

REDACTED
EXHIBIT C



1 CENTRAL COURT OF INVESTIGATION [JUZGADO CENTRAL DE INSTRUCCIÓN]
2
3 Nº 5
DP [Preliminary Proceedings] 1396/2019

ADMINISTRACION
DE JUSTICIA

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9 DOCUMENT SUPPORTING THE REQUEST FOR THE EXTRADITION OF
10 CHRISTOPHER PHILIP AHN
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12 I, José de la Mata Amaya, Judge of Central Court of Investigation
13 [Juzgado Central de Instrucción] number 5 of the National High Court
14 [Audiencia Nacional], make this statement in support of the **REQUEST FOR THE**
15 **EXTRADITION** of Christopher Philip AHN (hereinafter “AHN”), in order that he
16 may be tried in Spain for the following offences:

17 (i) Causing injuries (art. 147 of the Penal Code: three months' to
18 three years' imprisonment).

19 (ii) Illegal restraint (arts. 163 and 165 of the Penal Code: two to four
20 years' imprisonment).

21 (iii) Threats (arts. 169 and 171 of the Penal Code: six months to two
22 years' imprisonment).

23 (iv) Breaking and entering (arts. 202 and 203 of the Penal Code: six
24 months to two years' imprisonment).

25 (v) Robbery with violence and intimidation (arts. 237, 241, 242: two
26 to five years' imprisonment).

27 (vi) Criminal organisation (art. 570 bis of the Penal Code: four to eight
28 years' imprisonment).





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Under Article 23 of the Organic Law on the Judiciary, it corresponds to Spanish jurisdiction in criminal matters to hear proceedings for crimes and misdemeanours committed in Spanish territory, subject to the provisions of any international treaties to which Spain is a party. The North Korean Embassy, located in calle Dario Aparicio 43 in Madrid, is on Spanish territory and falls within Spanish jurisdiction.

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35 **FACTS**

36 A. Overview

37 Christopher Philip **AHN** arrived at Adolfo Suarez-Madrid-Barajas Airport
38 on 22/02/2019 at 8:10 on American Airlines flight 94 from JFK airport in New
39 York (USA). The passport photograph of **AHN**, from passport control at Adolfo
40 Suarez-Madrid-Barajas Airport, corresponding to that flight, appears in Annex
41 1.

42 Later on the same day, a group of individuals, led by Adrian **HONG**
43 **CHANG**, and including **AHN** himself, entered the seat of the Embassy of the
44 Democratic People's Republic of North Korea in Madrid by force, using
45 imitation pistols and knives. They then kidnapped all of the staff, hitting them
46 and causing injuries to some, among them the Commercial Attaché. They then
47 proceeded to search the entire building, taking possession of a couple of pen
48 drives, two computers, two hard drives (one of them used for storing images
49 from the security cameras) and an Huawei Honor mobile telephone with
50 commercial number 645.659.070 and IMEI numbers: 861201038670115 and
51 861201038491702. Finally, they fled with three diplomatic vehicles belonging
52 to the North Korean Embassy, specifically, a Mercedes Viano CD 416003, a





53 Toyota Rav-4 CD 416002 and an Audi A8 CD 416001, which were recovered
later.

B. The Attack on the Embassy

56 The charges against AHN, causing injuries [lesiones], illegal restraint
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DE JUSTICIA 57 [detenciones ilegales], threats [amenazas], breaking and entering [allanamiento
58 de morada], robbery with violence [robo con violencia] and criminal
59 organisation [organización criminal], arise among other evidence from: (i)
60 statements by victims (Yun Sok SO (23 February 2019 and 3 April 2019); Song
61 Jin CHOE (25 February 2019); Cho Sun HI (20 March 2019); Song Guk JANG (24
62 April 2019); Ok Gyong JANG (25 April 2019); and Hak Rim JU (24 April 2019); (ii)
63 statements by witnesses (Chol Hak KIM (23 April 2019); Kwang Hyok PAE (23
64 April 2019); and Myong Nam JONG (23 April 2019); (iii) images from the
65 embassy closed-circuit television system, the business store SHOKE and the
66 business hardware store FERRETERIA DELICIAS; and (iv) police reports from the
67 investigation.¹ The events supporting these charges occurred as follows:

68 The Embassy of the Democratic People's Republic of Korea (Embassy) is
69 located in calle Darío Aparicio 43, in Madrid.

70 There were seven people inside the Embassy on 22 February 2019: Ok
71 Gyong JANG, K ██████ J █ S █, Song Guk JANG, Song Jin CHOE, Hak Rim JU, Cho
72 Sun HI and Yun Sok SO (the latter being the Commercial Attaché of the
73 Democratic People's Republic of Korea).

¹ Copies of the victim statements can be found in Annex 2 and of the witness statements in Annex 3.





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At 17:00, **CHOE** was carrying out gardening work in the Embassy's garden together with **JU** and **JANG**.

At 16:34, **HONG CHANG**, together with another person, travelled from calle Río Adaja 13 to Calle Darío Aparicio 26 in Madrid (arriving at 16:48), seat of the Embassy, in order to carry out the attack.

79 At 17:00, **HONG CHANG** called at the door asking to see Yun Sok **SO**, the
80 Embassy's Commercial Attaché.

81 Meanwhile, his companion remained waiting on the first roundabout in
82 close proximity to the Embassy.

83 **CHOE** opened the door and, hearing the request of **HONG CHANG**,
84 granted him access and allowed him to enter the Embassy's premises, telling
85 him to wait on a bench in the patio whilst he went to find **SO**.

86 Minutes prior to this, a white SEAT ALHAMBRA with registration plate
87 4824-KMT, had parked on the second roundabout located in Calle Viñas del
88 Pardo. Five people got out of the car and walked towards the door of the
89 Embassy, where they joined the person who was waiting nearby, and together
90 they headed to the door of the Embassy.

91 **HONG CHANG**, taking advantage of a momentary oversight by **CHOE**,
92 opened the door of the Embassy, granting access to the individuals who were
93 positioned outside, including **AHN**.

94 There are images from the security cameras of the embassy, in
95 particular from the security camera that covers the entry door to the embassy
96 in which **AHN** appears clearly, being one of the people in the group that
97 attacked the embassy. These photographs appear in Annex 4 of this document.





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They immediately entered the Embassy building carrying knives, iron bars and handguns (imitation), and started to violently hit those inside, until they managed to restrain them and immobilise them using hinged handcuffs and cable ties.²

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Thus, they attacked **CHOE**, they hit him, tied him up with cable ties and

placed a bag over his head.

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They also tied up and hit **JU** and (**SONG GUK**) **JANG**, moving the three of

them to the Embassy's meeting room.

² There are security camera images from the shop called "Shoke", *La Boutique del Policía* [the police officer's boutique], in Calle Juan de Uribia and from "Ferretería Delicias" hardware store, at Paseo de las Delicias, 46 - both in Madrid – which show **HONG CHANG** and Sam **RYU** (another member of the group) buying a variety of objects on 20 and 22 February 2019, which were later used in the attack on the Embassy. Some of these objects were subsequently recovered by the police authorities.

The products bought by **HONG CHANG** at "Shoke" on 22 February 2019 included, among others: (i) 4 combat knives; (ii) 6 imitation pistols; (iii) 5 flashlights; (iv) 4 balaclavas (Ski Mask); (v) a shoulder holster; y (vi) 5 pairs of hinged handcuffs. At least one of each of these items was recovered from inside the Embassy and in the garden and outer courtyard at the rear of the Embassy. Photographs of these items can be found in Annex 5.

The products bought by **RYU** at "Ferretería Delicias" hardware store on 20 and 22 February 2019 were, among others: (i) two rolls of black electrical tape; (ii) a pair of pliers; (iii) a telescopic ladder; (iv) five pairs of safety glasses; and (v) a pair of bolt cutters. The telescopic ladder was found in the trunk of the Seat Alhambra with registration plate 4824-KNT. The other items were recovered from inside and outside the Embassy. Photographs of these items can be found in Annex 5.

Annex 5 also includes photographs of: (i) a door which appears to have been forced using a crowbar (two were bought by **RYU**); (ii) cable ties; (iii) defence spray and (iv) a pair of scissors.





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A number of the assailants, including **AHN**, also attacked **SO**, hitting him and causing different injuries and forcibly took him to one of the bathrooms. **SO** resisted this and started to struggle with his attackers, until he was restrained and his arms were tied behind his back with cable ties. They covered his head with a bag whilst threatening him with iron bars and what appeared to be firearms pointed at the back of his neck. **AHN** was one of the people who directly and personally participated in attacking, assaulting and immobilising **SO**.³

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Approximately 30 minutes later the attackers took **SO** to the Embassy's meeting room, and they also took **CHOE**, **YU** and **JANG** to the same location.

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Whilst the attack was underway, the wife of **SO**, Ok Gyong **JANG** and her son, K ██████████ were in a bedroom with the door locked shut, although the attackers were able to force it open and enter the room to reach her and the child.

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They did not restrain them or tie them up, but one of the attackers stayed guarding them so that they could not leave.

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In addition, HI, wife of (SONG GUK) **JANG**, was on the top floor of the Embassy, and when she heard everything that was happening she went into a room, locking it shut, until the attackers started hammering on the door in order to gain access.

³ On 3 April 2019 **SO** carried out a photographic identification and identified one of the attackers in photograph number 4, which proved to be the photo corresponding to **AHN** (previously obtained from his LinkedIn profile), (See Annex 2).





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Before they managed to do this, HI attempted to escape via the room's terrace. She ended up falling to the ground, sustaining various injuries but was able to escape and left the Embassy's premises via the paddle tennis court, which has an exit directly out onto the street. There she was seen by another witness, who helped her and requested medical and police assistance.

132 A medical team from *SAMUR*, the Municipal Emergency Assistance and
133 Rescue Service in Madrid, went immediately to the scene of the events and
134 started to treat her. She was seriously injured.

135 A police unit also immediately attended the scene and was informed by
136 the victim that various people had attacked the Embassy.

137 After establishing a security perimeter, the police officers with
138 professional identity numbers 122.334, 122.271 and 115.581, moved to the
139 door of the Embassy and called at the door. The person who opened the door
140 was **HONG CHANG**, who had affixed a pin bearing the face of the leader of the
141 Democratic People's Republic of Korea to the lapel of his jacket, presenting
142 himself as a representative or person in authority at the Embassy and told them
143 that there was no problem. He further stated that if a person of North Korean
144 nationality had been injured then the police officers must inform the Consulate
145 officially.

146 After approximately 60 minutes in the meeting room, three of the
147 attackers took **SO** to one of the rooms in the basement. There, two of the
148 attackers urged him to leave North Korea, identifying themselves as members
149 of a human rights association or movement for the liberation of North Korea.





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When **SO** told them that he would not betray his country and would not defect, the two attackers who engaged with him left the room, leaving **SO** guarded by the third attacker. 15 minutes passed and various attackers entered. They tied him up again and once more placed a black bag over his head.

155 The assailants held the people who were in the Embassy for several
156 hours, keeping them immobilised with hinged handcuffs and cable ties at all
157 times and hitting them.

158 During this time they proceeded to systematically search different
159 offices in the Embassy, taking possession of a couple of pen drives, two
160 computers, two hard drives (one of them used for storing images from the
161 security cameras) and an Huawei Honor mobile telephone with commercial
162 number 645.659.070 and IMEI numbers: 861201038670115 and
163 861201038491702.

164 They then took possession of three vehicles belonging to the Embassy,
165 and the majority of the attacking group proceeded to leave the Embassy in
166 these three vehicles at approximately 21:40, leaving the people who they had
167 detained inside the embassy immobilised with cable ties and hinged handcuffs.

168 The vehicles were a Mercedes Viano CD 416003, a Toyota RAC-4 CD
169 416002 and an Audi CD 416001. The three vehicles were recovered and
170 returned to their owners. The leader of the group of assailants, Adrian **HONG**
171 **CHANG** and one of the members of the group remained inside the Embassy
172 until the three vehicles had left.





173 At 21.30, a Mercedes E220 1953-KCJ, from UBER, was parked outside
the Embassy. It had been booked by **HONG CHANG** for a journey from the door
of the North Korean Embassy to Toledo.

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177 **HONG CHANG**, proceeded to cancel this service at 21:40, possibly
because it was clear that he could not leave the Embassy by the front, as there
178 were different police units at the scene.

179 Immediately afterwards, **HONG CHANG**, always using the alleged
180 identity of the UBER user Oswaldo **TRUMP**, proceeded to book a new UBER
181 service, for 21:46, on this occasion to Avenida de Valdemarín nº 56, which is
182 precisely the rear of the North Korean Embassy.

183 At this point, **HONG CHANG** and the other attacker left the Embassy by
184 the rear, crossing an area of wasteland where they threw away an Italian
185 identity card in the name of Matthew **CHAO** and some of the items they had
186 used for attacking the Embassy (imitation pistols, combat knives, defense spray
187 and cable ties), and then fled the scene. The following day they left for New
188 York (United States of America) on a flight departing from Lisbon ⁴.

189 At 21:50 three North Korean students, Kwang Hyok **PAE**, Myong Nam
190 **JONG** and Chol Hak **KIM**, approached the Embassy.

191 One of them called at the Embassy door and as he did not receive a
192 response, he proceeded to jump over the Embassy's fence in order to assist the
193 victims.



⁴ Matthew **CHAO** is one of the identities used by **HONG CHANG**.



194 Immediately afterwards, they opened the Embassy door from the inside
195 and the victims started to leave, still tied up. They received immediate
196 assistance from the police.

197 At 22:35, **SO**, in his capacity as Commercial Attaché of the Embassy,
198 issued written authority to the police unit for them to proceed "to enter the
199 diplomatic legation for the purposes of conducting a search and determining
200 whether all was in order and checking that there is no one inside who was not
201 from the diplomatic legation."

202 Furthermore, **SO** issued a new written authorisation to the police unit
203 for them to enter the diplomatic legation "in order for the forensic police to
204 carry out the corresponding visual inspection and collect any items that may
205 have been handled by the attackers."

206 The Mercedes Viano CD 416003 was found abandoned shortly
207 afterwards, with the doors open and the engine running, on calle Galileo, 57, in
208 Madrid.

209 The Toyota RAV 4 CD-416002 was found shortly afterwards, at
210 approximately 23:10, on Avenida de Europa number 7, in Pozuelo de Alarcón.
211 The AUDI A8 CD416001, was located at approximately 04:30 at Avenida
212 Monforte de Lemos nº 93, open and with the keys inside.

213 **HONG CHANG**, in a statement made before FBI special agents in Los
214 Angeles (California, United States), on 14/03/2019, stated that one of the
215 people who participated in the attack on the embassy was Christopher Philip
216 **AHN**, aged approximately 37 and a former United States Marine. He affirmed





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that AHN is from Chino (California) and lives close to Koreatown, in Los Angeles
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**1. INITIATION OF CRIMINAL PROCEEDINGS AND RULING ORDERING THE
PROVISIONAL CUSTODY OF CHRISTOPHER PHILIP AHN**

Judicial proceedings were initiated on 23/02/2019, on the basis of an
223 official police communication presented by the investigating police unit.

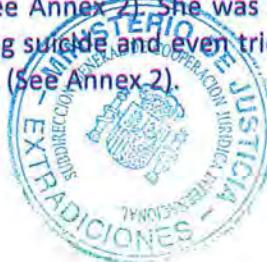
224 On 11/04/2019 a Ruling ordering provisional custody, communicated
225 and without bail was issued against AHN. This ruling ordering provisional
226 custody serves to enable AHN to be brought before the Court to be tried for
227 the six crimes indicated. A copy of this ruling can be found in Annex 6.

228 **2. APPLICABLE ARTICLES AND TIME BARS**

229 Copies of the articles of the Spanish Penal Code pertaining to the six
230 charges made against AHN - Articles 147, 163, 165, 169, 171, 202, 203, 237,
231 241, 242 and 570 bis. - can be found in Annex 7.

232 Under Article 131 of the Penal Code all the offences, except
233 membership in a criminal organisation, have a time bar of five years. The
234 offence of membership of a criminal organisation has a time bar of ten years.
235 The offences were committed on 22 February 2019; as such they are clearly not
236 time-barred under Articles 131 and 132. A copy of Articles 131 and 132 can also
237 be found in Annex 7. There is no other legislation that bars the prosecution.

5 This statement took place in March, in the indicated date, in spite that the Ruling ordering provisional custody against AHN which states that it took place in February. On 25 April 2019 (Ok Gyong) JANG identified photograph number 2 from among those shown to her, which proved to be that of HONG CHANG as one of the men who attacked the Embassy. (See Annex 2). She was so afraid during the attack that she thought of committing suicide, and even tried to cut the veins on one of her wrists with a razor blade. (See Annex 2).





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The Spanish Penal Code states in Article 27 that those criminally responsible for crimes and misdemeanours are the principals and their accessories. The concept of principal is defined in Article 28 which says that perpetrators are those who perpetrate the act alone, jointly or by means of another person whom they use as an instrument. In addition, it states that the following shall also be deemed perpetrators: (i) whoever directly induces another or others to commit a crime and (ii) whoever cooperates in committing a crime with an act without which it would not have been committed. A copy of Articles 27 and 28 can also be found in Annex 7.

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247 A copy of the Art. 23 Organic Law on the Judiciary, regarding the competence of the Spanish Jurisdiction to handle this case is also included in Annex 7.

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251 3. IDENTIFICATION

252 Christopher Philip AHN, born on [REDACTED] 1981 is the holder of United
253 States of America passport number [REDACTED] 1236. Annex 2 contains the
254 photograph of AHN that was identified by SO as one of the people who
255 attacked him in the Embassy.

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Madrid, 14 May 2019

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JOSE DE LA MATA AMAYA



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ANNEX 1
PASSPORT PHOTOGRAPH OF CHRISTOPHER AHN





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ANNEX 2

STATEMENTS OF THE VICTIMS

RECORD OF STATEMENT

280 Full Name: Yun SOK SO

281 NIE [Foreign resident ID]: [REDACTED] 359-M

282 Place of birth: North Korea

283 Date: [REDACTED] 1979

284 Son/daughter of: So Jae MYONG and Ju Yong SUKM

285 Address: Calle Darío Aparicio, 43, Madrid

286 Telephone: 91 307 87 76

287 -- Issued in Madrid, at the station of the Provincial Intelligence Services,
288 on 23 February 2019 at 12:45 by the above-mentioned officers assigned
289 to the aforementioned Provincial Intelligence Services, who are acting as
290 the Presiding Officer and Secretary, respectively, for the purposes of this
291 record and with regard to the events that gave rise thereto:

292 -- Under the provisions of Article 284 of the Law of Criminal Procedure
293 and Article 6 of Law 4/2015 of 27 April on the Statute of Victims of Crime,
294 he is informed that if the perpetrator is not identified within seventy-two
295 hours, these proceedings shall not be sent to the judicial authority,
296 without prejudice to his right to reiterate the complaint before the State
297 Prosecutor's Office or the investigating court.

298 --- During this act he is informed of his rights, under the provisions of Law
299 4/2015 and the Law of Criminal Procedure (Articles 109, 109 bis, 110
and 771.1). VICTIM.

300 --- He appears at this station freely and voluntarily in order to provide
301 new information regarding the events that gave rise to these
302 proceedings. He is the Commercial Attaché at the North Korean
303 Embassy, acting as Ambassador, and states the following:

304 --- At approximately 17:00 on 22/02/2019 a person of Asian origin rang
305 the Embassy access bell and one of the employees who was inside,
306 Song Jin CHOE (hereinafter CHOE), went to answer the call via the
307 video intercom and saw a person who told him that he had come to visit
308 the declarant (hereinafter SO) as he was a friend of his and indicated that
309 he had brought a present for SO, at which CHOE allowed him to enter
310 the embassy premises as far as one of the common areas in order to
311 wait there. At that point the declarant, SO, who had also heard the bell
312 came downstairs to see who had called.

313 This person had come to the Embassy a couple of weeks ago and SO
314 had a conversation with him, although it was at the door of the Embassy,
315 in which he introduced himself politely in order to conduct an interview
316 with SO. This unknown individual even left the declarant a business card
317 which he will submit to the proceedings. He even posed for a photo with
318 this individual with the latter's telephone. The unknown individual told him
319 he knew "Alejandro", a Spanish person who works with North Korea, but
320 SO subsequently sent an email to Alejandro asking him if he knew this



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person (the name on the business card) and Alejandro said he did not. SO states that if he looks at his computer, he could find out the exact date of the visit.

-- SO could see that CHOE and this person were close to the main entrance to the embassy, although before he arrived at the place where CHOE and this person were, he had to take a telephone call that was underway on one of the embassy's landlines. When he finished the call he saw five or six individuals entering behind CHOE and this person, pushing CHOE and the other person, brandishing firearms and bladed weapons, hitting CHOE and moving toward SO, whom they began to hit when they reached him, causing him a number of injuries and they took him forcibly to one of the bathrooms, at which SO resisted and started to struggle with the attackers, until his arms were finally tied behind his back with cable ties. They covered his head with a bag whilst threatening him with iron bars and firearms pointed at the back of his neck, telling him not to resist, speaking in perfect Korean with a recognisable South Korean accent.

340 -- SO indicates that while he was undergoing this attack he saw the
341 attackers doing the same to CHOE, although they separated them and
342 SO lost sight of CHOE even though they were able to hold a
343 conversation such that SO guessed that he was in the hall near the
344 bathroom where he was.

345 -- SO believes they were there for approximately 30 minutes, until three
346 of the attackers picked him up and carried him from the bathroom to the
347 embassy meeting room and some of the other attackers did the same
348 with CHOE, then the attackers brought two other embassy employees to
349 the same room, Hak Rim YU (hereinafter YU) and Song Guk JANG
350 (hereinafter JANG), who were sweeping in the gardens when the attack
351 took place. There their hands were tied and they were held there by the
352 attackers.

353 -- SO and the other three employees remained with their hands tied in
354 the meeting room for at least an hour and, because of the pain they were
355 feeling, they asked the attackers to untie their arms, at which the
356 assailants told them to shut their mouths and keep silent. SO states that
357 he could not see how many attackers may have been guarding them,
358 although he did hear them talking to each other in English, however,
359 given the noise that other assailants were making, he guessed that they
360 were entering the rooms in the building, hammering hard against any
361 doors that were locked. While he was in the meeting room, SO heard the
362 bell ring; he thinks it was the police after they found Cho Sun HI injured in
363 the street, which he will explain later.

364 -- While the attack was in progress, SO's wife Jang Ok GYONG
365 (hereinafter GUONG) and his son K [REDACTED] J [REDACTED] S [REDACTED] were in the bedroom
366 with the door locked and although the attackers were able to force their
367 way inside, she and her son were not restrained or tied up, but one of the
368 attackers stayed guarding them so that they could not leave.

369 -- Cho Sun HI (hereinafter HI), JANG's wife, was on the top floor and
370 when she heard everything that was happening she went into her room,



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locking it shut, until the attackers started hammering on the door in order to gain access. However, before they managed to get inside, HI attempted to escape via the room's terrace. She ended up falling to the ground, sustaining various injuries but was able to escape and left the Embassy premises via the Paddle tennis court, which has an exit directly out onto the street, where she was seen by a member of the public and she was helped and treated by Police medical personnel.



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387 --- After spending an hour in the meeting room, SO was again carried to
388 one of the rooms in the basement, where he was thrown to the ground
389 face down and some time later he was sat on a chair, with his feet and
390 hands still tied and the bag still over his head, such that SO asked them
391 to untie his hands, at which his assailants told him in South Korean to
392 calm down and finally they untied his hands and removed the bag. At this
393 point he was able to see the persons who were holding him captive, one
394 of whom was the first person who entered the embassy premises, who
395 was at least 180 cm tall, with a sparse, thin beard and a moustache, with
396 long dark hair in a ponytail, with Asian features, 30-35 years old, wearing
397 a black suit, a white shirt and a black tie with white dots. He could see
398 that one of the other attackers was approximately 172 cm tall, Asian
399 features, with black hair cut in a modern raised style, with white skin,
400 approximately 35-38 years old, wearing a dark suit, black tie, white shirt
401 and black tie with pink stripes [sic] and brown shoes. These two men
402 engaged in a conversation with him while a third man was guarding him,
403 who was approximately 180 cm tall, with prescription glasses and a
404 balaclava that covered his head and half of his face, carrying a pistol on
405 the right-hand side of his belt, and a fourth individual who moved in and
406 out of the room who was approximately 168 cm tall with a thin, sparse
407 beard and a moustache.

408 --- SO states that these two persons, and mainly the second one, told
409 him, urged him, that the North Koreans should abandon their country
410 (meaning North Korea) and identified themselves as members of a
411 human rights movement association that helps North Koreans who
412 escape from their country and are suffering from famine, while also telling
413 him that the North Korean government has very little time left and other
414 associations in other countries are going to do the same thing as them.
415 SO states that during this act his understanding was that these persons
416 were trying to make SO and the other employees betray their country
417 and its leader to become the ambassador of a new state set up by them,
418 a "free" state. These persons went on to say that if he decided not to
419 work with them they were offering to help him settle in another country
420 outside North Korea where he would have a good life, while also
421 constantly denigrating his political leader in North Korea, insisting that his
422 government was about to fall and again offering SO the chance to
423 abandon his country. SO refused each and every one of the offers and
424 told them emphatically to desist as he found it insulting and would never
425 accept.

426 --- In an attempt to safeguard the other embassy employees and his wife
427 and son, SO said that no reprisals would be taken against them and he
428 guaranteed their physical safety if they left the embassy. However, they
429 replied that one of the women was shouting outside in the street and they
430 asked SO to make the woman return to the embassy and he offered
431 again to safeguard them and asked them to leave the embassy, although
432 they were afraid that the police were outside waiting for them. The first
433 man asked him for an embassy car in order to leave, at which SO asked
434 him how many of them there were and he answered 10 or 11, to which



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So replied that they would not fit in one vehicle and half of them should walk out. The man said no, he should give them more vehicles, to which SO agreed.

--- The two persons to whom he spoke left the room leaving the third individual to guard him, with whom SO did not interact at any time. After approximately 15 minutes a number of assailants came in and tied his hands with cable ties again and covered his head again with the black bag. SO does not know whether he was left alone or if somebody was guarding him. At the same time he could hear the attackers destroying the furniture, specifically four pictures of his political leaders, which he considered a serious affront. After the uproar, the embassy became very quiet, which caused SO considerable worry regarding the safety of his wife and son, as he did not know what was happening. Some time later he began to hear CHOE calling him, then his wife and son appeared by his side and proceeded to release him.

--- Once SO was set free he went outside the building and saw that the cars were not inside, he saw that the assailants had gone and he saw the police officers outside the embassy who asked them not to come out until the events had been clarified.

--- SO states that the keys were not inside the vehicles so the attackers must have found them during their search of the rooms.

--- He wishes to state that the other three persons who were outside the Embassy when they were freed, Kwang Hyok PAE, Myong Nam JONG and Chol Hak KIM, are students at Nebrija University and they went there because they were calling the Embassy and were unable to contact anyone and, following the security guidelines in such cases, they went to see if there was a problem and noticed that something was happening.

--- When asked what he believes was the motive for the attack, **HE REPLIES:** that it was not robbery, even though they took a laptop computer (encrypted), another computer belonging to Mr JANG, two hard drives, one of which is the hard drive with the security images, two memory sticks and his gold-coloured Honor-brand mobile phone (645659070), but they were not interested in the safes and documents. He thinks it was carried out by professionals who received bribes and the aim was to "recruit" the declarant and discredit his country.

He states that nevertheless they have another hard disk with security images in the basement, which he offers to submit to this investigation without any problems via the company that manages them.

-- When asked to say whether the intruders used mobile telephones during the attack to communicate with each other, **HE STATES:**

He did not hear anything but one of the assailants, the one with the ponytail, told him that he had people outside watching.

--- When asked to say how many people he believes carried out the attack on the Embassy, **HE REPLIES:** he does not know but he estimates between 8 and 12 persons.

-- When asked to say whether, as the representative of his government, he gives his authorisation to perform a visual inspection of the two seized vehicles, **HE REPLIES:** of course, he has no objection at all and, if so required, the routes on the GPS devices inside them may be analysed in case they can offer the investigation any useful information.



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488 -- When asked to say if the Embassy has insurance, **HE STATES:** no, it
489 did until last year but it is no longer valid.

490 -- When asked for an approximate evaluation of the damage caused in
491 the Embassy and the stolen items, **HE REPLIES:** the non-material
492 damage and the affront are inestimable and the material losses could be
493 as high as THREE THOUSAND EUROS (€3,000).

494 -- Finally he wishes to state that he still fears a second attack and as
495 such he requests police protection. He requests that when travelling by
496 car, he wants at least two police officers to accompany him inside the
497 vehicle because he is afraid that they may be followed and at some point
498 a further attempt may be made to harm them. Apart from the Embassy,
499 there is a residence where their students live, at [REDACTED]
500 [REDACTED] and he fears that the attackers may know of it and wish to
501 harm them.

502 -- He has nothing more to state, and, having read this document, he
503 signs it to show his conformity along with the Presiding Officer, which I,
504 the Secretary, **CERTIFY**.



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RECORD OF STATEMENT

Full Name: Yun SOK SO
NIE [Foreign resident ID]: [REDACTED] 359-M

Place of birth: North Korea

Date: [REDACTED] 1979

Son/daughter of: Jae Myong SO and Yong Suk JU

Address: Calle Dario Aparicio, 43, Madrid

Telephone: 91 307 87 76

RECORD OF PHOTOGRAPHIC IDENTIFICATION.

Issued in Madrid, at the station of the Madrid Provincial Intelligence Services, at 19:20 on 03 April 2019 by the above-mentioned National Police Force officers assigned to the Madrid Provincial Intelligence Services, who are acting as the Presiding Officer and Secretary, respectively, who for the purposes of this record and with regard to the events under investigation hereby RECORD:

— Mr Yun **SOK SO**, NIE Y-[REDACTED] 359-M, Commercial Attaché at the Embassy of the Democratic People's Republic of Korea in Madrid, appears at this Station, after having been summonsed to do so, in order to conduct an interview with the investigating officers.

— The declarant was the victim of the events that occurred at the aforementioned Embassy on 22 February 2019, which led to the opening of Preliminary Proceedings [Diligencias Previas] number 1396/19 by Central Court of Investigation number 5.

-- Yun SOK SO, NIE [REDACTED] 359-M, made a statement regarding these events on 23 February 2019 at the Police Station of the Madrid Provincial Intelligence Services, which was forwarded to said Court via Official Communication number 852/19 of 27/02/2019.

-- During this act, after being shown the document "Annex 1", attached hereto, which includes nine still shots of nine males of Asian origin, numbered 1 to 9, HE RECOGNISES WITHOUT DOUBT the male who appears in still shot number 4 as one of the persons who took part in the attack on the Democratic People's Republic of Korea on 22 February 2019 and the declarant signs on the aforementioned still shots as proof thereof.

-- Specifically, he was one of the 4 or 5 people who, at the start of the attack, hit him at the entrance to the property until they managed to restrain him, assaulting him and hitting him in order to then immobilise him.

-- He has nothing more to state, and, having read this document, he signs it to show his conformity along with the Presiding Officer, which I, the Secretary, **CERTIFY**.

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CORPORACION NACIONAL DE POLICIA



DIRECCIÓN GENERAL
DE LA POLICIA

CUERPO NACIONAL DE POLICIA
Jefatura Superior de Policia
de Madrid
Brigada Provincial de Informacion

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ANEXO - 1 -



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Full Name: Song Jin CHOE

NIE [Foreign resident ID]: [REDACTED] 384-X

Place of birth: North Korea

Date: [REDACTED] 1988

Son/daughter of: Jong Gwan CHOE and Jong Sil RI

Address: Calle Darío Aparicio, 43, Madrid

Telephone: 689365073.

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565 --- Issued in Madrid, at the station of the Provincial Intelligence Services,
566 on 25 February 2019 at 16:00 by the above-mentioned officers assigned
567 to the aforementioned Provincial Intelligence Services, who are acting as
568 the Presiding Officer and Secretary, respectively, for the purposes of this
569 record and with regard to the events that gave rise thereto:

570 --- Under the provisions of Article 284 of the Law of Criminal Procedure
571 and Article 6 of Law 4/2015 of 27 April on the Statute of Victims of Crime,
572 he is informed that if the perpetrator is not identified within seventy-two
573 hours, these proceedings shall not be sent to the judicial authority,
574 without prejudice to your right to reiterate the complaint before the State
575 Prosecutor's Office or the investigating court.

576 --- During this act he is informed of his rights, under the provisions of Law
577 4/2015 and the Law of Criminal Procedure (Articles 109, 109 bis, 110
578 and 771.1).

579 --- He appears at this station freely and voluntarily after having been
580 summonsed to do so, accompanied by Yun SOK SO (hereinafter SO),
581 NIE [REDACTED] 359-M, born in North Korea on [REDACTED] 1979, son of So Jae
582 MYONG and Ju Yong SUKM, address Calle Darío Aparicio número 43,
583 Madrid and contact telephone number 91 307 87 76, whom the declarant
584 designates to act as interpreter as he prefers to make his statement in
585 his mother tongue, in order to provide new information regarding the
586 events that gave rise to these proceedings, he states that:

587 --- His job at the North Korean Embassy is that of administrative officer.

588 --- At approximately 17:00 on 22 February 2019 he was engaged in
589 cleaning work in the garden of the Embassy when the bell rang. The
590 declarant opened the door and encountered a man of Asian origin with
591 long dark hair tied in a ponytail, wearing a black suit, tie and white shirt
592 and over 180 cm tall. This male addressed the declarant in Spanish and
593 claimed he had an appointment with the Commercial Attaché at the
594 Embassy and that he had telephoned the Embassy before he arrived.
595 The declarant, after asking the male to wait inside the premises, led him
596 to a bench near the main door of the building and told him to wait. When
597 CHOE returned he discovered the individual near the entrance door to
598 the premises again, which he found unusual, but he approached him.
599 When he reached him they both went back towards the main door to the
600 Embassy when suddenly, as Mr SO was approaching to receive the



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601 visitor, a group of 5-6 males unexpectedly forced them inside the building
602 by hitting them and three of the males launched themselves at the
603 declarant, two of whom were armed with pistols, and another group
604 launched themselves at Mr SO. At that time the assailants were
605 addressing CHOE and Mr SO in Korean, with a South Korean accent.

606 --- The three males who attacked CHOE took him to a hall in the house,
607 separating him from Mr SO, whom they put in a bathroom. At this point
608 the men told CHOE to be calm and not to move, they had a South
609 Korean accent and used vocabulary that is characteristic of said country.
610 He remembers the following features of the individuals:

611 --- The first was approximately 1.75 m tall, of normal build, with dark hair,
612 Asian features, approximately 28-35 years old, dressed in a dark leather-
613 style jacket, with a checked shirt. He had a pistol.

614 The second one was approximately 1.70 or 1.72 m tall, of normal build,
615 with slightly long dark hair, Asian features, approximately 30 years old,
616 dressed in a light brown jacket, wearing glasses. He also had a pistol.

617 --- The third one was approximately 1.70 or 1.72 m tall, of normal build,
618 with dark hair, Asian features, approximately 30-32 years old, dressed in
619 black clothes, holding a crowbar.

620 --- At that point the individuals tied the declarant up using black cable ties
621 and covered his head with a black cloth bag and secured his feet with
622 grey adhesive tape. He remained in this condition for approximately forty
623 minutes. During that time, when CHOE attempted to talk to the attackers,
624 they refused to talk and simply told him to remain still and calm. He
625 thinks the assailants may have communicated with each other using
626 walkie-talkie devices until one of them ordered them to stop
627 communicating that way. At times they spoke to each other in English
628 and sometimes Korean, using what CHOE thinks were code words, such
629 as "make-up".

630 --- After that time had passed, the attackers picked the declarant up and
631 carried him to an adjoining meeting room, having first changed his cable
632 ties for hinged handcuffs. Once in that room CHOE encountered Mr SO,
633 with Hak Rim JU (hereinafter JU) and Song Guk JANG (hereinafter
634 JANG), fellow Embassy employees. Both Mr JU and Mr JANG were in
635 the Embassy garden carrying out maintenance work along with the
636 declarant before the attack.

637 --- While they were in that room the assailants did not allow the victims to
638 communicate with each other and they threatened them saying that if
639 they tried to speak they would gag them. They remained in the room for
640 over three hours. During that time CHOE sensed that they took Mr SO to
641 another room.

642 -- While CHOE was being held in the meeting room he heard the doorbell
643 ring and somebody went out to open the door. A conversation took place
644 in Spanish. He believes the person who spoke on behalf of the assailants
645 was the male with the ponytail who first rang the doorbell.

646 -- While he was being held in the room, the declarant heard the attackers
647 moving around the various rooms in the building, occasionally making
648 banging noises and putting objects into rucksacks, as he heard zips
649 being closed.



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--- During some of the physical contact he had with these persons the declarant had the sensation that one of the assailants had calluses on his hands, a symptom of strong or hard-working hands, the result of physical or military work.

--- At one point after a long wait suddenly there was silence and the declarant managed to remove the bag from his head using his knees and the adhesive tape from his feet and then he helped his two colleagues JANG and JU. After this they began to call Mr SO but got no reply and Mr SO's wife opened up her house and also asked after her husband. At that point the Embassy doorbell rang again and the declarant was able to make contact with his colleagues who are students at Nebrija University. He told them to call the Police and to jump over the Embassy fence in order to help them, which they did. After the students arrived they heard Mr SO calling for help, at which point they went down to the basement and after helping him, they all left through the garage door which had been left open as a result of the attackers' escape in the three Embassy vehicles: Mercedes Viano with registration plate CD416003, Audi A8 with registration plate CD416001 and Toyota RAV4 with registration plate CD416002.

669 --- Once they were on the public highway they went towards some police officers who were nearby, to whom they explained everything that had 670 happened, and the declarant returned to the house with one of the 671 students, Kwang Hyok PAE, to look for Mrs JO (JANG's wife), whom they 672 later discovered had escaped via one of the terraces. At that point CHOE 673 and PAE noticed a box of hinged handcuffs in the hall of the house and 674 the declarant took the opportunity to take some keys and free himself. 675

676 --- A significant detail that Mr CHOE wishes to highlight is that when they 677 returned with the Police after giving them written authorisation to enter 678 the premises, they noticed a Democratic People's Republic of Korea pin 679 thrown on the floor along with the boxes of hinged handcuffs mentioned 680 above.

681 --- When asked about the approximate value of the stolen vehicles, 682 CHOE answers that the Audi A8 may be worth approximately 70,000 683 euros, the Toyota RAV4 approximately 40,000 euros and the Mercedes 684 Viano approximately 25,000 euros.

685 --- When asked what the declarant thinks about the motive for the attack 686 on the Embassy, CHOE replies that he thinks that most of the individuals 687 were from South Korea and that one or two of them may be foreigners 688 who spoke perfect English, probably British, and he believes that the 689 main reason for the attack was not robbery or money, but rather they 690 were attempting to obstruct the relationship between South Korea and 691 North Korea, which is improving of late, and to divert attention with this 692 action from the Summit that North Korea and the United States are going 693 to hold shortly in Vietnam, and that the motive was purely political.

694 --- When asked to say if he would recognise any of the assailants if he 695 saw them again, he replies that he could undoubtedly recognise two of 696 them and he is not sure about the other one.

697 -- He has nothing more to state, and, having read this document, he 698 signs it to show his conformity along with the Presiding Officer, which I, 699 the Secretary, **CERTIFY**.

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RECORD OF STATEMENT

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Full Name: Hak Rim JU

NIE [Foreign resident ID]: [REDACTED] 517-D

Place of birth: North Korea

Date: [REDACTED] 1990

Son/daughter of: Sung Hyok JU and Song Ok SIN

Address: Calle Darío Aparicio, 43, Madrid

Telephone: 91 307 87 76

-- Issued in Madrid, at the station of the Provincial Intelligence Services, on 24 April 2019 at 16:50 by the above-mentioned officers assigned to the aforementioned Provincial Intelligence Services, who are acting as the Presiding Officer and Secretary, respectively, for the purposes of this record and with regard to the events that gave rise thereto:

-- Under the provisions of Article 284 of the Law of Criminal Procedure and Article 6 of Law 4/2015 of 27 April on the Statute of Victims of Crime, he is informed that if the perpetrator is not identified within seventy-two hours, these proceedings shall not be sent to the judicial authority, without prejudice to your right to reiterate the complaint before the State Prosecutor's Office or the investigating court.

-- During this act he is informed of his rights, under the provisions of Law 4/2015 and the Law of Criminal Procedure (Articles 109, 109 bis, 110 and 771.1).

-- He appears at this station freely and voluntarily after having been summonsed to do so, accompanied by Yun SOK SO (hereinafter SO), NIE [REDACTED] 359-M, born in North Korea on [REDACTED] 1979, son of So Jae MYONG and Ju Yong SUKM, address Calle Darío Aparicio número 43, Madrid and contact telephone number 91 307 87 76, whom the declarant designates to act as interpreter as he prefers to make his statement in his mother tongue, in order to provide new information regarding the events that gave rise to these proceedings, he states that:

-- His job at the North Korean Embassy is that of administrative officer.

-- On 22 February 2019 he was engaged in cleaning work in the garden and outside the Embassy from approximately 16:00 onwards, along with his compatriot Song Guk JANG. At approximately 16:40 he saw a man dressed in a suit and tie and with long hair tied in a bun, approximately 35 to 40 years old, on the Embassy premises, waiting to be attended to.

-- Moments later, when his colleague and he were close to the garage area, he heard the sound of people running and, without realising what was happening, two male approached him unexpectedly and began to hit him in the stomach and on the neck, then threw him to the ground, tied his hands and feet with cable ties and placed a cloth bag over his head.

-- While the two males were approaching him, first he saw another unknown male approach Mr JANG, then moments later a fourth male joined him to hit and throw Mr JANG to the floor in a similar manner. He noticed that one of the males who were attacking Mr JANG was holding a pistol in his hand.

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--- He noticed that all of the males had Asian features and dark hair and were young men aged between 20 and 30, they were wearing gloves, some were wearing clear glasses and as they were running towards him and Mr JANG, they were covering their faces by pulling a scarf up over their noses and at least one of them was wearing a small video camera on his chest. One of the attackers who hit and restrained the declarant had long hair that covered his forehead.

--- As the assailants who tied up the declarant pulled the cable ties very tight, he felt a lot of pain and shouted out and his hand began to suffer from circulation difficulties. The assailants became aware of this problem as the declarant could hear them saying in English via earphones and transmission devices that he had a circulation problem and they needed to remove his cable ties. A few moments later, one of the attackers cut cable ties from his hands and replaced them with metal hinged handcuffs.

--- After a few minutes, when the declarant was still outside the building, guarded by the attackers, he heard a siren but could not distinguish whether it was a police vehicle or an emergency vehicle. At that point he heard the assailants talking in English. One said "it's the police" and another answered "Are you sure?" Then the attackers moved the declarant to the grass area of the Embassy.

--- Minutes later, although he cannot say exactly how long, two assailants stood the declarant up and took him inside the building to a room on the first floor where the rest of his compatriots from the Embassy were, including Mr SO. The declarant still had the bag over his head, with his hands cuffed behind his back and with cable ties on his feet. All the Embassy employees were being watched by attackers.

--- When his compatriots and the declarant attempted to communicate, the assailants threatened them, telling them that they could not speak and if they continued to do so, they would gag them.

--- Some time later, although he cannot say exactly how long, a number of attackers took Mr SO from the room where the declarant was.

--- The declarant remained in the aforementioned room with the rest of the employees until the end of the attack. They were watched at all times by the assailants. At one point he heard two of the attackers speaking English and he thought that one of them asked "How many of us are there?" and another answered "There are eleven of us".

--- Subsequently, after more time had passed, although he cannot say exactly how much, suddenly he could not hear the assailants talking, so he guessed that they had left the building and because his compatriot Mr JANG was able to remove the bag from his head and the tape from his feet, he approached the declarant and took off the cloth bag he also had over his head and cut the cable ties on his feet.

--- At that point the declarant noticed that Mr SO and his wife and son were not in the room. His wife and son appeared moments later.

--- Mr CHOE and Mr SO's wife went down to the basement to look for Mr SO while the declarant remained with the rest of the employees in the hall of the building. It was then that the three North Korean students who are habitually in contact with them arrived to assist them and help them to leave.

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--- Once Mr CHOE, Mr SO and his wife came up from the basement, they left the Embassy through the main door. As they were exiting they noticed some police officers whom they approached and who helped the declarant to remove the hinged handcuffs he had on behind his back. Moments later a number of police patrol vehicles arrived along with an Ambulance and the declarant was treated by medical professionals.

-- He has nothing more to state, and, having read this document, he signs it to show his conformity along with the Presiding Officer, which I, the Secretary, **CERTIFY**.



RECORD OF STATEMENT

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Full Name: Ok Gyong JANG
NIE [Foreign resident ID]: [REDACTED] 779-T

Place of Birth: North Korea

Date: [REDACTED] 1983

Daughter of: Jae Yong JANG and Kyong Hwa YUN

Address: Calle Darío Aparicio, 43, Madrid

Telephone: 91 307 87 76

824 --- Issued in Madrid, at the station of the Provincial Intelligence Services,
825 on 25 April 2019 at 11:25 by the above-mentioned officers assigned to
826 the aforementioned Provincial Intelligence Services, who are acting as
827 the Presiding Officer and Secretary, respectively, for the purposes of this
828 record and with regard to the events that gave rise thereto:

829 -- Under the provisions of Article 284 of the Law of Criminal Procedure
830 and Article 6 of Law 4/2015 of 27 April on the Statute of Victims of Crime,
831 she is informed that if the perpetrator is not identified within seventy-two
832 hours, these proceedings shall not be sent to the judicial authority,
833 without prejudice to her right to reiterate the complaint before the State
834 Prosecutor's Office or the investigating court.

835 -- During this act she is informed of her rights, under the provisions of
836 Law 4/2015 and the Law of Criminal Procedure (Articles 109, 109 bis,
837 110 and 771.1).

838 --- She appears at this station freely and voluntarily after having been
839 summonsed to do so, accompanied by Yun Sok SO (hereinafter SO),
840 NIE [REDACTED] 359-M, born in North Korea on [REDACTED] 1979, son/daughter of
841 Jae Myong SO and Yong Suk JU, address Calle Darío Aparicio número
842 43, Madrid and contact telephone number 913078776, whom the
843 declarant designates to act as interpreter as she prefers to make her
844 statement in her mother tongue, in order to provide information regarding
845 the events that gave rise to these proceedings, she states that:

846 --- She is the wife of Mr SO, who is the Chargé d'affaires at the North
847 Korean Embassy.

848 --- On 22 February 2019 at approximately 16:30 or 16:40 she was with
849 her minor son in her room watching the television and talking to him
850 when she suddenly heard a loud noise coming from the hall.

851 --- Consequently she opened the door to her room which is next to the
852 hall and she saw two males hitting and attempting to restrain another
853 Embassy employee called Mr CHOE on the floor, such that she was
854 frightened and locked the door to her room from the inside and drew the
855 bolt on the door.

856 --- Given the speed at which events were unfolding and the fact that they
857 were fighting she was unable to notice the physical characteristics of the
858 persons, except that they had Asian features and one of them had
859 slightly long hair at the back of his head.

860 --- After she had managed to lock herself in her room, an individual
861 outside began to strike the door hard and tell the declarant in Korean to
862 open the door and that nothing would happen to her. At this point the

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declarant and her son began to get dressed and she attempted to telephone her husband. She cannot remember whether there was a tone but she was not able to contact Mr SO at all. At the same time she could hear loud noises and shouting from outside the building so she leant out the window and saw two or three individuals hitting another Embassy employee called Mr JANG on the ground and holding his face firmly against the ground. Suddenly, someone outside managed to break the lock on the door and open the door.

--- At that point a tall male entered the room. He had Asian features, long hair tied in a bun and a beard and was wearing a suit, a white shirt and a tie with a pin representing the Head of State of North Korea in the lapel of his jacket. The declarant was frightened and held her son so that he could not see this person, who was explaining to the declarant that she should not be afraid and that they had come to help them.

--- This individual in a suit spent approximately ten minutes telling the declarant that they were there to help them and that she should not be afraid, as she was holding her son to her throughout in an attempt to calm him given the violent circumstances. At one point this person explained to the declarant that someone had informed him that her son was approximately 11 or 12 years old, but when he saw him he realised that he was 7 or 8, which made the declarant think that before the attack somebody had been watching them and passing information to this individual.

--- Then another male with Asian features, also with a beard and long hair tied in a pigtail, but shorter than the first individual, entered the room. He remained and watched the declarant and her son, as the individual wearing a suit left the room.

--- At one point this person told the declarant that they knew that the action they were carrying out was very dangerous and that they were also taking a risk.

--- They remained in these circumstances for approximately twenty minutes until the second male was relieved of his task of watching the declarant and her son by a third man.

--- This person was a male who was younger than the previous two, also with Asian features, approximately 25 years old, with short dark hair, and she thought his eyelids sagged a little. She remembers that at the time she thought that based on the shape of his head and the intonation of his accent, this person could have been born in North Korea and subsequently defected to South Korea.

--- Some time later, although she does not know exactly how long, another individual joined the aforementioned third male to guard the declarant and her son. Then the declarant asked the assailants if she could see her husband. They answered that it would not be possible for the time being.

--- Because the declarant was afraid that something bad might happen to her or the attackers might take her away from that place, she even thought of committing suicide by cutting her veins with something, but there was no object within reach. As such she asked the two individuals who were guarding her if she could go to the bathroom where she knew there were razor blades.



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922 --- Thereupon one of the males asked something in English via a
923 transmission microphone and earphone that he was using and
924 subsequently they allowed the declarant to go to the bathroom. Her son
925 remained in the room.

926 --- In the bathroom the declarant was still being watched by one of the
927 assailants and she was unable to access the razor blade so she went
928 back to the room next to her son.

929 --- Moments later a siren could be heard outside the house, a
930 circumstance which led one of the guards, the one with the long hair tied
931 in a ponytail and a beard, but not wearing a suit, to go outside the
932 building.

933 --- Some time later, while she was still being held in her room with her
934 son and watched by a guard, she heard people shouting and thought that
935 they were beating and torturing her husband, and she asked again to be
936 allowed to see him but was refused.

937 --- Later, although she cannot say exactly how much time had passed,
938 the attackers handed over guard duties again, this time to a male who
939 had covered his face with a kind of black scarf worn over above his nose
940 so she could not see his physical characteristics properly. However, she
941 thought he had Asian features, was approximately 30 years old, with light
942 skin, dark hair, tall and thin. This person had a video camera on his chest
943 and occasionally showed the declarant a pistol he was wearing on his
944 waist in a holster, in order to intimidate and threaten her.

945 --- While the declarant was being guarded by this individual she asked to
946 go to the bathroom again. The guard passed on the request via his
947 wireless microphone and allowed the declarant to go to the bathroom,
948 where she was able to obtain a razor blade. When she was back in the
949 room she attempted to cut herself on her wrist but desisted because of
950 the pain she felt.

951 --- An hour or two later, by which time it was night, her son was very
952 frightened because it was dark and they asked the assailants to turn on
953 the light, which they did but first they lowered the blind so nothing could
954 be seen from outside.

955 --- The declarant and her son decided to lie on the bed and cover
956 themselves with a blanket and, because of the panic she felt at the idea
957 that they may be taken from the Embassy to another location, she
958 decided again to kill herself with the razor blade. When she was ready,
959 the male who was guarding them suddenly left the room. One or two
960 minutes later no more noise could be heard and the house was in
961 silence, so the declarant decided to get up. She went to the kitchen to get
962 a fruit knife and went out into the hall.

963 --- There she found Mr CHOE, whose hands were immobilised behind his
964 back with metal hinged handcuffs and his feet were tied with cable ties,
965 which she was able to cut with the knife.

966 --- She also found Mr JANG and Mr JU, embassy employees, with their
967 hands tied with plastic cable ties, which she helped to cut with the knife.

968 --- Then three North Korean students who are habitually in contact with
969 the Embassy entered the hall of the house and also helped them to get
970 free. They all started to shout to find out where Mr SO was and the



962 declarant and Mr CHOE went down to the basement after hearing his
963 voice.

--- After they were able to free Mr SO from his cable ties, they returned to
the hall of the building and went outside. The declarant left via the garage
door.

--- When they were on the public highway they found some police officers
and moments later more police patrol vehicles and medical personnel
arrived to help them.

--- She remembers that her husband, Mr JANG and Mr JU had a number
of wounds on their faces and hands.

--- During this act she was shown photo arrays of males with similar
characteristics to the persons described by the declarant and a record of
photographic identification was made, separate to this record.

-- She has nothing more to state, and, having read this document, she
signs it to show her conformity along with the Presiding Officer, which I,
the Secretary, **CERTIFY**.

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RECORD OF STATEMENT

Full Name: Ok Gyong JANG
NIE [Foreign resident ID]: [REDACTED] 779-T

Place of Birth: North Korea

Date: [REDACTED] 983

Daughter of: Jae Yong JANG and Kyong Hwa YUN

Address: Calle Darío Aparicio, 43, Madrid

Telephone: 91 307 87 76

RECORD OF PHOTOGRAPHIC IDENTIFICATION.

Issued in Madrid, at the station of the Madrid Provincial Intelligence Services, at 12:50 on 25 April 2019 by the above-mentioned National Police Force officers assigned to the Madrid Provincial Intelligence Services, who are acting as the Presiding Officer and Secretary, respectively, who for the purposes of this record and with regard to the events under investigation hereby **RECORD**:

That appears in this Station, after having been summonsed to do so, Ok Gyong JANG, NIE number [REDACTED] 779-T, accompanied by Yun Sok SO, NIE [REDACTED] 359-M, Commercial Attaché of the Democratic People's Republic of Korea, whom the declarant designates to act as interpreter in her interview the officers.

That the declarant was the victim of the events that occurred at the aforementioned Embassy on 22 February 2019, which led to the opening of Preliminary Proceedings [Diligencias Previas] number 1396/19 by Central Court of Investigation number 5.

During this act, after being shown the document "Annex 1", attached hereto, which includes nine still shots of nine males of Asian origin, numbered 1 to 9, **SHE RECOGNISES WITHOUT DOUBT** the male who appears in still shot number 2 as the person who entered in her room dressed with a formal suit, shirt and tie, and who had affixed a pin bearing the face of the leader of the Democratic People's Republic of Korea to the lapel of his jacket during the assault to the Embassy, after that somebody broke the lock of the door and opened it, and the declarant signs on the aforementioned still shots as proof thereof

Specifically this person was the first person that entered in her room when she was locked inside, just after somebody from outside broke the lock and opened it.

He has nothing more to state, and, having read this document, he signs it to show his conformity along with the Presiding Officer, which I, the Secretary, **CERTIFY**.



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RECORD OF STATEMENT



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Full Name: Song Guk JANG
NIE [Foreign resident ID]: [REDACTED] 628-T
Place of birth: North Korea
Date: [REDACTED] 960
Son/daughter of: Yong Sung JANG and Chol Kum RI
Address: Calle Darío Aparicio, 43, Madrid
Telephone: 91 307 87 76

-- Issued in Madrid, at the station of the Provincial Intelligence Services, on 24 April 2019 at 18:10 by the above-mentioned officers assigned to the aforementioned Provincial Intelligence Services, who are acting as the Presiding Officer and Secretary, respectively, for the purposes of this record and with regard to the events that gave rise thereto:
-- Under the provisions of Article 284 of the Law of Criminal Procedure and Article 6 of Law 4/2015 of 27 April on the Statute of Victims of Crime, he is informed that if the perpetrator is not identified within seventy-two hours, these proceedings shall not be sent to the judicial authority, without prejudice to his right to reiterate the complaint before the State Prosecutor's Office or the investigating court.
-- During this act he is informed of his rights, under the provisions of Law 4/2015 and the Law of Criminal Procedure (Articles 109, 109 bis, 110 and 771.1).
--- He appears at this station freely and voluntarily after having been summonsed to do so, accompanied by Yun SOK SO (hereinafter SO), NIE [REDACTED] 359-M, born in North Korea on [REDACTED] 1979, son of So Jae MYONG and Ju Yong SUKM, address Calle Darío Aparicio número 43, Madrid and contact telephone number 91 307 87 76, whom the declarant designates to act as interpreter as he prefers to make his statement in his mother tongue, in order to provide new information regarding the events that gave rise to these proceedings, he states that:
--- His job at the North Korean Embassy is that of administrative officer.
--- At approximately 16:00 on 22 February 2019 he was carrying out cleaning work at the embassy, specifically sweeping the courtyard next to the area near the garage, along with another employee called Hak Rim JU. At approximately 16:30 he saw a person, who he noticed had long hair tied in a bun, inside the Embassy premises near the pedestrian entrance next to another Embassy employee, Mr CHOE.
--- A few minutes later, while he was still engaged in his cleaning work, he saw four or five males appear suddenly and unexpectedly. They ran towards his colleague JU and towards him. At first he thought they were journalists as he could not have imagined that they were assailants.
--- When these individuals approached Mr JU and the declarant, he realised they were attacking them and two of the males quickly pinned his arms behind his back, using physical force. The declarant attempted vigorously to resist but was unable to do so. The declarant asked them why they were doing this and who they were, but received no answer from these persons.

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ADMINISTRACION
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--- Because of the speed at which events unfolded, he can only remember that one of the individuals was young, under 30, with Asian features, dark hair, normal build and about 1.70 m tall.

--- When the declarant attempted to resist one of them put a pistol near his face in order to intimidate and threaten him.

--- The declarant stopped resisting because of this threat and the assailants violently forced him to the ground and hit his face against the ground.

--- When the declarant was on the ground and restrained by the attackers, they pinned his hands to his back and put cable ties on his hands and feet and placed a bag over his head. He remembers that the male who was trying to put them on did not know how to do it correctly and the other assailant told him in Korean how to put them on. Then one of the individuals told him to be still.

--- Thereupon, after approximately five or ten minutes the declarant heard a siren and the assailants immediately stood him up and took him to an area at the back of the Embassy, hidden from the wall and the main street, so that he could not be seen.

--- Subsequently, some time later, although he cannot say how long, two attackers stood the declarant up and took him inside the building to a room on the ground floor, near the hall. There he saw that there were more Embassy employees who were attempting to communicate with each other, which was not permitted by the attackers who were constantly watching over them and threatening them to stop them talking to each other.

--- After some time in these circumstances he heard a number of assailants take Mr SO to another room and then the declarant attempted to address the other individuals, asking them who they were and telling them that they were making a mistake, that it was an Embassy and attacking it in this way was an act of war, but he received no reply of any kind. However, one of the assailants threatened to take him to another room if he did not stop talking.

--- He remembers that at one point one of the assailants turned out the light, leaving them in the dark.

--- Some time later he heard two of the assailants talking very cautiously, which led him to think that they wanted to escape soon.

--- Moments later the attackers who were watching them exited the room, so the declarant thought that they had left. At that point Mr CHOE shouted out asking Mr SO where he was and suddenly an assailant came back into the room and told him to be quiet, then left immediately.

--- Minutes later the declarant heard silence again, a sign that the assailants were no longer inside the building. The declarant wishes to state that throughout the time he was being held in the room they kept him with his hands and feet tied with cable ties, a bag over his head and, for a considerable amount of time, lying face down on the floor and subsequently sitting on the sofa.

--- When the declarant and the rest of his compatriots could no longer hear the assailants, they tried to free themselves and the declarant was

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ADMINISTRACION
DE JUSTICIA

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1152 able to remove the bag from his head by rubbing his head against the
1153 sofa. Then Mr CHOE was able to break the cable ties on the declarant's
1154 feet by kicking between his feet, but he was not yet able to remove the
1155 ties from his hands.

1156 --- Next, along with the other Embassy employees, they went out into the
1157 hall of the building and found three North Korean students who had come
1158 to help them and one of them cut the cable ties that were holding his
1159 hands behind his back with a cutter.

1160 --- When all of his compatriots were in the hall, they all went outside the
1161 premises together. The declarant exited to the street via the pedestrian
1162 entrance. There they found a police patrol unit who assisted them and
1163 moments later more police and medical vehicles appeared.

1152 --- The declarant needed medical attention, consisting of two stitches to
1153 his face because of the pressure the assailants used to push him against
1154 the ground and an inflamed wrist caused by the cable ties. He also
1155 remembers that a number of his compatriots were also injured,
1156 specifically: Mr SO's face was injured, and he knows that Mr CHOE was
1157 also attended by SAMUR but he does not currently remember the nature
1158 of his injuries.

1159 -- He has nothing more to state, and, having read this document, he
1160 signs it to show his conformity along with the Presiding Officer, which I,
1161 the Secretary, **CERTIFY**

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RECORD OF STATEMENT

CHO SUN HI

ADMINISTRACION
DE JUSTICIA

Place and date	In the City of Madrid, on 20 March 2019.
Given name	CHO SUN
Surnames	HI
Diplomatic identity card	[REDACTED] 653W

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1171 Before the Investigating Judge and myself, the Judicial Administration
1172 Clerk and the State Prosecutor, the aforementioned individual appears in order
1173 to make a statement as the affected party in these proceedings.

1174

1175 The Judge has informed her of her obligation to state the truth in
1176 response to any questions she is asked and the sanctions with which the Penal
1177 Code punishes the crime of giving false testimony in criminal proceedings.

1178

1179 Subsequently, the witness swears/promises to truthfully relate
1180 everything she knows with regards to the questions put to her.

1181

1182 With regards to her name and personal circumstances, SHE STATES:
1183 That they are those indicated above.

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STATEMENT

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1187 The declarant is first informed by the judge of the rights to which she is
1188 entitled as the affected party/victim, along with the acts that have given rise to
1189 these proceedings.

1190

1191 She is assisted in the taking of the statement by the following individual
1192 who acts as Korean interpreter: MR YUN SOK SO, the embassy's commercial
1193 attaché.

1194

1195 To questions by the judge, regarding the events:

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1197 She states that what happened on the day of the events, she doesn't remember
1198 the exact time, but believes it was around 5 p.m., she was at home, on the first
1199 floor of the embassy, and heard some blows, fighting between people, thuds on
1200 the floor. She thought it strange as she had not heard this sound before, and it
1201 was the first time she had heard "death fights between people" [sic].

1202 ADMINISTRATION
1203 DE JUSTICIA
1204 She is 56 years old and it was the first time she heard the accent, and observed
1205 very clearly that although similar, the accent is different.

1206 She is very familiar with her husband's voice but it wasn't his voice, amongst
1207 the very savage and cutting noises, one of her colleagues shouted out Mr SO's
1208 name.

1209 She knew something was happening, she perceived it.

1210 She locked the door of her apartment with the key.

1211 She then immediately picked up her mobile phone to call two colleagues, but
1212 there was no reception. The people who live in the embassy were captured,
1213 which is why she wanted to call the residents who were outside the embassy,
1214 such as the students at the university of Nebrija.

1215 She found out that those who were inside the embassy were captured, which is
1216 why she thought that she was the only one alive, and gathered her shoes. She
1217 then opened the window to the terrace and went out, looking down to jump,
1218 but thought that if she jumped onto the concrete it would be worse, which is
1219 why she jumped onto the earth. She decided to jump and clung to the small
1220 terrace wall with her hands, and used her right leg to push off and clear the
1221 building.

1222 On falling she lost balance and hit her head on the corner of a tile, which she
1223 didn't notice at the time, but then her head felt hot and when she touched it
1224 she saw the blood.

1225 When she was on the terrace getting ready to jump she heard the thump on
1226 the door.

1227 She heard the noise from the door, not like the door opening, rather like it
1228 being kicked.

1229 When she fell she was nervous, and when she covered the blood on her head
1230 she started to walk to the main door, but changed direction because otherwise
1231 she would have been seen and captured.



1232 She knew of an exit unknown to others, and because of this she escaped
1233 through it and jumped over the wall.

1234 When she jumped over the wall she noticed someone on the terrace, and upon
1235 looking saw a man with black hair, his face covered with black fabric and a black
1236 jacket, and he was running towards the other side. She thought he was looking
1237 for her because she had escaped from the room

ADMINISTRATION

DE JUSTICIA

1238 She saw then that she had made a good decision, because from his appearance
1239 the man looked South Korean.

1240 This is why she wanted to move despite her leg hurting a lot, and her head
1241 bleeding, which is why she crawled on all fours to the road in front of the
1242 embassy.

1243 When she got to the road she saw a black car that changed direction towards
1244 the embassy, using the roundabout to do so.

1245 As her head was bleeding profusely, and her face and hands were covered in
1246 blood, the driver of the car was very startled when he saw her. She thought the
1247 driver was 35-40 and Spanish.

1248 The driver stopped the car, and she immediately opened the door and got in.
1249 As she didn't speak Spanish, she gesticulated, and the driver drove to where
1250 she indicated.

1251 150 metres from the embassy there is a clinic, where the driver stopped, and
1252 then the car went towards a gym that was next to the embassy. When the car
1253 stopped, two older people came out dressed in white hospital clothes.

1254 It was then that she wanted to take action, which is why she called the police
1255 when she saw these two people, who calmed her down, and attended to her
1256 head wound.

1257 She was unable to thank the driver.

1258 10 minutes later an ambulance arrived with doctors dressed in blue, to help
1259 her. The doctors lay her down and treated her wounds and general state, taking
1260 her pulse, etc.

1261 The doctors asked her if she was from China or the Philippines. She merely
1262 replied "No problem", sometimes speaking French.

1263 She didn't want to say she was from North Korea, because at that moment she
1264 didn't believe anyone. This is why she said she was Chinese. She thought that if
1265 she said she was North Korean, the doctors would take her to the nearby
1266 embassy.



1267 As there was no colleague she could turn to, she called the Chinese embassy in
1268 Madrid and thought that simply by greeting them in their language they would
1269 come and help her.

1270 The doctors realised she wasn't Chinese, and someone called the South Korean
1271 embassy, and the declarant shouted that she didn't want to speak to them.

1272 As she was anxious to call the police, she told the doctors to do so.

1273 ADMINISTRACION DE JUSTICIA 1273 15 minutes later the police arrived and she calmed down, because she saw
1274 their uniforms. She told the police she was from North Korea.

1275 1275 A doctor used an instant translation app with his mobile phone, which on
1276 translating what she said showed that South Korean attackers had assaulted
1277 the embassy and 6 people had been captured and their hands tied there, and
1278 she asked them to urgently go to their rescue, and explained how she escaped.

1279 When they heard this, they didn't appear to believe her.

1280 1280 She said she saw a man with black hair and his face covered with material, and
1281 a black jacket, and a doctor asked if they were South Korean spies. She said
1282 they were. Then the doctors and police officers were astonished.

1283 1283 She asked if they would help her, and the doctors told her that they had
1284 understood her, that the police would do what they had to and that she would
1285 be medically attended to.

1286

1287 In response to questions put by the State Prosecutor:

1288

1289 1289 On being asked if she saw the embassy staff tied up, she said she didn't see it,
1290 but heard someone shout KEEP STILL, which seemed like someone wanted to
1291 tie them up.

1292 1292 When she jumped onto the terrace she realised that this was the first time
1293 something like this had happened in the embassy and that the staff fought the
1294 bandits.

1295

1296 Questions from the judge

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1298 1298 She had her leg operated on last week

1299 1299 She claims for the injuries she suffered

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1301 The declarant wishes to add that before the police alighted from the
1302 ambulance, they asked her if she could call the embassy, and she told them
1303 that no-one would answer the phone because the staff had been captured.
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1306 ADMINISTRACION
1307 DE JUSTICIA

Having read this statement and consented to its content, the declaration signs it along with the other parties present in this act, to which I, the Judicial Administration Clerk, bear witness.

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[Illegible signatures]



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1323 **Full Name: Chol Hak KIM**

1324 **NIE [Foreign resident ID]: [REDACTED] 554-P**

1325 **Place of birth: North Korea**

1326 **Date: [REDACTED] 1984**

1327 **Son/daughter of: Ri Sop KIM and Jin Suk KANG**

1328 **Address: Calle Darío Aparicio, 43, Madrid**

1329 **Telephone: 91 307 87 76**

1330

1331 --- Issued in Madrid, at the station of the Provincial Intelligence Services,
1332 on 23 April 2019 at 16:45 by the above-mentioned officers assigned to
1333 the aforementioned Provincial Intelligence Services, who are acting as
1334 the Presiding Officer and Secretary, respectively, for the purposes of this
1335 record and with regard to the events that gave rise thereto:

1336 --- He has been informed of the legal obligation to state the truth (Art. 433
1337 of the Law of Criminal Procedure) and of the criminal responsibility he
1338 might incur in the event of a false accusation or false imputation to an
1339 individual of a criminal offence or showing flagrant disregard for the truth
1340 (Art. 456 of the Penal Code); of pretending to be the perpetrator or victim
1341 of a criminal offence (Art. 457 of the Penal Code); or of giving false
1342 testimony (Art. 458 of the Penal Code).

1343 --- He appears at this station freely and voluntarily after having been
1344 summonsed to do so, accompanied by Yun SOK SO (hereinafter SO),
1345 NIE [REDACTED] 359-M, born in North Korea on [REDACTED] 979, son of So Jae
1346 MYONG and Ju Yong SUKM, address Calle Darío Aparicio número 43,
1347 Madrid and contact telephone number 91 307 87 76, whom the declarant
1348 designates to act as interpreter to help with anything that the declarant
1349 cannot explain in Spanish, in order to provide new information regarding
1350 the events that gave rise to these proceedings, he states that:

1351 --- The declarant is currently an architecture student at Nebrija University
1352 and keeps in regular contact with his country's Embassy.

1353 --- On 22/02/2019, along with two other students from his country, called
1354 Mr PAE and Mr JONG, with whom he shares a residence, he went to the
1355 door of the Embassy after he had received a call from a North Korean
1356 employee at an International Body who also lives in Madrid, called Hyol
1357 Chol KANG, who had received another telephone call informing him that
1358 an Embassy employee had been injured. For that reason, KANG urged
1359 the declarant to go to the Embassy building to see what was happening.

ANNEX 3

WITNESS STATEMENTS

RECORD OF STATEMENT



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ADMINISTRACION
DE JUSTICIA 1368

--- When the declarant and his compatriots arrived at the Embassy, at approximately 21:40, they saw that the vehicle entrance was open and they went to the pedestrian entrance to the Embassy. There they found two stationary vehicles, one of them with its hazard lights on directly outside the pedestrian entrance, and the other on the other side of the street. Both were black. The second vehicle drove off when the declarant and his two friends reached the pedestrian entrance. Moreover, a police vehicle was parked at the end of the wall outside the Embassy.

--- A young male wearing a suit was leaning against the first vehicle. The declarant approached him and asked who he was. This person answered that he had received a message from someone to pick up a person at this location.

1372 --- At the very same moment his colleague JONG rang the Embassy
1373 doorbell and Mr CHOE answered from inside and told him to enter the
1374 building urgently. However, he was unable to open the pedestrian
1375 entrance.

1376 --- Consequently the declarant and JONG entered the Embassy
1377 premises via the vehicle entrance which was open, while his colleague
1378 PAE jumped over the fence to get inside.

1379 --- As they were going through the vehicle entrance they sensed that
1380 something was happening so they went to the main entrance to the
1381 building where they found their compatriots in the hall of the house. The
1382 declarant saw Mr CHOE, who was handcuffed with his hands behind his
1383 back, Mr JANG (he does not remember whether his hands were tied or
1384 not), Mr JU who was also handcuffed with his hands behind his back - Mr
1385 JANG and Mr JU were both injured and had blood on their faces - and Mr
1386 SO's wife (Mrs JANG) and their son.

1387 --- At this point his colleague Mr JONG, Mr CHOE and Mr SO's wife (Mrs
1388 JANG) went down to the basement to free Mr SO while the declarant
1389 remained in the hall with the rest of his compatriots.

1390 --- A few moments later these three people came back up to the hall with
1391 Mr SO, who was also injured and had blood on his face. Then the whole
1392 group decided to leave via the garage door, which was open. The group
1393 went to the police unit that was in the street and explained to them what
1394 had happened.

1395 --- The police officers asked them for identification and a few minutes
1396 later several other police patrol vehicles arrived.

1397 -- He has nothing more to state, and, having read this document, he
1398 signs it to show his conformity along with the Presiding Officer, which I,
1399 the Secretary, **CERTIFY**

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RECORD OF STATEMENT

Full Name: Kwang Hyok PAE

NIE [Foreign resident ID]: [REDACTED] 521-K

Place of birth: North Korea

Date: [REDACTED] 1987

Son/daughter of: Chang Sun PAE and Man Ok JONG

Address: Calle Darío Aparicio, 43, Madrid

Telephone: 91 307 87 76

--- Issued in Madrid, at the station of the Provincial Intelligence Services, on 23 April 2019 at 17:50 by the above-mentioned officers assigned to the aforementioned Provincial Intelligence Services, who are acting as the Presiding Officer and Secretary, respectively, for the purposes of this record and with regard to the events that gave rise thereto:

--- He has been informed of the legal obligation to state the truth (Art. 433 of the Law of Criminal Procedure) and of the criminal responsibility he might incur in the event of a false accusation or false imputation to an individual of a criminal offence or showing flagrant disregard for the truth (Art. 456 of the Penal Code); of pretending to be the perpetrator or victim of a criminal offence (Art. 457 of the Penal Code); or of giving false testimony (Art. 458 of the Penal Code).

--- He appears at this station freely and voluntarily after having been summonsed to do so, accompanied by Yun SOK SO (hereinafter SO), NIE [REDACTED] 359-M, born in North Korea on [REDACTED] 1979, son of So Jae MYONG and Ju Yong SUKM, address Calle Darío Aparicio número 43, Madrid and contact telephone number 91 307 87 76, whom the declarant designates to act as interpreter to help with anything that the declarant cannot explain in Spanish, in order to provide new information regarding the events that gave rise to these proceedings, he states that:

--- The declarant is currently an architecture student at Nebrija University and keeps in regular contact with his country's Embassy.

--- On 22/02/2019 another student from his country, called Chol Hak KIM, told him that his compatriots at the Embassy were not answering the telephone and they should go and see what was happening, so he, KIM and another colleague who is also from their country, called Myong Nam JONG, went there. At that time the declarant and his two colleagues were sharing a residence.

--- When the declarant and his compatriots arrived at the Embassy, at approximately 21:30 or 21:40, they saw that the vehicle entrance was open and they went to the pedestrian entrance to the Embassy. There they found two stationary vehicles, one was a police car at the end of the road and the other was directly outside the pedestrian entrance, with its hazard lights on. It was a black Mercedes Benz. A male dressed in a white shirt and suit trousers was next to the latter vehicle.

--- His two colleagues KIM and JONG spoke to this male and asked him who he was. They did not understand his answer very well.

--- Then his colleague JONG rang the Embassy doorbell and Mr CHOE answered via the screen and told them to enter quickly. Consequently



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the declarant decided to jump over the fence outside the premises and his two colleagues entered via the garage entrance. At that point, when the three of them entered the hall of the house they found their compatriots, some of whom were bleeding and had their hands tied, specifically:

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ADMINISTRACION
DE JUSTICIA

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1462 --- Mr JU was handcuffed with his hands behind his back. He is not sure whether his feet were tied.

1463 --- Mr CHOE was also handcuffed with his hands behind his back and he had wounds and blood on his face. He is not sure whether his feet were tied either.

1464 --- Mr JANG was also handcuffed with his hands behind his back and he had wounds on his face. He is not sure whether his feet were tied either.

1465 --- Mrs JANG (Mr SO's wife), who was agitated, and their minor son.

1466 --- The declarant then began to look for objects to free his compatriots. He therefore thinks that their feet were also tied.

1467 --- Meanwhile his colleague JONG, Mr SO's wife (Mrs JANG) and Mr CHOE went downstairs to look for Mr SO and came back up with him minutes later. The declarant noticed that his face was injured.

1468 --- When the declarant realised that Mrs JO (Mr JANG's wife) was not there, he set to looking for her all over the building with Mr CHOE, who was still handcuffed. During the search he found some boxes of hinged handcuffs in the hall of the house and took some keys to free Mr CHOE. At that point Mr CHOE went outside and the declarant continued looking for Mrs JO without success and left the building a few minutes later.

1469 --- When he went outside he found the rest of his compatriots and several police officers who asked him to identify himself.

1470 --- He has nothing more to state, and, having read this document, he signs it to show his conformity along with the Presiding Officer, which I, the Secretary, **CERTIFY**

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ADMINISTRACION
DE JUSTICIA

RECORD OF STATEMENT

Full Name: Myong Nam JONG

NIE [Foreign resident ID]: [REDACTED] 544-K

Place of birth: North Korea

Date: [REDACTED] 1993

Son/daughter of: Gi Yong JONG and Hye Yong JANG

Address: Calle Darío Aparicio, 43, Madrid

Telephone: 91 307 87 76

-- Issued in Madrid, at the station of the Provincial Intelligence Services, on 23 April 2019 at 18:30 by the above-mentioned officers assigned to the aforementioned Provincial Intelligence Services, who are acting as the Presiding Officer and Secretary, respectively, for the purposes of this record and with regard to the events that gave rise thereto:

-- He has been informed of the legal obligation to state the truth (Art. 433 of the Law of Criminal Procedure) and of the criminal responsibility he might incur in the event of a false accusation or false imputation to an individual of a criminal offence or showing flagrant disregard for the truth (Art. 456 of the Penal Code); of pretending to be the perpetrator or victim of a criminal offence (Art. 457 of the Penal Code); or of giving false testimony (Art. 458 of the Penal Code).

-- He appears at this station freely and voluntarily after having been summonsed to do so, accompanied by Yun SOK SO (hereinafter SO), NIE [REDACTED] 359-M, born in North Korea on [REDACTED] 1979, son of So Jae MYONG and Ju Yong SUKM, address Calle Darío Aparicio número 43, Madrid and contact telephone number 91 307 87 76, whom the declarant designates to act as interpreter as he prefers to make his statement in his mother tongue, in order to provide new information regarding the events that gave rise to these proceedings, he states that:

-- The declarant is currently an architecture student at Nebrija University and keeps in regular contact with his country's Embassy.

-- This regular contact consists of routine telephone calls and on 22/02/2019 they were unable to contact the Embassy.

-- In addition, a North Korean compatriot who also lives in Madrid, called Hyol Chol KANG, who works at an International Body, called his colleague Chol Hak KIM and told him that an Embassy employee was injured and in hospital. During the same conversation Mr KANG also told his colleague KIM that nobody was answering the telephone at the Embassy.

-- Consequently, his colleague KIM, another student colleague called Kwang Kyok PAE and the declarant himself, who were sharing a residence, decided to go to the Embassy to find out what was happening.

-- When the three individuals arrived, they found the garage entrance open and they walked to the pedestrian entrance, where they saw a vehicle directly outside the door. He remembers that it was black and its hazard lights were on. There was a young man wearing a white shirt next to the vehicle.



ADMINISTRACION
DE JUSTICIA

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--- As they were not sure what was happening, they looked around and saw a police vehicle at the end of the Embassy wall and another vehicle that was similar to the first one he has described.

--- Then his colleague KIM addressed the driver of the dark vehicle who was right next to the embassy entrance, asking him what he was doing there. He answered that he was waiting for "the call", but he did not know what he was referring to.

--- At the same time the declarant managed to contact Mr CHOE via the intercom. He asked them to jump over the embassy fence quickly and go inside.

--- The declarant and his colleague KIM entered the Embassy premises via the garage entrance, which was open, and his colleague PAE jumped over the fence.

--- When the declarant and his two colleagues were inside the premises, the three of them went to the hall of the building and found their compatriots as follows:

--- Mrs JANG (Mr SO's wife) and their son were very frightened.

--- Mr CHOE was handcuffed with his hands behind his back and he had injuries on his face. He cannot say whether his feet were tied.

--- Mr JANG was also handcuffed. He cannot say whether his hands were in front of him or behind his back or whether his feet were tied. He also had injuries on his face.

--- Mr JU was also handcuffed. He cannot say whether his hands were in front of him or behind his back or whether his feet were tied. He saw that he had injuries on his face.

--- At that point Mr SO's wife (Mrs JANG) told them that they could not find Mr SO, such that she, together with Mr CHOE and the declarant, began to look for him and discovered that he was shouting from the basement of the building, so the three of them went down to help him.

--- They found Mr SO with his hands and feet tied with tape, with his hands behind him, and a hood over his head. After they had freed him and seen that he had injuries on his face, the four of them returned to the hall to join the rest of the group.

--- Once the whole group was gathered in the hall they went outside, exiting the premises by the main entrance.

--- When he got outside, the declarant saw that the black vehicle with the hazard lights on, which he had seen before he went in was no longer there.

--- At that point they encountered several Police patrol units, who proceeded to identify him.

-- He has nothing more to state, and, having read this document, he signs it to show his conformity along with the Presiding Officer, which I, the Secretary, **CERTIFY**



ANNEX 4

**1. PHOTOGRAPH OF CHRISTOPHER AHN AT THE DOOR OF THE EMBASSY ON
22/02/2019**



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**2. PHOTOGRAPHS OF CHRISTOPHER AHN AT THE DOOR OF THE EMBASSY ON
22/02/2019**



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ADMINISTRACION
DE JUSTICIA



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ANNEX 5

PHOTOGRAPHS OF PURCHASES MADE AND PRODUCTS BOUGHT BY HONG CHANG AT SHOKE AND BY SAM RYU AT FERRETERÍA DELICIAS HARDWARE STORE AND OF DAMAGE CAUSED AT THE EMBASSY

- 1606 List of items bought at SHOKE
1607
1608 - 5 fast-draw pistol holsters.
1609 - 4 combat knives
1610 - 6 HK imitation pistols (PVC)
1611 - 1 shoulder holster
1612 - 4 pairs of shooting glasses
1613 - 5 tactical flashlights
1614 - 4 elastic balaclavas
1615 - 5 pairs of hinged handcuffs (two different types)

- 1616
1617 Receipt for purchase made by Adrian HONG CHANG at SHOKE



LA BOUTIQUE DEL POLICIA
Juan de Uribarri, 22
28007 Madrid
NIF: 05354134-X
Telf.: 91 552 43 57
www.tiendashoke.es

TICKET			
Fecha:	10:56	B01900493	VEN.:
PRODUCTO	UD.	I/U	SUMA
PAÑOL COQUERO EXTR. RÁPIDA	5	1€,00	70,00
COMBATE COMBATE MILITAR	4	29,95	119,80
PISTOLA IMAGEN SAUS USP COMBAT	6	26,00	156,00
SORRAGA VERTICAL COQUERO SW	1	59,95	59,95
ECHA VOLTEADA VOLTEADA	3	10,60	31,80
LINTERNA LED TECNO SHOKE ZEL 708	5	51,35	256,75
OFERTA - Precio anterior	58,95		
BERRIGLIO MILITAR ELÁSTICO 3	4	9,95	39,80
GARLLETTE DE CARGA ESTANDAR 10W	2	12,68	25,36
OFERTA - Precio anterior	13,50		
SPILLETE DE BISAGRA VOLTEADA	3	19,95	59,85
OFERTA - Precio anterior	22,61		
	0	0,00	0,00
Total abonado			833,15

TOTAL 833,15 EUR

COBRADO 833,15

IMPORTE A DEVOLVER 0,00

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ADMINISTRACION
DE JUSTICIA

Adrian HONG CHANG entering "SHOKE"



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Adrian HONG CHANG waiting to be served



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ADMINISTRACION
DE JUSTICIA

Adrian HONG CHANG exiting SHOKE with the purchases



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1637 **List of items purchased at "Ferretería DELICIAS" hardware store:**

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1639 • 20/02/2019

1640 - 3 Rolls of double-sided tape

1641 - 2 Rolls of black electrical tape

1642 - 1 Pair of Leatherman pliers

1643 - 1 Roll of black cloth tape

1644 - 1 Crowbar

1645 - 1 Pair of bolt cutters

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1647 • 22/02/2019

1648 - Crowbar

1649 - 4 Rolls of black electrical tape

1650 - 9 Pry bars

1651 - 5 pairs of clear safety glasses

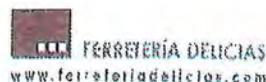
1652 - Telescopic ladder.

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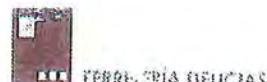
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ADMINISTRACION
DE JUSTICIA

Receipts for purchases made at Ferretería DELICIAS hardware store



VILLAR CORCEZ S.L.
Pº DE LAS DELICIAS, 46
28045 MADRID - MADRID
C.I.F: B87474094
FECHA: 20/02/2019 Pactura Nº: 216.005

Artículo	Unidades	Precio	% IVA	Importe
CINTA DE DOBLE CARA PARA MOQUETAS REMOVIBLE 20 M X 50 MM	3	10,04	0,00	30,12
CINTA AISLANTE NEGRO TEMPLEX 160 MM X 20 M	2	0,85	0,00	1,70
LEATHERMAN WINGMAN FUNDA NYLC	1	50,00	0,00	50,00
CINTA ADHESIVA DE TELA 1900 50 MM 50 M NEGRA	3	4,11	0,00	12,33
DESENCOFRADOR 5982-18X500 5982-18X500	1	13,99	0,00	13,99
CORTAVARILLAS DE 14	1	16,67	0,00	16,67
	IVA	21,00%		26,21€
TOTAL (I.V.A. Incluido)		161,02 €		



VILLAR CORCEZ S.L.
Pº DE LAS DELICIAS, 46
28045 MADRID - MADRID
C.I.F: B87474094
FECHA: 22/02/2019 Pactura Nº: 217.205

Artículo	Unidades	Precio	% IVA	Importe
DESENCOFRADOR 5982-18X500 5982-18X500	1	13,99	0,00	13,99
CINTA AISLANTE NEGRO TEMPLEX 160 MM X 20 M	4	0,85	0,00	3,40
BARRA DE DESENCOFRAR FATMAX DI 350MM	9	11,66	0,00	104,94
GAFA 2750 STYLISH PC- INCOLORA AR AE	5	10,12	0,00	50,60
ESCALERA TELESCOPICA 1 TRAMO XTEND 3,80M LINEA AZUL		1211,60	0,00	1211,60
	IVA	21,00%		80,73 €
TOTAL (I.V.A. Incluido)		166,18 €		

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COM PURCHASE DATE: 20/02/2019

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COI PURCHASE DATE: 22/02/2019

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Images of Sam RYU entering the hardware store 20/02/2019



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ADMINISTRACION
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1667 The Group paying for the purchases



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ADMINISTRACION
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Sam RYU entering the establishment 22/02/2019



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Sam RYU with another member of the Group



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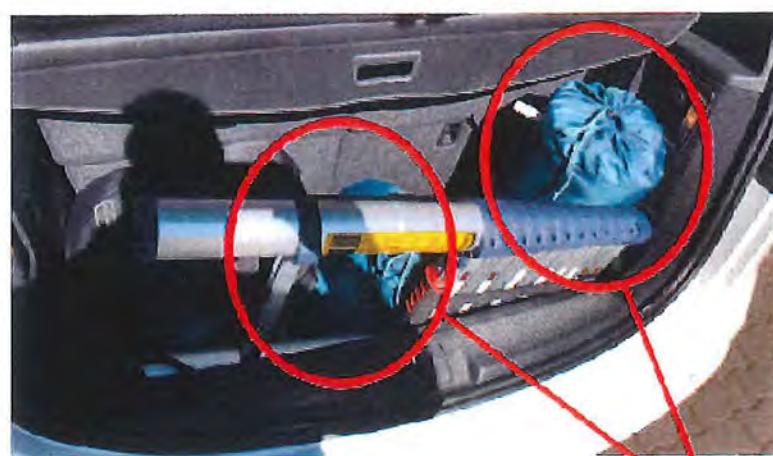
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ADMINISTRACION
DE JUSTICIA

Boot of the white SEAT Alhambra 4824KMT



Sac Sleeping Bags

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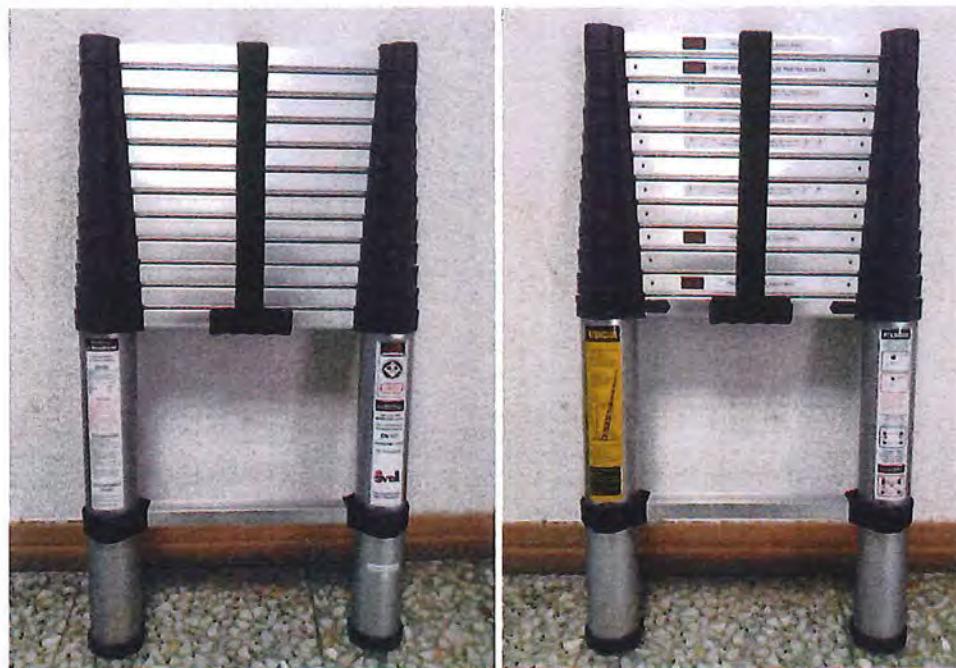


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ADMINISTRACION
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Detail of the telescopic ladder bought at Ferretería Delicias hardware store



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ADMINISTRACION
DE JUSTICIA 37

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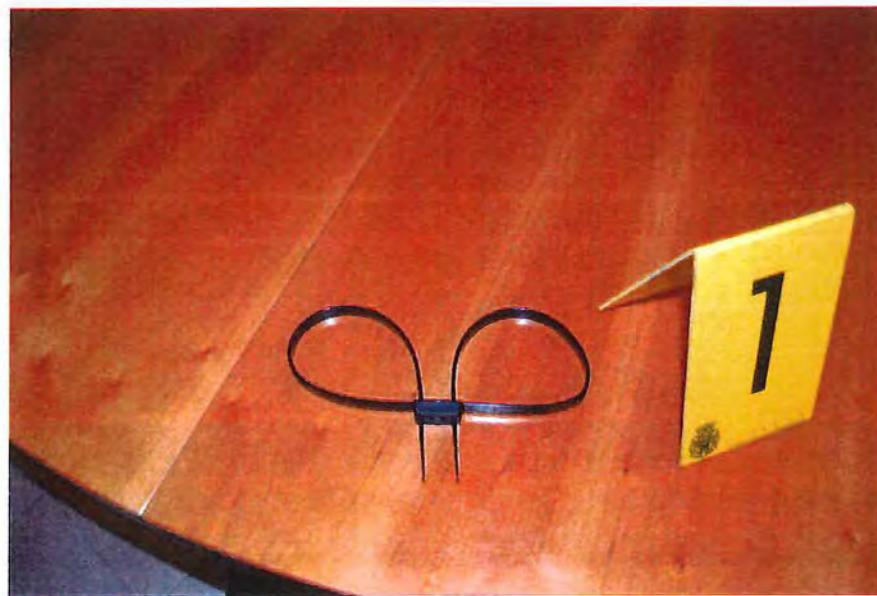
Cables ties used to tie the victims' hands



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ADMINISTRACION
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1756 Box of hinged handcuffs (4), tactical flashlight (10), gloves (8 and 9) and bag
1757 from Ferretería Delicias hardware store (7)
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1761 Shoulder holster (12) purchased at SHOCK by Adrian HONG CHANG
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ADMINISTRACION
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Hinged handcuffs (13 to 17) used to restrain the victims' hands



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ADMINISTRACION
DE JUSTICIA

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Balaclavas (22 and 24) used by the assailants to hide their identity





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ADMINISTRACION
DE JUSTICIA

Defence spray (35) and stylish clear shooting safety glasses used by the assailants (36 and 37)



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ADMINISTRACION
DE JUSTICIA

Broken cable tie (40) and black electrical tape (45)

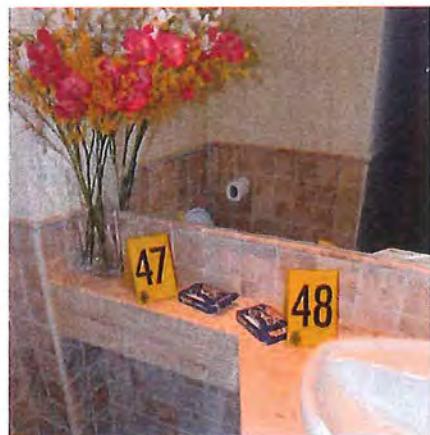


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DE JUSTICIA

Boxes of hinged handcuffs from SHOCK police supply store (47 and 48)



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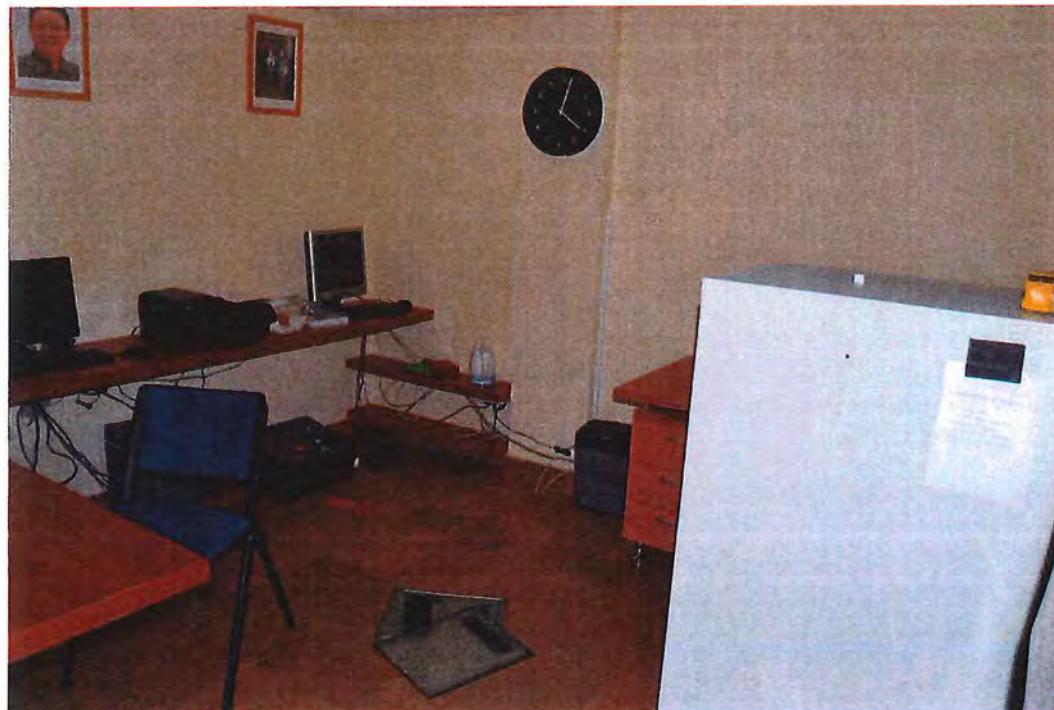
ADMINISTRACION
DE JUSTICIA

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Photos of damage caused at the Embassy



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ADMINISTRACION
DE JUSTICIA

Pliers found at the Embassy

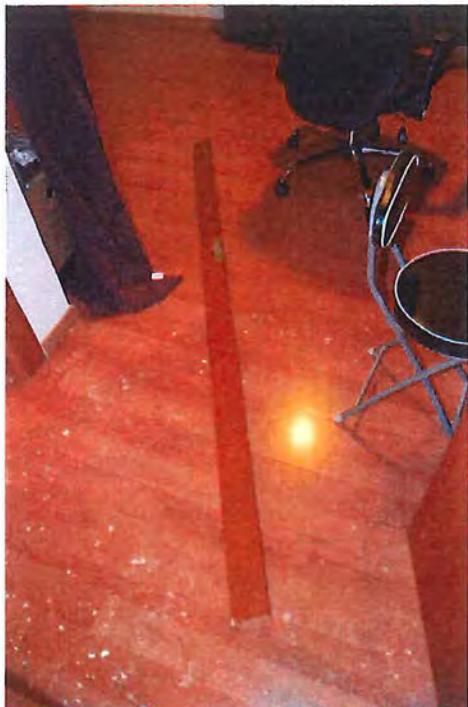


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Damage caused



ADMINISTRACION
DE JUSTICIA



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Bolt cutter tool found in the Embassy garden

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ADMINISTRACION
DE JUSTICIA



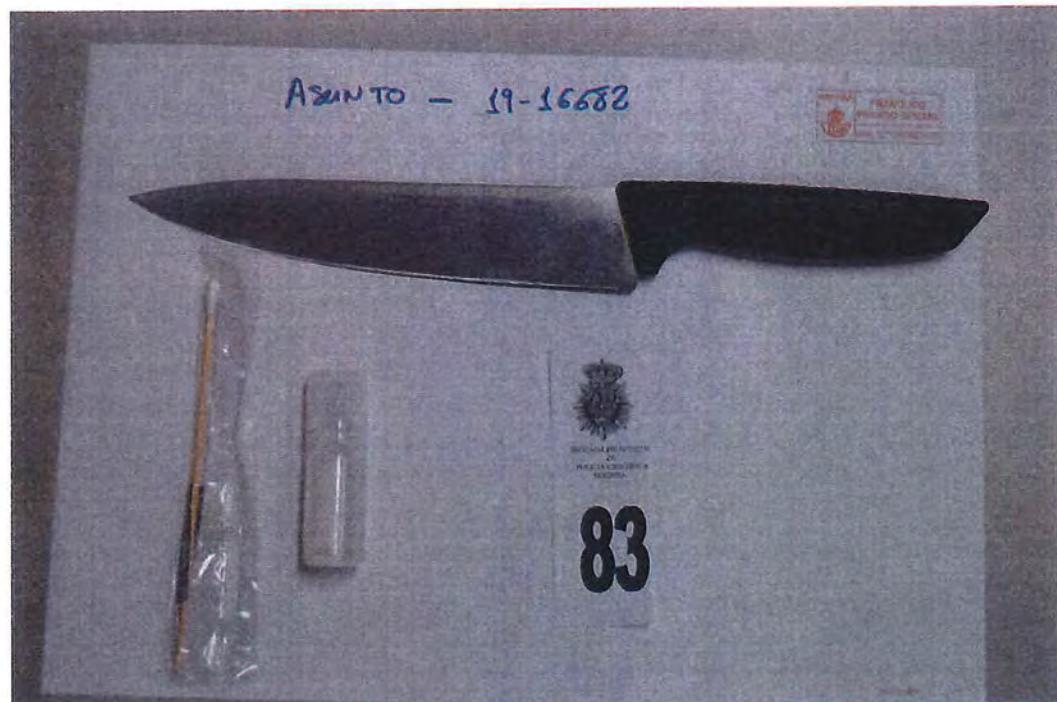
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1873 Knives and pair of scissors found inside the Embassy premises rubbish bin (83
to 85)
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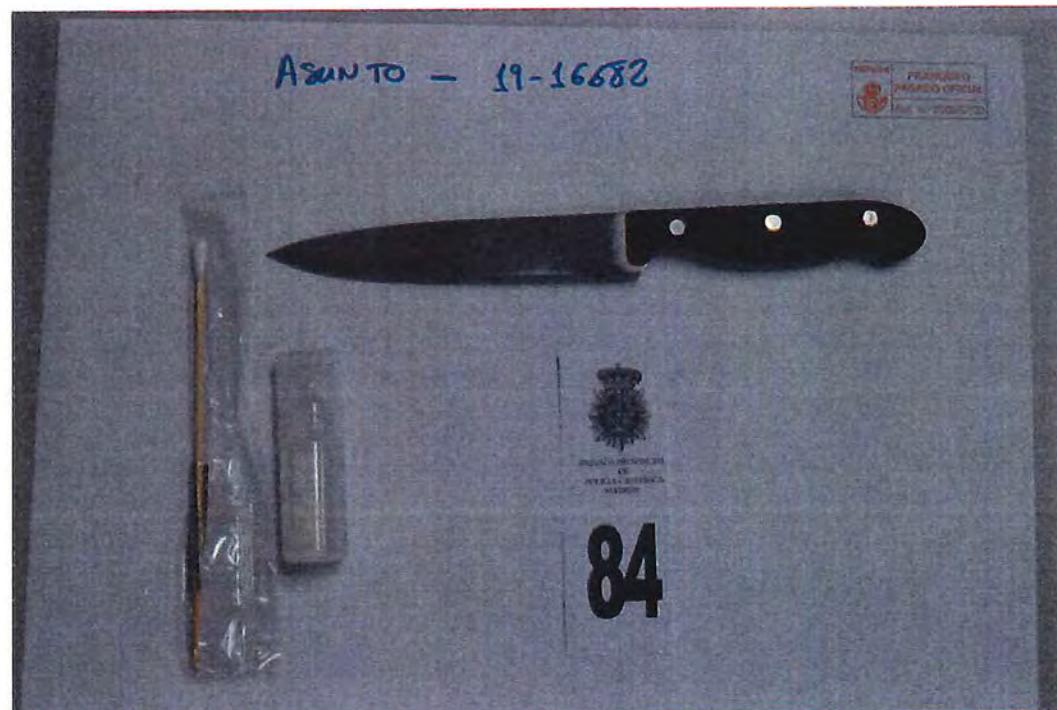
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DE JUSTICIA



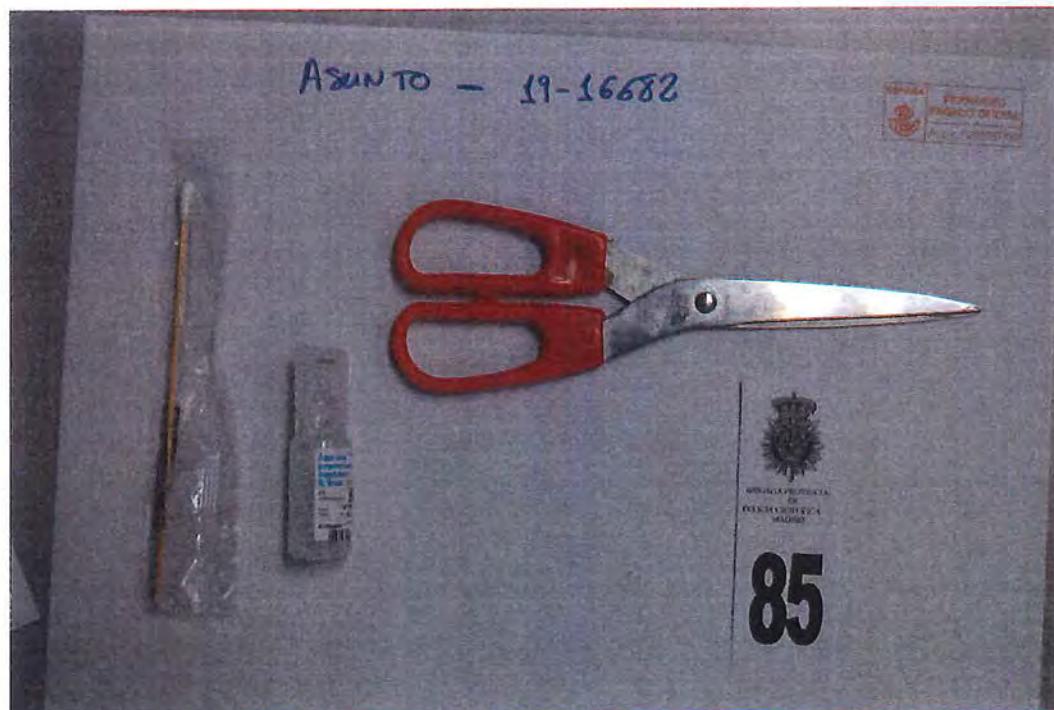
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ADMINISTRACION
DE JUSTICIA



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1892 Combat knives, cable ties and personal defence spray

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ADMINISTRACION
DE JUSTICIA



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HK imitation pistol (PVC)



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ADMINISTRACION
DE JUSTICIA

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Cable ties (2)



Personal defence spray (8 and 9)



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ADMINISTRACION
DE JUSTICIA

HK imitation pistol (PVC)



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HK imitation pistol (PVC)



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ANNEX 6

RULING ORDERING PROVISIONAL CUSTODY OF CHRISTOPHER PHILIP AHN

ADMINISTRACION
DE JUSTICIA

1937
1938 CASE: PRELIMINARY PROCEEDINGS [DILIGENCIAS PREVIAS]
1939 Number : 1396/2019

1940

1941 CENTRAL COURT OF INVESTIGATION [JUZGADO CENTRAL DE INSTRUCCIÓN]

1942 NO. 5

1943 NATIONAL HIGH COURT [AUDIENCIA NACIONAL]

1944 MADRID

1945

1946 RULING

1947

1948 In the City of Madrid, on 11 April 2019.

1949

1950 BACKGROUND TO THE FACTS

1951

1952 ONE. On 04/04/2019, this Court received an official communication
1953 from the National Police Intelligence Services in Madrid with the same date and
1954 registry number 1542/19, reporting the identification of a new suspect and
1955 providing photographic identification.

1956

1957 On the basis of the available evidence, the case was passed to the State
1958 Prosecutor's Office in order for a report to be prepared on the propriety of
1959 ordering provisional custody and issuing an International Arrest Warrant for
1960 Christopher Philip AHN.

1961

1962 The State Prosecutor's Office delivered a report on 09/04/2019,
1963 requesting a ruling ordering the provisional custody, communicated and
1964 without bail of Christopher Philip AHN.

1965

1966 LEGAL GROUNDS

1967



ADMINISTRACION
DE JUSTICIA

1968 **ONE.** Article 311 of the Law of Criminal Procedure provides that: "The Judge examining the proceedings will implement the measures proposed by the State Prosecutor's Office or any other of the parties appearing, where they are not considered needless or prejudicial".

1969 In this regard, Article 777 of the Law of Criminal Procedure [LECr] stipulates that "the judge shall either order the Judicial Police to carry out, or shall carry out him or herself, the necessary steps to determine the nature and circumstances of the crime, the individuals who have taken part in it and the competent body to bring it to trial (...)".

1970

1971 **TWO.** In the case under investigation, there is rational circumstantial evidence pointing to the perpetration of the following acts, notwithstanding any subsequent conclusions drawn from the investigation:

1972

1973 Christopher Philip AHN arrived at Adolfo Suarez-Madrid-Barajas Airport on 22/02/2019 at 8:10 on American Airlines flight 94 from JFK airport in New York (USA), that is, on the morning of the attack on the North Korean embassy. 1974 Later on the same day, a group of individuals, led by Adrian HONG CHANG, and 1975 including Sam RYU and Woo Ran LEE and AHN himself, entered the seat of the 1976 Embassy of the Democratic People's Republic of North Korea in Madrid by 1977 force, using firearms, machetes and knives. They then kidnapped all of the staff, 1978 hitting them and causing injuries to one or more individuals, among them the 1979 Commercial Attaché. They then proceeded to search the entire building, 1980 subsequently fleeing with three diplomatic vehicles belonging to the North 1981 Korean Embassy, specifically, a Mercedes Viano CD 416003, a Toyota Rav-4 CD 1982 416002 and an Audi A8 CD 416001, which were recovered some hours later.

1983

1984 The events occurred as follows:

1985

1986 The Embassy of the Democratic People's Republic of Korea is located in 1987 calle Darío Aparicio 43, in Madrid.

1988

1989 There were seven people inside the Embassy: Jang OK GYONG, K [REDACTED]
1990 Song Guk JANG, Song Jin CHOE, Hak Rim JU, Cho Sun HI and Yun Sok SO
1991



(the latter being the Commercial Attaché of the Democratic People's Republic of Korea).

On the afternoon of 22/02/2019 at 17:00, **CHOE** was carrying out gardening work in the Embassy's garden together with Hak Rim **JU** and Song Guk **JANG**.

At 16:34, **HONG CHANG**, together with another person, travelled from calle Río Adaja 13 to Calle Darío Aparicio 26 in Madrid (arriving at 16:48), seat of the Embassy, in order to carry out the attack.

At 17:00, **HONG CHANG** called at the door asking to see Yun Sok **SO**, the Embassy's Commercial Attaché.

Meanwhile, his companion remained waiting on the first roundabout in close proximity to the Embassy.

Song Jin **CHOE** opened the door and, hearing the request of **HONG CHANG**, granted him access and allowed him to enter the Embassy's premises, telling him to wait on a bench in the patio whilst he went to find **SO**.

Minutes prior to this, a white SEAT ALHAMBRA with registration plate 4824-KMT, had parked on the second roundabout located in Calle Viñas de Pardo. Five people got out of the car and walked towards the door of the Embassy, where they joined the person who was waiting nearby, and together they headed to the door of the Embassy.

Adrian **HONG CHANG**, taking advantage of a momentary oversight by **CHOE**, opened the door of the Embassy, granting access to the individuals who were positioned outside, including Woo Ran **LEE**, Sam **RYU** and Christopher Philip **AHN**.

There are images from the security cameras of the North Korean embassy, in particular from the security camera that covers the entry door to the embassy, in which Christopher Philip **AHN** appears clearly, being one of the people in the group that attacked the embassy.



They immediately entered the Embassy building carrying machetes, knives, iron bars and handguns (imitation), and started to violently hit those inside, until they managed to restrain them and immobilise them using hinged handcuffs and cable ties.

2044
ADMINISTRATION
DE JUSTICIA

2045 Thus, they attacked **CHOE**, they hit him, tied him up with cable ties and placed a bag over his head.

2046

2047 They also tied up and hit Hak Rim **JU** and Song Guk **JANG**, moving the
2049 three of them to the Embassy's meeting room.

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Several of the attackers, including Christopher Philip **AWN**, also attacked
2055 **SO**, hitting him and causing different injuries and forcibly took him to one of the
2056 bathrooms. **SO** resisted this and started to struggle with his attackers, until he
2057 was restrained and his arms were tied behind his back with cable ties. They
2058 covered his head with a bag whilst threatening him with iron bars and what
2059 appeared to be firearms pointed at the back of his neck.

2060

2061

The Embassy's commercial attaché, **SO**, carried out a photographic
2062 identification, unequivocally identifying Christopher Philip AHN as one of the
2063 people who attacked the embassy.

2064

2065

In his statement, the Embassy's commercial attaché, **SO**, states that this
2066 person, specifically, was one of the 4 or 5 people who, at the start of the attack,
2067 hit him in the entrance of the property until they managed to restrain him,
2068 assaulting him and hitting him, in order to immobilise him.

2069

2070

Approximately 30 minutes later the attackers took **SO** to the Embassy's
2071 meeting room, and they also took **CHOE**, **JU** and **JANG** to the same location.

2072

2073

Whilst the attack was underway, the wife of **SO**, Jang Ok **GYONG** and
2074 her son, K█████████ J█████ S█████ were in a bedroom with the door locked shut, although



2075 the attackers were able to force it open and enter the room to reach her and
2076 the child.
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2080 They did not restrain them or tie them up, but one of the attackers
2081 stayed guarding them so that they could not leave.

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2082 In addition, Cho Sun **HI**, wife of **JANG**, was on the top floor of the
2083 Embassy, and when she heard everything that was happening she went into a
2084 room, locking it shut, until the attackers started hammering on the door in
2085 order to gain access.

2086 Before they managed to do this, **HI** attempted to escape via the room's
2087 terrace. She ended up falling to the ground, sustaining various injuries but was
2088 able to escape and left the Embassy's premises via the Paddle tennis court,
2089 which has an exit directly out onto the street. There she was seen by a citizen,
2090 Oscar SANTIAGO PERALES, who helped her and requested medical and police
2091 assistance.

2092

2093

2094

2095 A medical team from **SAMUR**, the Municipal Emergency Assistance and
2096 Rescue Service in Madrid, went immediately to the scene of the events and
2097 started to treat her. She was seriously injured.

2098

2099 A police unit also immediately attended the scene and was informed by
2100 the victim that various people had attacked the Embassy.

2101

2102 After establishing a security perimeter, the police officers with
2103 professional identity numbers 122.334, 122.271 and 115.581, moved to the
2104 door of the Embassy and called at the door. The person who opened the door
2105 was Adrian **HONG CHANG**, who had affixed a pin bearing the face of the
2106 president of the Democratic People's Republic of Korea to the lapel of his
2107 jacket, presenting himself as a representative or person in authority at the
2108 Embassy and told them that there was no problem. He further stated that if a
2109 person of North Korean nationality had been injured then the police officers
2110 must inform the Consulate officially.



2111
2112 After approximately 60 minutes in the Meeting room, three of the
2113 attackers took **SO** to one of the rooms in the basement. There, two of the
2114 attackers urged him to leave North Korea, identifying themselves as members
2115 of a human rights association or movement for the liberation of North Korea.

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2118 When **SO** told them that he would not betray his country and would not
2119 defect, the two attackers who engaged with him left the room, leaving **SO**
2120 guarded by the third attacker. 15 minutes passed and various attackers
2121 entered. They tied him up again and once more placed a black bag over his
2122 head.

2123

2124 The assailants held the people who were in the Embassy for several
2125 hours, keeping them immobilised with hinged handcuffs and cable ties at all
2126 times and hitting them.

2127

2128 During this time they proceeded to systematically search different
2129 offices in the Embassy, taking possession of a couple of pen drives, two
2130 computers, two hard drives (one of them used for storing images from the
2131 security cameras) and an Huawei Honor mobile telephone with commercial
2132 number 645.659.070 and IMEI numbers: 861201038670115 and
2133 861201038491702.

2134

2135 They then took possession of three vehicles belonging to the Embassy,
2136 and the majority of the attacking group proceeded to leave the Embassy in
2137 these three vehicles at approximately 21:40, leaving the people who they had
2138 detained inside the embassy immobilised with cable ties and hinged handcuffs.

2139

2140 The vehicles were a Mercedes Viano CD 416003, a Toyota RAC-4 CD
2141 416002 and an Audi CD 416001. The three vehicles were recovered and
2142 returned to their owners. The leader of the group of assailants, Adrian **HONG**
2143 **CHANG** and one of the members of the group remained inside the Embassy
2144 until the three vehicles had left.



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DE JUSTICIA

At 21.30, a Mercedes E220 1953-KCJ, from UBER, was parked outside the Embassy. It had been booked by Adrian **HONG CHANG** for a journey from the door of the North Korean Embassy to Toledo.

Adrian **HONG CHANG**, proceeded to cancel this service at 21:40, possibly because it was clear that he could not leave the Embassy by the front, as there were different police units at the scene.

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Immediately afterwards, **HONG CHANG**, always using the false identity of the UBER user Oswaldo **TRUMP**, proceeded to book a new UBER service, for 21:46, on this occasion to Avenida de Valdemarín nº 56, which is precisely the rear of the North Korean Embassy.

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At this point, **HONG CHANG** and the other attacker left the Embassy by the rear, crossing an area of wasteland where they threw away an Italian identity card in the name of Matthew **CHAO** and some of the items they had used for attacking the Embassy (imitation pistols and machetes), and then fled the scene. The following day they left for New York (United States of America) on a flight departing from Lisbon.

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Matthew **CHAO** is another of the identities used by Adrian **HONG CHANG**. The Visual Inspection carried out by the police on 27/02/2019 resulted in the seizure of an Italian driving licence in the name of Matthew **CHAO**, a US citizen born on [REDACTED] 1979. The photograph on the licence shows an individual with similar features to the individual with the ponytail identified with this identity on 07/02/2019 (ultimately, Adrian **HONG CHANG**).

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This official Italian document is a complete forgery (according to report no. 19-166682, of the Document Examination Group of the Provincial Brigade of the forensic police in Madrid, adjoined with official police communication 1.383/19, of 22/03/2019).

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2180 At 21:50 three North Korean students, Kwang Hyok **PAE**, Myong Nam
2181 **JONG** and Chol Hak **KIM**, approached the Embassy
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2185 One of them called at the Embassy door and as he did not receive a
2186 response, he proceeded to jump over the Embassy's fence in order to assist the
2187 victims.
2188

2189 Immediately afterwards, they opened the Embassy door from the inside
2190 and the victims started to leave, still tied up. They received immediate
2191 assistance from the police.
2192

2193 At 22:35, **SO**, in his capacity as Commercial Attaché of the Embassy,
2194 issued written authority to the police unit for them to proceed "to enter the
2195 diplomatic legation for the purposes of conducting a search and determining
2196 whether all was in order and checking that there is no one inside who was not
2197 from the diplomatic legation".
2198

2199 Furthermore, **SO** issued a new written authorisation to the police unit
2200 for them to enter the diplomatic legation "in order for the forensic police to
2201 carry out the corresponding visual inspection and collect any items that may
2202 have been handled by the attackers".
2203

2204 The Mercedes Viano CD 416003 was found abandoned shortly
2205 afterwards, with the doors open and the engine running, on calle Galileo, 57, in
2206 Madrid.
2207

2208 The Toyota RAV 4 CD-416002 was found shortly afterwards, at
2209 approximately 23:10, on Avenida de Europa number 7, in Pozuelo de Alarcón.
2210 The AUDI A8 CD416001, was located at approximately 04:30 on Avenida
2211 Monforte de Lemos nº 93, open and with the keys inside.
2212

2213 Information from the FBI (note of 15/03/2019), shows that on
2214 27/02/2019, from New York, Adrian **HONG CHANG** made contact with the FBI,
2215 with the purpose of providing information relating to the incident at the
Embassy. At the same time he handed over to the FBI items obtained during
the attack.
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HONG CHANG stated that, of his own volition, he carried out the attack on the North Korean Embassy together with a group of unidentified individuals, giving superficial details about how the attack and seizure of the building was carried out. After this, the Criminal Group proceeded to search the Embassy looking for weapons and "other items".

2223 He also indicated that the attacking group were carrying knives and
2224 Airsoft pistol although none of them were displayed. It would appear that prior
2225 to the attack, HONG CHANG had made contact with an unidentified individual
2226 at the Embassy who was open to "defecting".

2227

2228 After the operation, the team split up into four groups and headed to
2229 Portugal, HONG CHANG flying from Lisbon to New York. All the members of the
2230 group were outside Spain at this time.

2231

2232 HONG CHANG, also paid for the hotel rooms in New York when they
2233 arrived in the United States after the incident, of Sam RYU, Woo Ran LEE,
2234 Siyoung PARK and Chung Su LIM . These individuals had a similar journey
2235 pattern to HONG CHANG.

2236

2237 THREE. The available evidence connecting Christopher Philip AHN; with
2238 the following identification details: born on [REDACTED] 1981 and United States of
2239 America passport [REDACTED] 1236; to the acts is as follows:

2240

2241 1. Christopher Philip AHN was in Italy in October 2018 (coinciding with the
2242 stay of HONG CHANG and Sam RYU in the same country).

2243

2244 He was with Sam RYU in the Annia Hotel in Venice, Italy, the night of
2245 23/10/2018 to 24/10/2018, according to a document with registry
2246 number 2072, in which the Italian Polizia Di Stato [one of the national
2247 police forces in Italy] provided information in relation to the suspects
2248 Adrián HONG CHANG (born [REDACTED] 1984 and holder of Mexican passport
2249 [REDACTED] 7079) and Sam RYU (born on [REDACTED] 1990).

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ADMINISTRACION
DE JUSTICIA
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He presented the following identification details: born on [REDACTED] 1981 in Sao Tome e Principe [Democratic Republic of Saint Thomas and Prince], passport [REDACTED] 1236 issued by Sao Tome e Principe.

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2. Christopher Philip AHN, born on [REDACTED] 1981 and holder of United States of American passport [REDACTED] 1236, arrived at Adolfo Suarez-Madrid-Barajas Airport on 22/02/2019 at 8:10 on American Airlines flight 94 from JFK airport in New York (USA), that is, on the morning of the attack on the North Korean embassy.

There is a record of the photograph extracted from the passport of AHN, by passport control at Adolfo Suarez-Madrid-Barajas Airport corresponding to that flight.

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- In the LinkedIn social network a profile Christopher Philip AHN, corresponds without doubt to the physical characteristics of the suspect, profile URL <https://www.linkedin.com/in/hellochristopherahn/>.
 3. There are images from the security cameras of the North Korean embassy, in particular from the security camera that covers the entry door to the embassy in which Christopher Philip AHN appears clearly, being one of the people in the group that attacked the embassy.
 4. The Embassy's commercial attaché, SO, has carried out a photographic identification of AHN's LinkedIn profile unequivocally identifying him as one of the people who attacked the Embassy.
 5. In his statement, the Embassy's commercial attaché, SO, states that this person, specifically, was one of the 4 or 5 people who, at the start of the attack, hit him in the entrance of the property until managing to restrain him, assaulting him and hitting him, in order to then immobilise him.
 6. **HONG CHANG**, in a statement made before FBI special agents in Los Angeles (California, United States) in February 2019, stated that one of the people who participated in the attack on the Embassy was Christopher Philip AHN, aged approximately 37 and a former United



2287 States Marine. He affirmed that **AHN** is from Chino (California) and lives
2288 close to Koreatown, in Los Angeles.
2289
2290

2291 **FOUR.** In view of the above and the new evidence incorporated into the
2292 proceedings, the acts under investigation bear the characteristics, always
2293 circumstantially and subject to subsequent clarification and classification,
2294 notwithstanding what may arise as a result of the investigation, of the following
2295 crimes:

2296

- 2297 - Crime of causing injuries (art. 147 of the Penal Code): three months'
2298 to three years' imprisonment.
- 2299 - Crime of illegal restraint (arts 163 and 165 of the Penal Code): two to
2300 four years' imprisonment for each crime.
- 2301 - Crime of threats (arts. 169 and 171 of the Penal Code): six months to
2302 two years' imprisonment.
- 2303 - Crime of breaking and entering (arts. 202 and 203 of the Penal
2304 Code): six months to two years' imprisonment.
- 2305 - Crime of robbery with violence and intimidation (arts. 237, 241 and
2306 242 of the Penal Code): six months to two years' imprisonment.
- 2307 - Crime of criminal organisation (arts. 570 bis of the Penal Code): four
2308 to eight years' imprisonment.

2309

2310 As can be seen, these crimes can carry very heavy sentences that could
2311 reach more than 10 years' imprisonment. Therefore, the legal requisites
2312 outlined in the Law of Criminal Procedure concur, and his preventative
2313 detention may be ordered in accordance with the provisions of arts. 503 et seq.
2314 Law of Criminal Procedure [LECrim]

2315

2316 **FIVE.** There is no possibility whatsoever of Christopher Philip **AHN**
2317 voluntarily presenting himself before Spanish justice, in view of his immediate
2318 flight from Spain the moment he completed his attack in the Embassy.

2319

2320 In view of the cited articles and others of a general nature that prove
2321 applicable, we issue the following

2322



OPERATIVE PROVISIONS

I ORDER:

The provisional custody, communicated and without bail of:

ADMINISTRACION
DE JUSTICIA

- Christopher Philip AHN, born on [REDACTED] 1981 and holder of United States of America passport [REDACTED] 1236.

2331

2332 For crimes of causing injuries (art. 147 of the Penal Code); illegal
2333 restraint (arts. 163 and 165 of the Penal Code) crime of threats (arts. 169 and
2334 171 of the Penal Code) crime of breaking and entering (arts. 202 and 203 of the
2335 Penal Code) crime of robbery with violence and intimidation (arts. 237, 241 and
2336 242 of the Penal Code); and crime of criminal organisation (arts. 570 bis of the
2337 Penal Code).

2338

2339 Serve notice to the appearing parties and to the Spanish State
2340 Prosecutor's Office.

2341

2342 An amendment remedy [recurso de reforma] may be lodged against this
2343 ruling within three days before this Central Court of Investigation, and/or,
2344 where applicable, an appeal remedy [recurso de apelación], before the Criminal
2345 Chamber of the National High Court, without causing the proceedings to be
2346 suspended, in application of articles 507 and 766 of the Law of Criminal
2347 Procedure.

2348

2349 It has thus been ordered, issued and signed by Mr José de la Mata
2350 Amaya, Judge of Central Court of Investigation number 5, I bear witness.

2351

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2353



ANNEX 7

ARTICLES FROM THE ORGANIC LAW ON THE JUDICIARY AND THE PENAL CODE

2359
ADMINISTRACION
DE JUSTICIA 2360

1. JURISDICTION

2361 Article 23 of the Organic Law on the Judiciary
2362 1. Within criminal law, the hearing of proceedings relating to crimes and
2363 misdemeanours perpetrated on Spanish territory or on board Spanish vessels
2364 or aircraft falls within Spanish jurisdiction, subject to the provisions of
2365 international treaties to which Spain is a signatory.

2366

2. TYPES OF CRIMINAL OFFENCES

2368

2369 OFFENCE OF CAUSING INJURIES [LESIONES]

2370

2371 Article 147

2372 1. Individuals who, via any means or procedure, cause another individual an
2373 injury that impairs his or her bodily, physical or mental integrity, shall be
2374 sanctioned, as perpetrators of a crime of causing injuries, with a prison term of
2375 between three months and three years or a fine of between six and twelve
2376 months, where the injury, to objectively heal, in addition to first aid, requires
2377 medical treatment and/or surgery. The simple vigilance or medical monitoring
2378 of the progress of the injury shall not be considered medical treatment.

2379 2. Whoever, by any means or procedure, causes an injury not included in the
2380 preceding paragraph, shall be punished with a fine of one to three months.

2381 3. Whoever hits or causes minor bodily harm to another without causing injury,
2382 shall be punished with a fine of one to two months.

2383 4. The crimes described in the two preceding paragraphs are only subject to
2384 prosecution if the injured party or their legal representative files a formal
2385 complaint.

2386

2387 OFFENCE OF ILLEGAL RESTRAINT [DETENCIÓN ILEGAL] AND KIDNAPPING 2388 [SECUESTROS]

2389

2390 Article 163



- 2391 1. Individuals who lock up or detain others, depriving them of their freedom,
2392 shall be punished with a prison sentence of between four and six years.
- 2393 2. If the perpetrator frees the victim within the first three days following the
2394 latter's confinement, having not achieved his/her original aim, a lesser
2395 sentence shall be given.

2386
ADMINISTRACION
DE JUSTICIA

2397 Article 165
2398 The upper grade of the sanctions outlined in the preceding articles shall be
2399 imposed in the corresponding cases if the illegal restraint or kidnapping
2400 involved a simulation of public authority or functions, or if the victim is a minor
2401 or disabled or a public official in the exercise of his or her functions.

2402 **OFFENCE OF THREATS [AMENAZAS]**

2403
2404 Article 169

2405 Individuals who threaten others with causing them, their family or other
2406 persons with whom they are intimately related detriment entailing homicide,
2407 injuries, abortion, offences against liberty, torture and offences against moral
2408 integrity, sexual freedom, privacy, honour, property and the social-economic
2409 order, shall be sanctioned:

- 2410 1. With a prison term of between one and five years, if he has made the threat
2411 demanding a sum or imposing any other condition, even though not unlawful,
2412 and the offender has achieved what he intended. Where he has not achieved
2413 his ends, he will be sanctioned with a prison term of between six months and
2414 three years.
- 2415 2. With a prison term of between six months and two years, where the threat is
2416 not conditional.

2417
2418 Article 171

2419 1. The threat to carry out a misdeed that does not constitute a criminal offence
2420 shall be sanctioned with a prison sentence of between three months and one
2421 year and a fine of between six and 24 months, depending on the gravity and
2422 circumstances of the act, providing the threat was conditional and the
2423 condition did not constitute proper conduct. Where the offender achieved his
2424 purpose, the upper half of the punishment shall be imposed.

2425
2426 **OFFENCE OF BREAKING AND ENTERING [ALLANAMIENTO DE MORADA]**



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Article 202

1. Individuals who, not residing therein, enter the dwelling of another or remain there against the will of the resident, shall be sanctioned with a prison term of six months to two years.

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**ADMINISTRACIÓN
DE JUSTICIA**
2433

2434 2. If the act is perpetrated with violence or intimidation, the sanction shall be a prison term of one to four years and a fine of six to twelve months.

2435

2436 **Article 203**

2437 1. Individuals who enter the seat of a public or private legal person, 2438 professional firm or office, a trading establishment or premises open the public 2439 after opening hours against the will of the owner thereof shall be sanctioned 2440 with a prison term of six months to one year and a fine of six to ten months.

2441

2442 **OFFENCE OF ROBBERY WITH VIOLENCE OR INTIMIDATION [ROBO CON
2443 VIOLENCIA O INTIMIDACIÓN]**

2444

2445 **Article 237**

2446 Individuals who, for profit, seize the movable property of another person, using 2447 force in order to gain access to or leave the place where this is located, or 2448 violence or intimidation towards individuals, either when committing the 2449 offence, to ensure their escape, or towards those who come to the aid of the 2450 victim or who may pursue them, are guilty of the offence of theft.

2451

2452 **Article 241**

2453 1. A robbery committed in an occupied house, building or premises open to the 2454 public, or in any of their installations, is punishable by imprisonment for a 2455 period of between two and five years.

2456 If the acts were committed in an establishment open to the public, or in any of 2457 its installations, outside of opening hours, a penalty of imprisonment of 2458 between one and five years shall be imposed.

2459 2. An occupied house is taken to mean any dwelling that constitutes the abode 2460 of one or more individuals, even where they are not at home when the robbery 2461 takes place.



2462 3. The installations of an occupied house, building or premises open to the public are taken to mean their patios, garages and other sections or enclosed areas lying contiguous to the building and communicating with its interior, with which they are physically connected.

2467 ADMINISTRACION
DE JUSTICIA

Article 242

- 2468 1. The culprit of robbery with violence or intimidation against individuals shall be sanctioned with a prison sentence of two to five years, without prejudice to the sanction that may be incurred as a result of any acts of physical violence that he or she carries out.
- 2472 2. Where the robbery is committed in an inhabited dwelling, a building or premises that are open to the public or in any of their installations, a prison sentence of between three years six months and five years shall be imposed.
- 2475 3. The upper range of the sentences indicated in the preceding paragraphs shall be imposed where the culprit uses weapons or other equally dangerous means, whether to commit the offence or to enable escape, or where he attacks those who appear to aid the victim or those who pursue him.

2479
2480

OFFENCE OF CRIMINAL ORGANISATION

2482

Article 570 bis

- 2484 1. Those who promote, constitute, organise, coordinate or oversee a criminal organisation shall be sanctioned with a prison term of between four and eight years where the organisation is dedicated to the commission of serious crimes, and with a prison term of between three and six years in all other cases; those who actively participate in the organisation, form a part of it or cooperate with it, economically or in any other manner, shall be sanctioned with a prison term of between two and five years, where the organisation is dedicated to the commission of serious crimes, and with a prison term of between one and three years in all other cases.

2493 For the purposes of this Code, a criminal organisation is understood to refer to a group formed of more than two people that is stable in nature and operates for an indefinite period, which, in an arranged and coordinated manner, assigns various tasks or functions with the aim of committing crimes.

2497 Number 1 of Article 570 bis inserted by number two hundred and fifty-three of the single article of Organic Law 1/2015 of 30 June, amending Organic



2499 Law 10/1995 of 23 November, on the Penal Code (Official State Gazette [B.O.E.]
2500 of 31 March). In force: 1 July 2015

2501 2. The sanctions envisaged in the preceding paragraph shall be imposed in their
2502 upper half when the organisation:

- 2503 a) is formed of a large number of individuals.
- 2504 b) possesses dangerous arms or instruments.
- 2505 c) possesses advanced technological communication or transport
2506 resources whose specifications are particularly suited to facilitating
2507 the commission of crimes or the culprits' impunity.

2508 Where two or more of these circumstances apply, sanctions of a higher
2509 level shall be imposed.

2510 3. The upper half of the sentencing range of the sanctions outlined in this
2511 article shall be imposed where the crimes involve attacks on the life or integrity
2512 of a person, or on freedom and sexual liberty and indemnity, or where the
2513 crimes involve human trafficking.

2514

2515 **3. PARTICIPATION**

2516

2517 **Article 27**

2518 Those criminally responsible for crimes and misdemeanours are the principals
2519 and their accessories.

2520

2521 **Article 28**

2522 Those criminally responsible for crimes and misdemeanours are the principals
2523 and their accessories.

2524 The following shall also be deemed principals:

- 2525 a) Whoever directly induces another or others to commit a crime.
- 2526 b) Whoever cooperates in the commission thereof by an act without which a
2527 crime could not have been committed.

2528

2529 **4. STATUTE OF LIMITATIONS FOR OFFENCES**

2530

2531 **Article 131**

2532 1. Crimes have a statute of limitations of:

2533 20 years, where the maximum sanction indicated for the crime is a prison
2534 sentence of 15 years or more.



2535 15 years, where the maximum sanction indicated by the law is disqualification
2536 for more than 10 years, or a prison sentence of more than 10 years and less
2537 than 15 years.

2538 10 years, where the maximum sanction indicated by the law is a prison
2539 sentence or disqualification for more than 5 years and less than 10.

2540 5 years, for all other crimes, except for minor crimes and the crimes of
2541 defamation and slander, which have a statute of limitations of one year.

2542 2. Where the sanction indicated by the Law is a combined one, the sanction
2543 that requires the longest statute of limitations shall be observed when applying
2544 the rules included in this Article.

2545 3. Crimes against humanity and of genocide and crimes against protected
2546 persons and property in the event of armed conflict, except for those in Article
2547 614, shall not have a statute of limitations.

2548 If they caused the death of a person, terrorist crimes shall not have a statute of
2549 limitations either.

2550 4. In cases of concurrent or contingent crimes, the statute of limitations shall
2551 correspond to the most serious crime.

2552

2553 Article 132

2554 1. The terms outlined in the previous Article shall be calculated from the day
2555 when the punishable offence was committed.

2556