and the entrusted side must investigate and provide a reply. If it is judged that there is a possibility that a person from a third country entering into the other side's borders, after passing through its own [one side's] borders, shall harm the other side's security, the other side must be notified of the concerned individual's identity and of materials relevant to the situation.

ARTICLE 6

Both sides define the border areas of China and North Korea as the cities, prefectures and counties [located] on the frontier areas: should there be changes in the administrative zone of the border areas, the other side must be immediately informed.

ARTICLE 7

The Minister of Public Security of the People's Republic of China and the Minister of State Security of the Democratic People's Republic of Korea shall be the Public Security and Safety Head Representatives of the North Korea-China border areas. Both North Korea and China shall [each] post one Chief Representative and several Deputy Representatives for Border Public Security and Safety. The Chinese side's Public Security Chief Representative and Deputy Representatives shall be the person in charge of the border Provincial Public Security Department and the persons in charge of the Public Security Department's border area affairs [respectively]. The North Korean side's Chief Representative and Deputy Representatives shall be the person in charge of the border province's State Security Department and the persons in charge of border police affairs [respectively]. Both sides shall post suitable personnel [as] Public Security and Safety representatives, and they shall be the persons in charge of the public security and [state] security agencies of the cities, prefectures and counties of the border areas. The Chief and Deputy Representatives of Border Public Security and Safety shall each be appointed by the Ministers of China's Ministry of Public Security and North Korea's Ministry of State Security. Public Security and Safety representatives shall each be appointed by the Public Security and Safety Chief Representatives. Each side shall by all means reciprocally inform the other of the roster of appointees.

ARTICLE 8

The duties of each level of North Korea's and China's Border Public Security and Safety representatives shall be as follows.

Clause 1

The duties of North Korea's and China's Border Public Security and Safety Head Representatives shall be to take responsibility for the fundamental work of discussing the work of maintaining the safety and social order of the North Korea-China border and of mutually cooperating on the established work.

Clause 2

The duties of North Korea's and China's Border Public Security and Safety Chief Representatives shall be to concretely discuss and establish the enforcement method and procedure for items that have been discussed and decided through the meeting of the Border Public Security and Safety Head Representatives.

Clause 3

The duties of North Korea's and China's Border Public Security and Safety Deputy Representatives shall be to assist the Public Security and Safety Chief Representatives in their work. When a Chief Representative is unable to perform his work, the designated Deputy Representative shall perform his work in his stead.

Clause 4

The duties of North Korea's and China's Border Public Security and Safety representatives shall be to take responsibility for and enforce the items that have been settled by the Chief and Deputy Representatives and the items that have been decided at the Head Representatives' Meeting and Chief Representatives' Meeting of each city, prefecture and county.

ARTICLE 9

The reciprocal contact and negotiation procedure between both sides' Border Public Security and Safety representatives of each level shall be as follows.

Clause 1

Contact and ordinary work among North Korea's and China's Public Security and Safety Head Representatives and each level's Border Public Security and Safety representatives shall be accomplished directly through such methods as telephone, written correspondence and the agency of persons. Contact shall be made through diplomatic procedures when necessary.

Clause 2

Each time criminals, illegal border crossers, or any kind of goods or property is to be handed over, both sides shall select through negotiation a convenient place to conduct such.

Clause 3

The North Korea-China Border Public Security and Safety Head Representatives' Meeting shall be held once every three (3) years, and the Border Public Security and Safety Chief Representatives' Meeting, every two (2) years. The place of meeting shall alternate between the two sides, and the representatives of the country where the meeting is to be held shall be in charge of the meeting representatives. When a meeting needs to be convened, the other side must first be informed of the time, place and agenda of the meeting and agreement must be obtained. North Korea-China Border Public Security and Safety Head Representatives shall be informed and agreement obtained two (2) months in advance: Border Safety and Public Security Chief Representatives, one (1) month in advance; and Deputy Representatives and representatives, four (4) days in advance. Under situations of emergency, Public Security and Safety representatives may hold a meeting on demand with no limit in time period through the negotiations of both sides. When Public Security and Safety Chief and Deputy Representatives cross [into] the other side's borders, they must be in possession of a Representative Certificate signed by North Korea's Minister of State Security and by China's Minister of Public Security

ARTICLE 10

This Protocol must be ratified by the governments of both sides and it shall be effective from the day each side informs the other. This Protocol's period of effectivity shall be twenty (20) years and shall be automatically extended for five (5) years as long as the authorities of neither side demands the other in writing six (6) months before expiration that it be terminated. This Protocol is signed at Dandong in the People's Republic of China on August, 12, 1986 with two

copies composed in Korean and Chinese and both possessing equal validity.

**Democratic People's Republic of Korea Ministry of State Security
Representative**

People's Republic of China Ministry of Public Security Representative